Attachment #4

for January 23, 2018

Agenda Item # 16

First and Only Public Hearing to Consider the Recommended Order and Exceptions on the Site and Development Plan Application for Brookside Village Residential Subdivision

(due to the large size, attachment is a separate file)

Record of Appeal for

Moore Pond Homeowners Association, Inc. and
Ox Bottom Manor Community Association, Inc., Petitioners,

vs.

Leon County, Florida and Golden Oak Land Group, LLC, Respondents

DOAH Case No. 17-005082 / LSP#150035

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1 STATE OF FLORIDA
DIVISION OF ADMINISTRATIVE HEARINGS
2

3 CASE NO. 17-5082

4 MOORE POND HOMEOWNERS ASSOCIATION, INC., AND OX BOTTOM
MANOR COMMUNITY ASSOCIATION, INC.,
5 Petitioners,
vs.
6
GOLDEN OAK LAND GROUP, LLC, AND LEON COUNTY, FLORIDA,
7 Respondents.
8 _____

COPY

9 VOLUME I

10 BEFORE:

11 ADMINISTRATIVE LAW JUDGE BRAM E. CANTER

12

13 DATE: November 9, 2017

14 TIME: Commenced at 9:00 a.m.
Concluded at 5:15 p.m.
15
LOCATION: Division of Administrative Hearings
16 Tallahassee, FL

17

18 REPORTED BY: JUDY CHIN,
RPR, CRR
19

20

21

22

23 ACCURATE STENOTYPE REPORTERS, INC
2894 REMINGTON GREEN LANE
24 TALLAHASSEE, FL 32308

25

1 APPEARANCES:

2 REPRESENTING PETITIONERS:

3 JEREMY VINCENT ANDERSON, ESQUIRE
janderson@andersongivens.com
4 and
GUSTIN JOHN GIVENS, ESQUIRE
5 jgivens@andersongivens.com
ANDERSON & GIVENS
6 1699 Mahan Center Boulevard
Tallahassee, Florida 32308
7 850.892.6900

8

9 REPRESENTING RESPONDENTS/LEON COUNTY:
10
GREGORY THOMAS STEWART, ESQUIRE
11 gstewart@ngnlaw.com
and
12 KERRY ANNE PARSONS, ESQUIRE
kparsons@ngnlaw.com
13 and
CARLY J. SCHRADER, ESQUIRE
14 cschrader@ngnlaw.com
NABORS, GIBLIN and NICKERSON, P.A.
15 1500 Mahan Drive
Tallahassee, Florida 32308
16 850.224.4070

17

18 REPRESENTING RESPONDENT/GOLDEN OAK:
GARY K. HUNTER, JR., ESQUIRE
19 ghunter@hgslaw.com
and
20 ERIN J. TILTON, ESQUIRE
etilton@hgslaw.com
21 HOPPING, GREEN & SAMS
119 South Monroe Street
22 Tallahassee, Florida 32301
850.222.7500
23

24

25

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1 P R O C E E D I N G S

2 ADMINISTRATIVE LAW JUDGE: Let's go on the

3 record.

4 We are in Tallahassee, Florida.

5 This is a quasi judicial hearing in DOAH Case

6 Number 17-5082, Moore Pond Homeowners Association,

7 Inc., and Ox Bottom Manor Community Association,

8 Inc. versus Golden Oak Land Group, LLC and Leon

9 County, Florida.

10 This is hearing provided for under Section

11 10.7414, Leon County Land Development Code under a

12 contract with the Division of Administrative

13 Hearings.

14 I have been assigned to the case as a hearing

15 officer. My name is Bram Canter.

16 Will counsel make their appearances please.

17 Let's start over here.

18 Justin Givens, for the petitioner, Judge.

19 MR. ANDERSON: Jeremy Anderson, for the

20 petitioner.

21 MR. HUNTER: Gary Hunter, for Golden Oak Land

22 Group.

23 MS. TILTON: Erin Tilton, for Golden Oak Land

24 Group.

25 MR. STEWART: Greg Stewart, for Leon County.

1 MS. SCHRADER: Carly Schrader, also for Leon
2 County.
3 MS. PARSONS: Kerry Parsons, also for Leon
4 County.
5 ADMINISTRATIVE LAW JUDGE: All right. Thank
6 you.
7 Please silence your cellphones if you haven't
8 done so already.
9 I received some excellent prehearing
10 statements from the parties that's going to focus
11 the case quite well.
12 I saw in there that the order of presentation
13 was going to start with Golden Oak, and I wondered
14 whether the intent was that that was just for a
15 summary of the project at that point or is that
16 your case?
17 MR. HUNTER: No, Your Honor. That's exactly
18 right. It was so everybody had an idea what we are
19 talking about.
20 ADMINISTRATIVE LAW JUDGE: And then we will go
21 back to the prima facia case of the Petitioner?
22 MR. HUNTER: Yes, sir.
23 ADMINISTRATIVE LAW JUDGE: The provisions of
24 the Leon County Code that govern this proceeding
25 say that to the maximum extent practicable the

1 hearing shall be informal, and then it goes on to
2 talk about certain rights which sound like a normal
3 trial.
4 Do the parties want to help me understand to
5 what extent we are going to be informal here? If
6 I'm going to do something other than my normal
7 routine, I would like to kind of get a heads up on
8 what you think that is, in the informal aspect.
9 MR. ANDERSON: One thing, because it is very
10 technical, potentially some of the discussion could
11 be narrative. So maybe the parties agree to be a
12 little lax on the objection, narratives, when the
13 experts are providing their expert opinion.
14 ADMINISTRATIVE LAW JUDGE: That's an easy one,
15 I think.
16 Anything else?
17 Once we get started there might be something
18 else that happens where it might relate to that
19 question.
20 Any other preliminary matters to discuss
21 before we start?
22 MR. HUNTER: I think Mr. Anderson --
23 As I'm sure you read, Your Honor, there is a
24 procedure as part of this process where the public
25 can testify, not as witnesses of lawyers asking

1 questions, but provide their public commentary.
2 I believe one of Mr. Anderson's clients needed
3 to leave early and therefore wasn't going to be
4 here this evening or later in the day when we do
5 get to that point. He asked do we have an
6 objection of that occurring earlier. We don't.
7 If there is someone here that needs to speak
8 because they can't be here later, I don't have an
9 objection on behalf of the applicant in taking
10 someone like that out of order as long as it is not
11 disrupting a witness.
12 And then I have some exhibits that I was going
13 to give you that are joint exhibits. There are no
14 objections over any of the joint exhibits. That's
15 what is in these notebooks. We also have
16 electronic versions, but we don't know if Your
17 Honor wanted a paper copy to look at while we are
18 talking about them in the hearing, so we got those.
19 ADMINISTRATIVE LAW JUDGE: All right. Well,
20 with regard to public comment, at this point you
21 only know of one person that wishes to speak?
22 Once it starts, I guess we will invite anyone
23 who is present that wants to speak.
24 It seems like that summary of the project
25 might be --

1 Should go first.
2 MR. HUNTER: Sure.
3 ADMINISTRATIVE LAW JUDGE: And then is it okay
4 if the parties -- if the very next thing that
5 happens that we get this public comment? Is that
6 okay?
7 MR. STEWART: We have no objection. I believe
8 it is just one at this point for a matter of
9 scheduling, and then there will be others at the
10 conclusion of all of the evidence.
11 ADMINISTRATIVE LAW JUDGE: Okay. All right.
12 We will just take the one then.
13 So why don't we get the joint exhibits in.
14 MR. HUNTER: Sure.
15 May I approach, Your Honor?
16 ADMINISTRATIVE LAW JUDGE: Sure.
17 MR. HUNTER: This is just notebooks with joint
18 exhibits.
19 So that's yours. We have one for the witness.
20 We will put it up electronically, too.
21 ADMINISTRATIVE LAW JUDGE: Okay.
22 MR. HUNTER: If you look at the screen, you
23 will have to look at Mr. Marston's face, and you
24 can probably avoid that at the notebook.
25 ADMINISTRATIVE LAW JUDGE: A standing

1 objection --
2 All right. So we have joint exhibits in this
3 notebook, 1 through what? What do we have here?
4 MR. STEWART: 35.
5 ADMINISTRATIVE LAW JUDGE: I only have through
6 18.
7 Is there another volume?
8 MR. HUNTER: You should have Joint through
9 18 --
10 ADMINISTRATIVE LAW JUDGE: Oh, wait. I see.
11 Then it starts Petitioner's.
12 MR. HUNTER: Yes. But there is Joint through
13 35, Your Honor.
14 ADMINISTRATIVE LAW JUDGE: So this actually
15 has all of the parties' exhibits?
16 MR. HUNTER: It does.
17 ADMINISTRATIVE LAW JUDGE: There is no
18 objection --
19 MR. HUNTER: To the joint exhibits.
20 ADMINISTRATIVE LAW JUDGE: But there may be
21 objections to the others?
22 MR. HUNTER: Depending on how they are used,
23 we may have objections later.
24 ADMINISTRATIVE LAW JUDGE: We will wait on
25 that then.

1 MR. HUNTER: Yes, sir.
2 ADMINISTRATIVE LAW JUDGE: Based on that
3 representation, I'll admit into evidence Joint
4 Exhibits 1 through -- actually, I have 34.
5 MR. STEWART: I believe 35 were depositions.
6 We are readmitting the depositions?
7 ADMINISTRATIVE LAW JUDGE: 1 through 34 are
8 admitted.
9 (Joint Exhibit Nos. 1 - 34 admitted into
10 evidence.)
11 ADMINISTRATIVE LAW JUDGE: 35?
12 MR. STEWART: Depositions of all of the
13 witnesses, I believe.
14 MR. ANDERSON: No objection.
15 MR. HUNTER: If you want those -- we have them
16 that are a joint exhibit. I'm not planning to
17 refer to them.
18 If you want more paper. We will hold them
19 over here and it's your call.
20 ADMINISTRATIVE LAW JUDGE: I would normally
21 resist the idea of entire depositions coming in,
22 but it looks like a finite amount. One notebook is
23 not problematic.
24 MR. HUNTER: There you go.
25 ADMINISTRATIVE LAW JUDGE: All right. Then

1 Joint Exhibit 35 is also admitted.
2 (Joint Exhibit No. 35 admitted into
3 evidence.)
4 ADMINISTRATIVE LAW JUDGE: It is not labeled
5 as 35.
6 Anything else to take up before Golden Oak
7 makes it presentation?
8 MR. ANDERSON: One more exhibit. Leon County
9 has amended Exhibit 8, demo maps. If Golden Oak
10 doesn't have an objection, we all agree that that
11 can be accepted in as an exhibit, as a joint
12 exhibit.
13 ADMINISTRATIVE LAW JUDGE: And it is
14 identified as Leon County 8?
15 MR. STEWART: It will be as a category of
16 Respondent's joint exhibits, which are between
17 Golden Oak and Leon County, and that is Number 8
18 under that category on the exhibit list.
19 ADMINISTRATIVE LAW JUDGE: I don't understand
20 what you are saying.
21 It is not already in, is it?
22 MR. STEWART: It will not be within the 1
23 through 34.
24 ADMINISTRATIVE LAW JUDGE: All right. How is
25 it designated?

1 MR. HUNTER: In that notebook it is
2 Respondent's Exhibit 8.
3 ADMINISTRATIVE LAW JUDGE: Is it true there is
4 no objection to Respondent's Exhibit 8?
5 Then Respondent's Exhibit 8 is admitted.
6 (Respondent's Exhibit No. 8 admitted into
7 evidence.)
8 ADMINISTRATIVE LAW JUDGE: Anything else? All
9 right.
10 We are ready for Golden Oak's opening.
11 Are you going to call a witness?
12 MR. HUNTER: Yes. We will call Sean Marston,
13 Your Honor.
14 ADMINISTRATIVE LAW JUDGE: He will take a
15 stand.
16 Good morning.
17 * * *
18 Thereupon,
19 SEAN MARSTON
20 was called as a witness, having been first duly sworn,
21 was examined and testified as follows:
22 THE WITNESS: I will.
23 ADMINISTRATIVE LAW JUDGE: State your name for
24 the record.
25 THE WITNESS: Sean Marston.

1 ADMINISTRATIVE LAW JUDGE: Your witness.
2 MR. HUNTER: Thank you, Your Honor.
3 Thank you, Mr. Marston.
4 DIRECT EXAMINATION
5 BY MR. HUNTER
6 Q Would you state your current address and where
7 you are currently employed.
8 A My address is 2851 Remington Green Circle,
9 Suite D, Tallahassee, Florida. 32308.
10 I'm employed with Urban Catalyst Consultants.
11 Q And what is your title with Urban Catalyst?
12 A I'm the president.
13 Q Would you look at what's on the screen marked
14 as Respondent's Exhibit Number 12 and tell me is that a
15 copy of your resume.
16 A Yes, it is.
17 Q It's also in that notebook in front of you.
18 Take a look at it and tell me if that's an accurate copy
19 of your resume, since we don't have the entire one on
20 the screen.
21 A What exhibit is it?
22 Q 12. Respondent's Exhibit 12.
23 A Hold on.
24 Q There are a lot of tabs in here.
25 A That's correct.

1 MR. HUNTER: If we can offer for the record --
2 proffer Mr. Marston's resume, Your Honor, as
3 Respondent's Exhibit Number 12?
4 ADMINISTRATIVE LAW JUDGE: Any objection to
5 Respondent's 12.
6 MR. ANDERSON: No.
7 ADMINISTRATIVE LAW JUDGE: It's admitted.
8 (Respondent's Exhibit No. 12 admitted into
9 evidence.)
10 BY MR. HUNTER
11 Q How long have you been president, Mr. Marston,
12 of Urban Catalyst?
13 A For more than three years.
14 Q In that role at Urban Catalyst, what are your
15 job responsibilities?
16 A My job responsibilities are marketing, client
17 retention, project management, design, permitting for
18 site design projects.
19 Q And before you were serving in that role at
20 Urban Catalyst, where were you employed?
21 A I was employed with Genesis Group.
22 Q Genesis Group, what was your title and what
23 were your job responsibilities there?
24 A At Genesis Group I was a project manager. I
25 had the same roles and responsibilities that I have

1 currently at Urban Catalyst.
2 Q How long were you with Genesis Group?
3 A I was with Genesis Group for two years.
4 Q And before Genesis Group, where were you --
5 Was Genesis Group in Tallahassee?
6 A They are in Tallahassee.
7 Q So was the majority of your work in and around
8 Tallahassee, Leon County --
9 A The majority of my work was.
10 Q -- with Genesis Group and currently with Urban
11 Catalyst?
12 A That's correct.
13 Q And prior to Genesis Group, where were you
14 employed?
15 A I was employed with Creech Engineering. I was
16 the vice president, branch manager.
17 Q And what were the nature of your
18 responsibilities with Creech?
19 A They were similar to what I do now.
20 Q So engineering project management?
21 A Engineering project management, marketing.
22 Q Was that also in Tallahassee?
23 A Yes.
24 Q Okay. What is your educational background?
25 Just tell us college or beyond.

1 A I have a Bachelor's of science in civil
2 engineering from Florida State University.
3 Q And are you a registered civil engineer?
4 A I am. I'm licensed both here in Florida and
5 Georgia.
6 Q Okay. And do you have any particular area of
7 expertise as an engineer?
8 A My area of expertise is storm water and
9 environmental permitting.
10 Q Other than Brookside Village, have you had
11 other experience designing residential development
12 projects?
13 A Yes.
14 Q Approximately over the years how much?
15 A Approximately ten.
16 Q Okay. In Leon County or the City of
17 Tallahassee area?
18 A Yes.
19 MR. HUNTER: I would like to proffer or move
20 Mr. Marston as an expert in the field of civil
21 engineering and project design work.
22 ADMINISTRATIVE LAW JUDGE: Is this covered by
23 the stipulation?
24 MR. HUNTER: I don't think we stipulated.
25 MR. ANDERSON: I think we did.

1 MR. HUNTER: Then yes.
2 ADMINISTRATIVE LAW JUDGE: I saw something.
3 BY MR. HUNTER
4 Q Are you familiar, Mr. Marston, with the
5 Brookside subdivision?
6 A Yes.
7 Q How did you become familiar with it?
8 A I was retained by Golden Oak Land Group to do
9 the design and permitting project management.
10 Q Do you recall when they retained you?
11 A It was summer of 2015.
12 Q And so you got retained and then you embarked
13 upon the process of -- did they come to you and tell
14 you here is what we would like to do and you then went
15 and started working on the project to design that
16 requested project from the client?
17 A Right. We had a meeting and went over their
18 requirements.
19 Q And did you, as part of that process, did you
20 pull together the materials that were required to be
21 submitted to Leon County for consideration --
22 A Yes, I did.
23 Q -- and approval?
24 MR. HUNTER: I think we got two aerial maps
25 that probably help orient us where we are talking

1 about, Your Honor. Those are Respondent's
2 Composite Exhibit 3. If we can pull that up.
3 If it helps you you can look in that book. It
4 will be under Respondent's 3.
5 THE WITNESS: Okay.
6 BY MR. HUNTER
7 Q Will you tell us just generally --
8 Show us generally the area we are talking
9 about which is where Brookside is located and the
10 surrounding --
11 A Yes, sir.
12 ADMINISTRATIVE LAW JUDGE: Before we talk
13 about its contents, we should see if there is some
14 objection to its admission.
15 Is there an objection to the admission of
16 Respondent's 3?
17 MR. STEWART: Not from the County.
18 ADMINISTRATIVE LAW JUDGE: Respondent's 3 is
19 admitted.
20 (Respondent's Exhibit No. 3 admitted into
21 evidence.)
22 ADMINISTRATIVE LAW JUDGE: You may proceed.
23 BY MR. HUNTER
24 Q Generally describe the area where Brookside
25 is.

1 A Brookside is located in northeast Leon County.
2 It is approximately here.
3 Moore Pond is right there.
4 Just to orient you, this is Meridian Road,
5 runs north and south.
6 This is Ox Bottom Road.
7 This is Thomasville Road.
8 Up here is Bannerman Road.
9 Q What you are pointing to there I think is in
10 3A.
11 If we could refer to 3B, which is just --
12 ADMINISTRATIVE LAW JUDGE: What if those
13 lights are turned off? It could help us. If
14 someone is near the switch.
15 I don't know which one it is. Just experiment
16 a little bit.
17 That's better.
18 THE WITNESS: That's better.
19 MR. HUNTER: Do you want to go back to 3A
20 where we can see it better?
21 ADMINISTRATIVE LAW JUDGE: I'm good.
22 BY MR. HUNTER
23 Q Looking at 3B, which I think is a zoomed-in
24 area, could you show us where the Brookside project is
25 in relationship to what's around it.

1 A Yes. The Brookside Village project is right
2 here, this piece of land here.
3 It is bordered to the left by Ox Bottom Manor
4 and Ox Bottom Gardens.
5 Here is Rosehill.
6 And then bordered to the west and north by
7 Moore Pond subdivision.
8 Q Do you know what is the area to the south?
9 A Area to the south here is Rosehill
10 subdivision.
11 Q Walk me through the permitting process that
12 you went through on Brookside.
13 Once you met with your client, started pulling
14 together the design, what did you then do as far as
15 going forward with the county to get the project
16 considered?
17 A Right. The first step in any county project
18 is to submit a permitted use verification.
19 Q And what's a permitted use verification?
20 A Permitted use verification is a certification
21 that a project is eligible to be constructed on a piece
22 of property with respect to the Land Development Code
23 and site specific conditions.
24 Q And let me --
25 Let's pull up what's been marked as Joint

1 Exhibit Number 2.
2 That's already admitted as a joint exhibit.
3 Is that a copy, Mr. Marston, of the permitted
4 use verification for Brookside?
5 A Yes.
6 Q And when you received that, what did the
7 conclusions of the county tell you when you applied for
8 it?
9 A When we originally applied back in June,
10 applied for I believe it was 61 --
11 Well, we applied back in 2015 originally for
12 this project for residential subdivision. We revised it
13 back in January 2016 to meet our current design, which
14 is a 64-lot subdivision in RP zoning district.
15 Q Is the current design 64 or 61?
16 A The current design is 61.
17 Q Your original --
18 A Was 64. And then we went to 61 due to the
19 changes that we made in the plan.
20 Q And when you initially applied in the -- in
21 Joint Exhibit 2 that's on the board, from the county
22 they concluded the 64-unit subdivision at the Brookside
23 parcel where the project being developed was acceptable?
24 A Right. The status was eligible. It met the
25 density requirements of the RP which range from zero to

1 six units per acre.
2 Q Does the permitted use process then tell you
3 what additional processes you have to go through with
4 the county?
5 A That's correct.
6 On the last page it lists the steps that are
7 required to proceed with the project.
8 Q And looking at the screen, or your notebook,
9 whichever is easier for you, are those the steps listed,
10 steps one through seven of going through that process of
11 getting ultimate building permits to build whatever is
12 being constructed there?
13 A That's correct.
14 Q And did you --
15 Have you overseen the process outlined through
16 the steps?
17 A I have. Except for the building permit, those
18 would be submitted at time of home construction.
19 Q Did anyone challenge the permitted use
20 verification when it was obtained by you?
21 A Not to my knowledge.
22 Q So after the permitted use verification was
23 secured, did you have a pre-submittal meeting with the
24 county?
25 A We did.

1 Q How many pre-submittal meetings did you have,
2 do you recall?
3 A I don't recall the number. But I know we had
4 more than one.
5 Q And then did you also --
6 Let's step back.
7 What was the purpose of the pre-submittal
8 meeting?
9 A It was to discuss the layout of the project.
10 Q Okay. And then you -- did you have a design
11 at that point or you were in the process of completing
12 the design?
13 A We had a conceptual design. We went to get
14 input and made modifications for our submittal.
15 Q And then with the city and county, did you
16 enter into a sewer agreement that related to how
17 wastewater service would be provided to the site?
18 A We had to submit a concept water and sewer
19 plan to the department for review and approval.
20 They gave us approval and told us there was
21 adequate capacity within the system for water and sewer.
22 Q And so there was no issues with either of
23 those issues, water was okay, city said they could
24 provide it --
25 A That's correct.

1 Q -- sewer was okay, city said they could
2 provide it?
3 A That's correct.
4 Q Water and sewer are already external or are
5 they --
6 A They are adjacent to the site.
7 Q You also indicated -- or if you look at that
8 list you were required to do what's called a natural
9 features inventory.
10 Did you oversee a natural features inventory
11 being done at the site?
12 A I did. We hired a consultant to do the work,
13 a biologist. Florida Environmental and Land Services
14 did the natural features inventory report.
15 Q What were the conclusions of the NFI for the
16 site?
17 A They identified some environmentally sensitive
18 features on the site. Those are generally located in
19 the middle of the site. They included wetlands,
20 watercourses, native forest, significant severe slopes,
21 and an altered floodplain.
22 Q Did Leon County review the natural features
23 inventory?
24 A They did.
25 Q Was it approved?

1 A It was approved on the condition that we
2 provide a vegetative management plan for the invasive
3 species remediation as well as the conservation area
4 management.
5 Q And did you do a plan for both of those items?
6 A Submitted to the county.
7 Q And the review of that plan was part of the
8 DRC process?
9 A Yes.
10 Q Did you obtain concurrency certificates for
11 the project beyond the water and sewer so --
12 We will take them one at a time.
13 Was there a transportation concurrency
14 certificate required for the project?
15 A Prior to submitting the site plan, we
16 submitted concurrency, it was both for traffic and storm
17 water.
18 Q Any issues related to that, to either?
19 A No, there were no issues.
20 Q So there's adequate traffic capacity based
21 upon the concurrency review by the city or county?
22 A That's correct.
23 Q And no storm water issues based on concurrency
24 review?
25 A No.

1 Q What about school capacity, did you have to
2 get a school concurrency certificate?
3 A School concurrency is separate. We submit it
4 to the school board, and they provided us a certificate
5 saying there was adequate capacity for schools.
6 Q When you say they, you are referring to Leon
7 County Schools?
8 A I'm referring to the school board.
9 Q And have you updated the school concurrency
10 determination by the school board?
11 A It has been updated to reflect home size.
12 Q So there is currently concurrency approval for
13 any item for which you needed concurrency approval from
14 the local government --
15 A Correct.
16 Q -- or the school board?
17 A Yes.
18 Q So you said before you did the site plan
19 review you did the concurrency approval.
20 Was the next step to get a site plan review?
21 A Yes.
22 Q And what is a site plan generally? I mean,
23 what is it that you develop when you development a site
24 plan?
25 A A site plan is a plan that's designed on top

1 of the survey which shows property boundaries, it shows
2 lot lines, buffers, roadway, right-of-way widths, and
3 other special features that are specific for the site.
4 Q And was that site plan part of what the DRC
5 was reviewing and part of what is in essence has been
6 challenged in this case?
7 A Yes.
8 Q And it is your understanding that the DRC
9 approved the site plan back in August when it was
10 reviewed, is that correct?
11 A It was conditionally approved.
12 Q And the conditions are listed in the DRC
13 approval document, whatever that exhibit number is, is
14 that correct?
15 A Yes.
16 Q You also had to secure an environmental
17 management permit, is that right?
18 A That's correct.
19 Q And what was the -- what is the purpose of an
20 environmental management permit?
21 A The purpose of the environmental management
22 permit is to review the storm water impacts, the
23 landscaping impacts, the tree preservation removal
24 impacts the project would have on a parcel.
25 Q And is that also -- has that also been

1 approved or is that in the process at the county?
2 A We submitted that concurrently with the site
3 plan under their FPDA, so it was reviewed at the same
4 time. So we have conditional approval from DRC.
5 Q Turn to --
6 If you don't mind, let's pull up Joint
7 Exhibit 13. Turn to Joint Exhibit 13 that I believe was
8 admitted.
9 Do you recognize that document, Mr. Marston?
10 A Yes.
11 Q And what is it?
12 A This is our most current site plan that we
13 submitted to the county dated August 2.
14 Q So that's the site plan that was approved by
15 the DRC in August?
16 A That's the site plan that was conditionally
17 approved, correct.
18 Q Is that the original site plan -- your
19 original design or different than your original design?
20 A It is different than our original design.
21 Q We will look at that in a minute.
22 Turn to, if you don't mind, I think it is
23 C-112.1 of your site plan. Are you there?
24 A Yes.
25 Q Is that the project you designed?

1 A Yes.
2 Q Could you just walk us through what we are
3 looking at, put it in context of what's surrounding it,
4 where the roads are, and tell us, you know, generally
5 the design of that project.
6 A Okay. As I mentioned, we have some
7 environmental features on the site, therefore we had to
8 place them in a conservation easement. The shaded areas
9 are conservation easement and water impalements.
10 This is the upper impalement.
11 This is the lower impalement.
12 Therefore we designed the subdivision on the
13 uplands property.
14 Due to the fact we had an environmental
15 feature in the middle, we designed a horseshoe-shaped
16 road that's connected to Ox Bottom.
17 The parcels are connected to the road.
18 Also two parcels here that would be access
19 through Brookside Village on the bottom.
20 One more thing, our storm water pond for the
21 project are right here and right here.
22 Q When you say connected to Ox Bottom where you
23 showed that main entry roadway, is that Ox Bottom Road,
24 not Ox Bottom the subdivision?
25 A This is Ox Bottom Road, correct.

1 Q Where is Ox Bottom the subdivision?
2 A The entrance to Ox Bottom Manor is right here.
3 Q And where is Moore Pond subdivision in --
4 A Moore Pond subdivision is on this side, east
5 side and the north side. And there's a portion that is
6 right here.
7 Q Is your understanding --
8 Well, let me go back.
9 Show us --
10 Did you design buffer areas as part of the
11 site plan review?
12 A We did.
13 Q And where are those buffers?
14 A We have a 25-foot buffer that runs along this
15 side against Moore Pond.
16 There is a 25-foot buffer along Ox Bottom
17 Road.
18 There is a 25 buffer that extends to this
19 point along Ox Bottom Manor.
20 We have a 20-foot buffer that extends this
21 portion.
22 Then we have a 10-foot buffer that runs this
23 length.
24 Then we have a 10-foot buffer that runs the
25 length against Moore Pond.

1 Q And is the site plan that is Composite Joint
2 Exhibit 13, it is your understanding that that site plan
3 was approved by DRC, conditionally again?
4 A Yes.
5 Q And it is your understanding --
6 Let me ask it this way: Did you design that
7 site plan in a way to be compliant with the Land
8 Development Code criteria governing this project?
9 A Yes.
10 Q It is your opinion that it does comply with
11 those criteria?
12 A Yes.
13 Q Turn to what has been marked as Composite
14 Joint Exhibit 3 -- Joint Composite Exhibit 3.
15 A I'm there.
16 Q What is that exhibit?
17 A This is our original submittal to the county.
18 Q Turn to Joint Exhibit 11, if you don't mind,
19 and tell me what that is.
20 A That is our Brookside Village permitting
21 summary.
22 Q So going back to Joint Exhibit 11. And if you
23 need to rely upon that permitting summary --
24 Well, let me step back.
25 What's the permitting summary describe?

1 A It describes the process -- the permitting
2 process that we went through with the county, with all
3 the meetings that were held.
4 Q And starting when?
5 A Starting on December -- with the December 2,
6 2015 ARM meeting.
7 Q And concluding in August of 2017?
8 A August 2017.
9 Q Going back to Exhibit 11 --
10 I'm sorry.
11 Go back to Joint Exhibit 3. Tell us, just
12 generally, you may need to go sheet C-112 --
13 Tell us what the primary differences are
14 between that and the site plan that ultimately was
15 approved?
16 A Can we go C-114?
17 The differences in the site plan were we
18 provided enhanced buffers on our current version in this
19 location, which is against Moore Pond, an enhanced
20 buffer along Ox Bottom Road, and an enhanced buffer
21 along Ox Bottom Manor.
22 The storm water pond shapes are different in
23 our original submittal from our current submittal. This
24 is pond 100. This is pond 200. We made some
25 improvements to these impalements which are off the

1 sheet.
2 If you go to 115, maybe --
3 We made some improvements to these
4 impalements.
5 This is the upper impalement. We are calling
6 it impalement one.
7 This is the lower. We are calling it two.
8 We designed an elevated dam in this area to
9 take into consideration some natural storage in this
10 ravine. We replaced the control structure in that dam
11 which was failing on impalement number two. We also
12 improved that dam by providing emergency spillway. We
13 changed the control structure. Now it is a new control
14 structure.
15 We added wetland plantings within impalement
16 number two, which will act as a final polishing agent
17 for storm water leaving the site.
18 Also these lots along Moore Pond are different
19 from our original submittal to our current submittal.
20 There are four lots here that are 75-foot in
21 width. There are five lots now that are 80-foot in
22 width. There are three lots 100-foot in width.
23 We increased the size of lots on the side
24 against Ox Bottom Manor. Now these lots are minimum of
25 70-feet wide.

1 We took the smaller lots that you are seeing
2 out here and pushed them all to the interior of the
3 site, and they resulted in a loss of three lots from our
4 original submittal.
5 Q So let me ask you a few questions about the
6 changes you described.
7 First, what was the reason that you made those
8 changes?
9 A The developer was working in a good faith
10 effort with the neighborhoods, and these were some
11 changes we made to address some of their concerns.
12 Q And what were the nature of the concerns you
13 were hearing from the neighbors?
14 Did you take part in meetings with the
15 neighbors?
16 A I didn't take part in all of the meetings. I
17 took part in some of the meetings.
18 They were concerned about buffers. They were
19 concerned about storm water leaving the site which could
20 impact Moore Pond.
21 Q Did they have other concerns?
22 A They were concerned about the compatibility
23 between the two.
24 Q Were they concerned about the values of their
25 homes being impacted?

1 A They were.
2 Q Did you hear people testify to that effect?
3 A I did.
4 Q Did you --
5 Were the nature of the changes you made from
6 the site plan that we are looking at to the one that was
7 ultimately approved changes that were made to make the
8 project compliant with code or were they changes that
9 were made to address the concerns?
10 A They were changes made to be a good neighbor,
11 to address their concerns.
12 Q Is the site plan we are looking at on the
13 board now your original 2015 -- December 2015 timeframe,
14 was it compliant with code in your opinion?
15 A Yes.
16 Q So your original design was compliant with the
17 code. You made the changes because you heard concerns
18 from the neighbors?
19 A Yes.
20 MR. HUNTER: Give me a second, Your Honor. I
21 need to make sure I'm covering all I need to.
22 BY MR. HUNTER
23 Q You mentioned earlier the buffers. Are you
24 familiar with the opacity requirements of how those
25 buffers are designed?

1 A Those buffers are designed to have a
2 75 percent opacity at time of planting and 90 percent
3 opacity at the time five years from planting.
4 Q As part of the DRC approval in August of 2017,
5 was it a requirement that the opacity level of the
6 buffers be increased from 70 percent to 90 percent at
7 time of initial planting?
8 A At time of planting, yes, they did enhance the
9 opacity requirements --
10 I believe this is lot 15-A down here to lot
11 17-A. It has to have a 90 percent opacity at time of
12 planting.
13 Q Is there an area of your buffer that has a
14 berm in it?
15 A Right. This section right here was previously
16 used as a driveway entrance to this parcel. It is a
17 dirt road. So we decided to provide a mounded berm,
18 3-foot high, which would be vegetated. In the middle we
19 are placing an 8-foot high privacy fence.
20 Q And the berm itself would be planted with
21 vegetation, I presume?
22 A Planted to the type-C type buffer that we
23 proposed in the plans.
24 Q Are there other areas within the buffer zone
25 in which a privacy fence has been located?

1 A There is. We heard concerns from the
2 neighbors. They were concerned about light intrusion
3 into their homes with a person traveling coming down to
4 this lot, therefore we provided an 8-foot high fence
5 that runs from here to here to mitigate the light
6 intrusion.
7 Q Is your design to include that fence on the
8 interior of your buffer so the fence isn't visible but
9 it is there to block the light in addition to the
10 vegetation that's planted in that area?
11 A That's correct. The fence is to the middle of
12 the buffer, and there would be vegetation on both sides.
13 Q What about any restrictions on -- were there
14 any restrictions added in the covenants that were
15 approved as part of the DRC process on the design of the
16 homes?
17 A There was. There was a restriction on the
18 house size as well as there were restrictions on the
19 second floor rear facing windows. There were no rear
20 second story facing windows that would look out to the
21 neighboring properties.
22 Q Given just related to that issue of the rear
23 looking windows, or the omission of them, the
24 prohibition of them, even if there were rear looking
25 windows on those areas that you described, would you be

1 looking at a buffer or would you be able to look beyond
2 that buffer, in your opinion, based on the design of the
3 homes? I mean, are you going to be able to see over the
4 buffer given the requirements of this buffer that's been
5 imposed that you designed?
6 ADMINISTRATIVE LAW JUDGE: People outside
7 seeing in or people inside seeing out?
8 BY MR. HUNTER
9 Q People inside seeing out.
10 A Here there is mature trees, which I do not
11 believe that you would be able to see outside. You
12 would see the trees.
13 On this side where we are planting the berm,
14 which is 3-foot high, with the tree, you would be able
15 to see outside for a period of time until those trees
16 matured.
17 Q Okay. Are there any other features that I've
18 not asked you about of your site plan that you want to
19 describe?
20 I'm not suggesting there are. I'm just making
21 sure that I covered everything that you pointed out.
22 If you have, then I don't have any other
23 questions, Your Honor.
24 A I believe we have been thorough and covered
25 everything.

1 MR. HUNTER: Okay. That's it.
2 ADMINISTRATIVE LAW JUDGE: Prehearing
3 stipulation, cross-examination at this point?
4 MR. HUNTER: We didn't stipulate to that, but
5 I think we all assumed that we would have the
6 ability to cross-examine the witnesses.
7 ADMINISTRATIVE LAW JUDGE: It was just because
8 it was a summary. I didn't know whether you were
9 going to have that.
10 Well, I think it is logical that the county
11 would follow up with any direct type testimony.
12 MS. SCHRADER: No questions from the county.
13 ADMINISTRATIVE LAW JUDGE: Cross-examination.
14 CROSS EXAMINATION
15 BY MR. ANDERSON
16 Q Thank you.
17 Let me refer to Joint Exhibit 11. I believe
18 it is called the Brookside Village permitting summary.
19 Did you prepare that report?
20 A I prepared most of this report.
21 There is a section that I did not prepare.
22 Q Which section is that?
23 A That would be compliance on page six, the
24 compliance with Section 7-7.505 of the Leon County Land
25 Development Code.

1 Q Is that --
2 A But I did prepare the summary.
3 Q Does that apply to compatibility?
4 A Yes, it does.
5 Q Did you conduct any independent compatibility
6 analysis?
7 A I myself did not, no.
8 Q Are you qualified to conduct any sort of that
9 analysis?
10 A No.
11 Q Are you qualified for this hearing to make any
12 statements related to that?
13 A No.
14 Q Is there anything in the Comprehensive Plan
15 that would prohibits your client from further reducing
16 the number of lots?
17 A No.
18 Q Is there anything in the Land Development Code
19 that prohibit your client from further reducing the
20 number of lots?
21 A No.
22 Q Is there anything in the Comprehensive Plan
23 that would prohibit your client from increasing lot
24 size?
25 A No.

1 Q Is there anything in the Land Development Code
2 that would prohibit your client from increasing lot
3 size?
4 A No.
5 Q I believe you testified that this project was
6 code compliant. Were you referring to just the Land
7 Development Codes --
8 Excuse me.
9 Were you referring to the Land Development
10 Codes?
11 A I was.
12 Q Were you also referring to the Comprehensive
13 Plan?
14 A The Comprehensive Plan sets forth the Land
15 Development Codes, so I assume it would be.
16 Q Okay. You just testified that you didn't make
17 a compatibility analysis.
18 Is a compatibility analysis required in the
19 Comprehensive Plan?
20 A I'm not sure if a compatibility analysis is
21 required in the Comprehensive Plan.
22 Q Okay. Okay.
23 MR. ANDERSON: No further questions.
24 THE WITNESS: Thank you.
25 May I be excused?

1 MR. HUNTER: A little bit of redirect?
2 ADMINISTRATIVE LAW JUDGE: Yes.
3 MR. HUNTER: Don't be in such a hurry.
4 THE WITNESS: The hot seat.
5 REDIRECT EXAMINATION
6 BY MR. HUNTER
7 Q Mr. Anderson asked you if there was anything
8 in the Comprehensive Plan that would prohibit you or
9 prohibited the developer from decreasing the number of
10 lots. Is there anything in the Comprehensive Plan --
11 and your answer was no.
12 Is there anything in the Comprehensive Plan
13 that prohibits the developer from increasing the number
14 of lots that's been proposed?
15 A No. As long as it meets the density
16 requirements.
17 Q What's that density requirement for
18 residential preservation?
19 A A range of zero to six units per acre.
20 Q And what's the density of the project as
21 proposed, if you know the answer to that?
22 A It's around 1.7.
23 Q So up to basically three times more than
24 what's been proposed now you could -- the developer
25 could increase the density?

1 A Correct.
2 Q Is there anything --
3 He also asked you if there was anything that
4 precluded you from increasing the lot size on the lots,
5 and you said, no, there wasn't.
6 Is there anything that precludes you from
7 decreasing the lot sizes as you have proposed them?
8 A As I proposed them, no.
9 Q You could make them smaller if you wanted to?
10 A I could make them smaller as long as they meet
11 our setback requirements.
12 MR. HUNTER: No further questions.
13 ADMINISTRATIVE LAW JUDGE: Thank you,
14 Mr. Marston.
15 You may step down.
16 THE WITNESS: Thank you.
17 ADMINISTRATIVE LAW JUDGE: We have the member
18 of the public that wishes to speak.
19 Who is that?
20 ALEX NAKIS: It is me, Your Honor.
21 ADMINISTRATIVE LAW JUDGE: Raise your right
22 hand, though.
23 * * *
24 Thereupon,
25 ALEX NAKIS

1 was called as a witness, having been first duly sworn,
2 was examined and testified as follows:
3 THE WITNESS: I do.
4 ADMINISTRATIVE LAW JUDGE: State your name for
5 the record, please.
6 THE WITNESS: Alex Nakis.
7 ADMINISTRATIVE LAW JUDGE: Your address.
8 THE WITNESS: My address is 6036 Heartland
9 Circle.
10 ADMINISTRATIVE LAW JUDGE: Spell your last
11 name.
12 THE WITNESS: N A K I S.
13 ADMINISTRATIVE LAW JUDGE: Thank you.
14 THE WITNESS: I live right here. This is my
15 lot, so you get an idea.
16 It is not this small. It is about this big.
17 It is about 3 acres, give or take.
18 And my lot would fit ten of these lots and the
19 road in between it on my lot, approximately, give
20 or take a lot.
21 There is a tremendous impact from this
22 development on the neighboring communities.
23 I live in Moore Pond.
24 There is an even bigger impact on the
25 landowners that are directly abutting it.

1 I think that Tallahassee has been developing
2 for many years, and it's been growing, and that's a
3 great thing. But I think that the intensity of
4 this development, where I think one of the
5 attorneys just mentioned, it is 1.7 lots per acre,
6 if you include the water and the other natural
7 development features. But there's pretty much no
8 way to get too much more in the six lots per acre
9 that are currently there, maybe give or take a
10 fifth of an acre per lot, somewhere in there. So
11 it is the intensity we are really concerned with.
12 And it has a number of different impacts. One
13 of them is the attorney that spoke earlier
14 mentioned is home values. I mean, certainly that
15 is going to be impacted. But it was spoken to as
16 if it was a bad thing.
17 I think the reason that we are here today is
18 because the developer is trying to maximize their
19 value. So I don't see how the concern for home
20 values is terrible by the narrowing community. But
21 there is a reason that home values would be
22 impacted, and it is not because the homes are going
23 to get smaller. My home is going to be the same
24 size. My lot will be the same size. But the use
25 of my property is going to change dramatically when

1 I'm looking at four lots directly abutting my
2 property. It is going to be a lot of noise. It is
3 going to be a lot of lighting. And I think that
4 when the county is determining whether to approve a
5 development like this, it has got to have not only
6 concern for this landowner, but it has to have
7 concern for the landowners, including myself, that
8 are directly abutting it. I think that's what the
9 law states, as well as the communities and the
10 environmental features like Moore Pond that are
11 going to take a brunt of the impact from this
12 development.
13 So there are several --
14 Again, for me the concern is the intensity.
15 If you did have 1.7 lots per acre, I would be
16 happy, it would be great. That's what they are
17 trying to say, but that's not the case. As you can
18 see, .23, .22, it is not 1.7 lots per acre in
19 reality.
20 For us, number one is the size obviously of
21 those lots. As I mentioned, ten per one lot of
22 ours. I can't speak to Ox Bottom.
23 That's going to have an impact on the roads --
24 Ox Bottom Road, I don't know if you have ever been
25 there, but during morning hours, I'm out there

1 sometimes for a few minutes waiting for the cars to
2 pass -- when you take a community that has more
3 lots than Moore Pond, 61 lots, and you add it to
4 about 12 buildable acres, that's really what we
5 have here, the impact will be significant on the
6 roads directly outside of Moore Pond. It will have
7 an impact on the schools as well. The noise, as I
8 mentioned is going to be tremendous for all of our
9 landowners.
10 This person actually is moving. They have a
11 vacant lot here that they decided that they no
12 longer want to build on. I think it is -- there is
13 no mystery as to why that lot is now for sale after
14 this development was approved.
15 The noise is going to be significant, as I
16 mentioned.
17 The impact --
18 To give you an idea, this is not flat land
19 here. This is what they would have you believe --
20 this is an 8-foot fence, boy, it will cover
21 everything. My backyard is like this. It is like
22 this. And that 8-foot fence will be about right
23 here. The lot is like this. Those homes and the
24 lights from this road and these houses, they are
25 going to be projecting down right here. So if you

1 get an idea --
2 I don't know if that has been submitted, but
3 you should definitely take a look at the slope. I
4 would be happy to send you a picture so you can see
5 the slope here. I don't know what it is like
6 there. But this buffer is wholly inadequate. It
7 is 25-feet here.
8 I believe there is a buffer between Ox Bottom
9 and another neighborhood that was built relatively
10 recently, with significantly larger sizes, but
11 still smaller than what is here. I think there is
12 a 75-foot buffer here. They can't do that. If
13 they make a 75-foot buffer, these lots go away.
14 Again, maximization of profit, that's the
15 biggest concern here, no matter what the cost is on
16 the surrounding environment and the surrounding
17 neighborhoods.
18 That buffer of 8 feet, it is pretty much
19 useless. If they can see out, as I think the
20 testimony by Mr. Marston was, they can see out
21 until the trees mature. If they can see out
22 looking down, you can sure bet we can see in
23 looking up with an 8-foot fence, privacy fence.
24 The environmental impact, and that's something
25 that's been discussed otherwise, there is a lot of

1 water that comes down, and that water has been
2 changing as structures on the property have been
3 changing as well. Moore Pond is significantly
4 concerned about what's going to happen to the
5 quality of the water in Moore Pond.
6 And I also have just been made aware, I guess
7 one of the problems that we also see is just not
8 only is there an intense development where the
9 homes are being located, but on this property, too,
10 there is -- as you heard Mr. Marston mention, there
11 is a 60-feet wide or 70-feet wood lots. Most of
12 them -- there's going to be no yard. It will be
13 all house. It is a completely different nature of
14 the environment.
15 Intense, the noise, the light, everything will
16 be so intense that our use of our property and
17 enjoyment of our property is going to go down. The
18 use of our roads will be diminished. In turn, our
19 value will go up. Of course, their value
20 maximizes. They may have gone from 64 to 61, but
21 realistically, that's, you know, not much of a
22 change for us, when I have four -- again four
23 neighbors directly on my property, and my property
24 goes this far, so, again, about ten of those lots.
25 And one more point I wanted to mention.

1 Mr. Marston mentioned repeatedly that the permitted
2 use is a range of zero to six. A range of zero to
3 six, I'm no expert, but a range of zero to six
4 determined by the county means that they can say
5 three, they can say two, they can say one. They
6 have a range to pick. It doesn't mean six. It
7 means a range of zero to six. And he said that
8 multiple times. That's the rule, a range of zero
9 to six.
10 Taking into account, what? The neighboring
11 property, we believe strongly that it is being
12 impacted. But that's all I got to say.
13 I appreciate you accommodating my schedule and
14 allowing me to be heard.
15 ADMINISTRATIVE LAW JUDGE: Certainly. Thank
16 you.
17 We will take a ten-minute break. Let's get
18 back together at five after the hour.
19 (Brief recess.)
20 ADMINISTRATIVE LAW JUDGE: All right. Back on
21 the record.
22 I believe we are ready for Petitioner's first
23 witness.
24 Do you wish to make an opening or anything?
25 Prehearing statements were in lieu of opening,

1 right?
2 MR. ANDERSON: Yes.
3 We would like to call our expert.
4 ADMINISTRATIVE LAW JUDGE: Raise your right
5 hand.
6 Thereupon,
7 JAN ALAN NORSOPH
8 was called as a witness, having been first duly sworn,
9 was examined and testified as follows:
10 THE WITNESS: I do.
11 ADMINISTRATIVE LAW JUDGE: State your name for
12 the record, please.
13 THE WITNESS: My name is Jan Alan, A L A N,
14 Norsoph, N O R S O P H.
15 ADMINISTRATIVE LAW JUDGE: You can pull that
16 closer.
17 All right. Your witness, Mr. Anderson.
18 MR. ANDERSON: Thank you, Your Honor.
19 DIRECT EXAMINATION
20 BY MR. ANDERSON
21 Q Jan, what is your address?
22 A My address is 6201 Bahama Drive Shores South,
23 St. Petersburg.
24 Q Current employment?
25 A I currently work part-time for the City of

1 Seminole, and then also do consulting work on the side.
2 Q What is your educational background?
3 A I have a Bachelor of science degree in
4 secondary education, and a Master's degree from Florida
5 State University in planning.
6 Q Is there any licensure or recognitions that
7 you hold?
8 A I am a member of the American Institute of
9 Certified Planners. That is a -- probably the highest
10 level you can achieve within the planning profession as
11 far as professional recognition. It requires -- at the
12 time I became a member it required three years of
13 experience, and then you have to take a test and pass
14 that test to be certified.
15 Q What areas are you qualified to be an expert
16 in?
17 A I'm qualified as an expert in Comprehensive
18 Planning, both the development of plans as well as the
19 administration, land developing codes, which would
20 include zoning, as well as the administration of those
21 codes, the field of urban design development and review
22 in terms of looking at site plans and determining
23 compliance and consistency.
24 Q All right. What is your experience with
25 Comprehensive Plans?

1 A I worked on some comprehensive elements for
2 the City of St. Petersburg. I rewrote the Comprehensive
3 Plan for the Town of St. Leo, which is in Pasco County,
4 and I also rewrote the Comprehensive Plan for the City
5 of Seminole.
6 Q What is your experience with land development
7 regulations?
8 A I prepared a number of land development
9 regulations for the City of St. Petersburg related to
10 downtown redevelopment, neighborhood urban design
11 guidelines. I also was charged with the administration
12 of the Land Development Code, including zoning. I also
13 developed and was administration of the Land Development
14 Code for the Town of St. Leo and the same for the City
15 of Seminole.
16 Q How long have you been a planner?
17 A Over 40 years as a professional planner.
18 Q As it pertains to this case are you familiar
19 with Leon County's Comprehensive Plan?
20 A Yes, I am.
21 Q Are you familiar with Leon County's Land
22 Development Codes?
23 A Yes, I am.
24 Q Are you familiar with Leon County's
25 development and review process?

1 A Yes.
2 Q How did you become familiar with that process?
3 A I was asked to look at the Comprehensive Plan
4 and Land Development Code as related to the terms or
5 compatibility and consistency requirements as part of
6 this case as well as looking at the development
7 characteristics of Moore Pond and Ox Bottom Manor to
8 determine what those patterns of development would
9 reflect in terms of comparing that to the Brookside
10 Village to determine whether it was -- Brookside Village
11 was compatible with those two neighborhoods based on our
12 understanding of the development patterns of those two
13 neighborhoods.
14 Q Are you familiar with the DRC of the approval
15 of the development of Brookside?
16 A Yes.
17 Q Did you prepare a written analysis of your
18 research into this proposed project?
19 A Yes, I did.
20 MR. ANDERSON: Your Honor, we would like to
21 introduce --
22 Excuse me.
23 Previously marked as Petitioner's Exhibit
24 Number 1 is a report prepared by Jan Norsoph.
25

1 BY MR. ANDERSON
2 Q Can you identify this document? It is in that
3 stack. It is in that stack.
4 A Oh, I am sorry.
5 Yes. Yes.
6 MR. ANDERSON: If I may approach and provide a
7 copy?
8 ADMINISTRATIVE LAW JUDGE: Yes.
9 MR. ANDERSON: Your Honor, I believe a copy is
10 in the notebook --
11 ADMINISTRATIVE LAW JUDGE: What should be
12 admitted?
13 MR. ANDERSON: We are introducing the amended
14 one agreed to by the parties this morning redacting
15 Exhibits B, C, D and E, which is right there, Your
16 Honor, and then provided to all the parties.
17 ADMINISTRATIVE LAW JUDGE: So we have not
18 introduced any Petitioner exhibits at this point.
19 So will there be an objection to Petitioner's
20 Exhibit 1?
21 MR. HUNTER: No, Your Honor, not the
22 substituted version.
23 MR. STEWART: No objection.
24 ADMINISTRATIVE LAW JUDGE: Petitioner's
25 Exhibit 1 is admitted.

1 The one in the notebook I'll take out.
2 (Petitioner Exhibit No. 1 admitted into
3 evidence.)
4 BY MR. ANDERSON
5 Q Mr. Norsoph, does this report reflect your
6 professional opinion on the Brookside approval?
7 A Yes.
8 Q Does this report address all your concerns
9 that you have with the project?
10 A All my concerns with the exception of the
11 analysis of intensity.
12 Q All right. Did you do -- conduct a review for
13 intensity?
14 A Yes, I did.
15 Q Did your investigation include reviewing
16 Brookside consistency with the Comprehensive Plan?
17 A Yes.
18 Q Did your investigation include reviewing
19 Brookside compliance with the land development
20 regulations?
21 A Yes.
22 Q In your professional opinion can a project be
23 approved for development if it's inconsistent with the
24 Comprehensive Plan?
25 A No, it cannot.

1 Q Can an incompatible development be consistent
2 with the Comprehensive Plan?
3 A No, it cannot.
4 Q Did your investigation of the Brookside matter
5 include a compatibility review?
6 A Yes, it did.
7 Q What did your investigation include?
8 A The investigation included looking at the
9 density of the project, lot sizes, lot coverage,
10 building mass, frontage, setbacks, and buffer.
11 Q All right. Mr. Norsoph, Joint Exhibit I
12 believe 13 in your packet, the subdivision site plan
13 agreed to by all the parties entered in --
14 If we can click on page C-122, please.
15 I will direct your attention to --
16 A Okay.
17 Q What properties did you analyze for
18 compatibility?
19 A I analyzed --
20 Well, I analyzed Brookside Village, and then I
21 looked at the characteristics of the adjacent neighbors,
22 which is Moore Pond and Ox Bottom Manor.
23 Q Mr. Norsoph, would you like to use the
24 pointer? It might be easier.
25 MR. ANDERSON: Your Honor, may I approach?

1 ADMINISTRATIVE LAW JUDGE: Yes.
2 BY MR. ANDERSON
3 Q Would you mind showing us the different
4 subdivisions you reviewed.
5 A Okay. These lots over here are part of the
6 Moore Pond subdivision.
7 And these lots over here are part of the Ox
8 Bottom Manor subdivision.
9 Q As part of the Leon County Comprehensive Plan,
10 does it require compatibility for developments?
11 A Yes, it requires compatibility analysis.
12 Q Does the Comprehensive Plan define
13 compatibility?
14 A No, it does not.
15 Q What definition do you use to define
16 compatibility?
17 A Well, since the Comprehensive Plan for the
18 Land Development Code provides the definition of
19 compatibility, I typically would look at the Florida
20 Statutes to see how it is defined in the statutes.
21 Q What statute do you look at, Mr. Norsoph?
22 A It is Florida Statute 163.3164(i).
23 Q Do you mind reading that provision, please.
24 A "Compatibility means condition in which land
25 uses or conditions can co-exist in relative proximity to

1 each other in a relative and stable fashion over time
2 such that no use or condition is unduly negatively
3 impacted directly or indirectly by another use or
4 condition."
5 Q To your knowledge does Leon County use this
6 definition?
7 A Yes, they do.
8 Q Does the definition of compatibility in the
9 statute you read require Leon County to review the
10 impacts of proposed land uses on adjacent land uses?
11 A Yes.
12 Q Okay. Is the compatibility review of the
13 proposed development limited only to a review of land
14 use?
15 A No, it's not.
16 Q What else is required?
17 A Well, the definition says land uses or
18 conditions. So you would have to look at conditions as
19 well.
20 Q Is it your opinion that this definition
21 requires Leon County to review the impacts of conditions
22 located on the proposed development?
23 A Well, the definition in combination with the
24 various comp plan policies that require compatibility
25 analysis, yes.

1 Q Does the definition require Leon County to
2 review the impact of conditions on Brookside with the
3 conditions of adjacent parcels?
4 A Yes.
5 Q In your expert opinion, what is meant by
6 conditions?
7 A I would define conditions as basically being
8 development, the characteristics of development, in
9 addition to you have land uses which are general uses,
10 and then conditions would refer to how those land uses
11 are developed on a piece of property.
12 Q Does the Comprehensive Plan require any
13 specific -- anything specific when reviewing
14 compatibility?
15 A It lists a number of factors that constitute
16 compatibility analysis.
17 MR. ANDERSON: Your Honor, jointly approved
18 Exhibit 33.
19 Mr. Norsoph, you have that in your stack.
20 Your Honor, it is in the joint exhibits.
21 THE WITNESS: Okay. I have it.
22 BY MR. ANDERSON
23 Q Policy 2.2.3(e). Is this the provision you
24 are referring to?
25 A Yes. Um-hum.

1 Q Did you review this Comprehensive Plan policy
2 in your report or for --
3 Did you review this policy for the report you
4 prepared for this hearing?
5 A Yes, I did.
6 Q Did you review that policy for your testimony
7 today?
8 A Yes, I did.
9 Q In your opinion does 2.2.3(e) apply to
10 proposed development in the residential preservation
11 category?
12 A Yes, it does.
13 Q How do you come to that conclusion?
14 A Well, there's a preamble paragraph under the
15 general policy of 2.2.3. It states, "In order to
16 preserve existing stable and viable residential
17 neighborhoods within the residential preservation land
18 use category, development and redevelopment activities
19 in and adjoining residential preservation area shall be
20 guided by the following principles."
21 And there is a number of principles of which
22 (e) is part of those principles.
23 Q Is Brookside located in the preservation
24 category?
25 A Yes, it is.

1 Q In your professional opinion does policy
2 2.2.3(e) apply to Brookside?
3 A Yes, it does.
4 Q Is a compatibility analysis required if a
5 proposed land use is permitted in the residential
6 preservation?
7 A Yes, a compatibility analysis is required.
8 Q Is a compatibility analysis required if a
9 density of the proposed development is within the
10 allowable range?
11 A Yes, it still would be required.
12 Q Is a compatibility analysis required if the
13 proposed land use is allowable under the land use
14 development matrix?
15 A Yes.
16 Q Why?
17 A Well, the matrix is just a generalized land
18 use matrix that says what land uses could be within
19 certain other categories. So that's kind of like a
20 starting point.
21 But given the specific policies in the
22 Comprehensive Plan as well as the Land Development Code,
23 a more thorough in-depth analysis is required. You
24 can't simply rely on the matrix alone.
25 Q Okay. What specific factors in 2.2.3(e) did

1 you review for the Brookside project?
2 A I looked at intensity, density, scale, mass,
3 lot coverage, lot size, and buffers; basically those
4 components of the development that would have the
5 greatest impact on the adjacent neighborhoods.
6 Q Was a DRC approval of the Brookside
7 development inconsistent with the Comprehensive Plan?
8 A It is my opinion that it was. Yes.
9 Q In your expert opinion was an independent
10 county compatibility analysis required?
11 A Yes. In my opinion, yes.
12 Q Did they produce one?
13 A I did not see any compatibility analysis
14 prepared by the county.
15 Q Did they use information provided by the
16 applicant?
17 A Yes, they did.
18 Q Was the DRC's approval inconsistent with the
19 Comprehensive Plan?
20 A In my opinion, yes.
21 Q Okay. For the residential preservation
22 category, is density based upon gross density?
23 A Yes, it is.
24 Q As to the Brookside development, did you
25 review density?

1 A Yes, I did.
2 Q What is the gross density in Moore Pond?
3 A The gross density in Moore Pond is .23 units
4 per acre.
5 Q Okay. What is the gross density in Brookside?
6 A Brookside is 1.73.
7 Q Numerically what is the difference of that
8 gross density?
9 A The Brookside density is about seven and half
10 times the density of the Moore Pond.
11 Q Okay. In your opinion is the differences in
12 density you described compatible?
13 A I think it's not compatible, because it is
14 such a huge difference.
15 Q Would this incompatibility create a harm
16 contemplated in Section 163.3164(9), the incompatibility
17 definition.
18 A Yes. It could have negative impacts.
19 Q Would that negative impact persist into
20 perpetuity?
21 ADMINISTRATIVE LAW JUDGE: It doesn't say
22 negative impact. It says unduly negatively impact.
23 MR. ANDERSON: Unduly negative impact, yes.
24 Your Honor, if I may restate the question
25 then.

1 BY MR. ANDERSON
2 Q In your opinion, Mr. Norsoph, would the
3 Brookside development create an unduly negatively impact
4 on Moore Pond?
5 A Yes, it could.
6 Q In the context of determining compatibility,
7 how else did you analyze density?
8 A Well, I looked at density as it relates to how
9 the lots are actually sited on the property and what
10 impact the density of those lots in terms of how they
11 are clustered adjacent to Moore Pond and Ox Bottom
12 Manor.
13 Q And can you show us on the --
14 A This would be the density of the lots adjacent
15 to -- looking at these lot sizes and calculating the
16 acreage would be the density of those lots adjacent to
17 Moore Pond.
18 Looking at these lots that abut Ox Bottom
19 Manor, again, calculating the acreage and density of
20 those lots comparing it to the Ox Bottom Manor lots.
21 Q Why are you conducting the additional density
22 review?
23 A Well, when you look at the definition of
24 development, it talks about that portion of the property
25 that's developed.

1 So even though we have a 35-plus acre lot --
2 or parcel, all the development is situated adjacent to
3 the two neighborhoods, as well as Ox Bottom Road. So
4 they are not spread out over the entire site. They are
5 all clustered along two areas.
6 Q Under that analysis what is the difference in
7 density for that area you reviewed abutting Moore Pond?
8 A Moore Pond -- the density would be
9 approximately 14 times as dense as Moore Pond.
10 Q What about under that analysis the density
11 abutting Ox Bottom Manor?
12 A It would be over 3.3 times. Over three times
13 the density.
14 Q In your expert opinion is that compatible?
15 A I would not feel that that would be
16 compatible.
17 Q In your opinion would this create a harm --
18 would this unduly negatively impact Moore Pond?
19 A It could.
20 Q Under that analysis would the density unduly
21 negatively impact Ox Bottom Manor?
22 A It could.
23 Q Let's talk about lot size.
24 Did you conduct a lot size analysis?
25 A Yes, I did.

1 Q Can you describe the lot sizes in Moore Pond.
2 A The lot sizes of Moore Pond range from almost
3 one and a half acres to a little over 4 acres.
4 And based on Miss Grey's report, she came up
5 with an average lot size being -- a little over 3 acres.
6 Q Would you call -- would it be appropriate to
7 call Moore Pond a large-lot subdivision?
8 A Yes. Um-hum.
9 Q Can you describe the lot sizes in Brookside?
10 A Brookside lots, based on Miss Grey's report,
11 Brookside lots are about .26 acres in size.
12 Q What is the difference in size between
13 Brookside lots and Ox Bottom Manor lots?
14 A Brookside lots are about two and a half times
15 smaller than Ox Bottom.
16 Q What is the difference in lot size between
17 Brookside Village and Moore Pond?
18 A 16.8 times smaller, almost 17 percent. Almost
19 17 times smaller.
20 Q In your opinion is the lot sizes in Brookside
21 compatible with the lot sizes in Ox Bottom Manor?
22 A They are not compatible.
23 Q In your opinion are the lot sizes in Brookside
24 Village compatible with Moore Pond?
25 A No.

1 Q Would the stated incompatibility with Ox
2 Bottom Manor create unduly negatively impact --
3 Let me restate the question.
4 Would the asserted incompatibility of lot size
5 of Brookside lots unduly negatively impact Ox Bottom
6 Manor?
7 A It could.
8 Q What about Moore Pond?
9 A It could.
10 Q Would that unduly negatively impact continue
11 over time?
12 A Yeah. For the life of the project,
13 potentially. Yeah.
14 Q All right. We are going to talk about Joint
15 Exhibit 29. Mr. Norsoph, you have that in the notebook.
16 Your Honor, it is in your notebook as well.
17 I will direct Mr. Norsoph to Wendy Grey's
18 report, dated August 2nd.
19 ADMINISTRATIVE LAW JUDGE: What number did you
20 say?
21 MR. ANDERSON: Excuse me. Wrong one.
22 THE WITNESS: What number again?
23 MR. ANDERSON: Joint Exhibit 15.
24 BY MR. ANDERSON
25 Q Mr. Norsoph, are you familiar with this report

1 dated August 2nd, 2017?
2 A Yes.
3 Q Did Wendy Grey's report analyze Brookside
4 development that was approved by the DRC?
5 A Yes, it did.
6 Q Did Wendy Grey have any stated concerns with
7 lot size compatibility?
8 A Yes, she did.
9 Q Can you point that out in her report,
10 Mr. Norsoph.
11 A It's on page ten.
12 Q Page ten. All right.
13 Can you read that concern, please.
14 A "Based on this analysis" --
15 And it is referencing her analysis on mass and
16 bulk of the development on Brookside.
17 "Based on this analysis there is a potential
18 issue of compatibility relating to the visual impact of
19 the smaller lot sizes and subsequently higher building
20 mass in Brookside Village where it adjoins Moore Pond
21 and Ox Bottom Manor."
22 Q Subsequent to this August 2nd report, were
23 there any increases in the lot sizes to address this
24 concern?
25 A No, not to my knowledge.

1 Q Were there any other changes to the Brookside
2 plan after the date of this report that would reduce or
3 eliminate this incompatibility concern?
4 A Not to my knowledge.
5 Q Did you conduct a review of lot coverage?
6 A Yes, I did.
7 Q As to lot coverage, what did you find for
8 Moore Pond?
9 A The lot coverage on Moore Pond is 5 percent of
10 the lot.
11 Q As to the lot coverage for Brookside, what did
12 you find?
13 A Based on Miss Grey's report, she indicated it
14 was 24 percent of the lot.
15 Q What is the difference in lot coverage --
16 A Between --
17 Q -- between Brookside and Moore Pond?
18 A The lot coverage of Brookside Village is
19 almost five times more coverage than Moore Pond.
20 Q Are these differences -- is the difference in
21 lot coverage compatible?
22 A In my opinion, no.
23 Q In your opinion would it create an unduly --
24 would it unduly negatively impact the owners of Moore
25 Pond?

1 A It could.
2 Q As to lot coverage for Ox Bottom Manor, what
3 did you find?
4 A Ox Bottom Manor, the lot coverage is
5 10 percent.
6 Q The lot coverage for Brookside, can you repeat
7 that?
8 A Yeah. The lot coverage for Brookside is
9 24 percent of the lot.
10 Q So what's the difference in that range?
11 A Almost two and half times greater coverage in
12 Brookside Village as compared to Ox Bottom Manor.
13 Q Is it your opinion that --
14 In your opinion is the differences in lot
15 coverage between Brookside and Ox Bottom Manor
16 compatible?
17 A No, I don't feel it is.
18 Q Would this difference in lot coverage unduly
19 negatively impact the owners of Ox Bottom Manor?
20 A It could.
21 Q This potential unduly negatively impact on Ox
22 Bottom Manor, how long would it persist?
23 A It could persist for the life of the Brookside
24 Village development.
25 Q As to the side setbacks for Brookside, what

1 did you find?
2 A Based on their submittal, they requested to
3 have 5-foot side yard setbacks.
4 Q Can you show us on Joint Exhibit, I believe 13
5 --
6 A As you can see here, this is Moore Pond
7 over here. You have -- they are proposing 5-foot
8 setbacks. So you really have a 10-foot separation
9 between all these buildings here adjacent to Moore Pond.
10 And the same issue here along Ox Bottom Manor.
11 So these buildings are very tightly spaced.
12 Q Are those --
13 Are the Brookside 5-foot side yard setbacks
14 consistent with Moore Pond?
15 A No. Moore Pond, those houses have
16 significantly greater side yard setbacks.
17 Q Are the Brookside 5-foot side yard setbacks
18 consistent with Ox Bottom Manor?
19 A No, they are not.
20 Q In your report you describe a walled effect.
21 Please explain.
22 A Well, the walled effect comes about as a
23 combination of all the factors that we talked about.
24 The higher density of lots located -- are
25 concentrated along Moore Pond and Ox Bottom Manor. The

1 smaller lot sizes, the smaller side yard setbacks, those
2 all contribute to what you would create is essentially a
3 walled effect.
4 You see how tightly these buildings are
5 grouped together with very little side yard setbacks and
6 a lot of lot coverage compared to the adjacent
7 neighborhoods which have much greater setbacks, much
8 less building coverage on the lot.
9 Q Mr. Norsoph, I would like to direct you to
10 Joint Exhibit 33, which is the excerpt from the
11 Comprehensive Plan.
12 A Is that in here?
13 Q Yes, sir.
14 A Okay.
15 Q If I could direct you to the definitional
16 section --
17 A Is that in the back?
18 Q Yes. It should be all the way to the back in
19 the exhibit, Mr. Norsoph.
20 Does the Comprehensive Plan define clustering?
21 A Yes, it does.
22 Q What is that definition?
23 A "The grouping together of structures and
24 infrastructure on a portion of a development site with
25 the balance remaining undeveloped or reserved as green

1 space which may or may not be used for development at a
2 later date."
3 Q Is it your opinion that this could be
4 considered a clustered development?
5 A Yes. Because the whole development is
6 compacted against Moore Pond, Ox Bottom Manor Road and
7 Ox Bottom in response to the environmental constraint
8 created by the wetland and vegetation.
9 Q Under the statutory definition for
10 compatibility, is clustering -- could clustering be
11 considered a condition?
12 A Yes.
13 Q Under the compatibility analysis, would that
14 be required to be analyzed?
15 A Yes, it would.
16 Q All right. Is it your opinion -- or does the
17 clustering of these small lots create a walled effect?
18 A Yes.
19 Q What about the building mass?
20 A Yes. Given, again --
21 Based on the lot coverage of the buildings and
22 the relationship of those frontages of the building in
23 terms of how much lot area they occupy, they are
24 incompatible with the same -- the same with Moore Pond
25 and Ox Bottom Manor in relation to their building mass

1 and scale.
2 Q Okay. Did you review Wendy Grey's analysis on
3 building facade length?
4 A Yes, I did.
5 Q What did you find?
6 A She indicated that the building facade length
7 as a percentage of the total lot frontage, of the total
8 lot, for Brookside, the frontages occupied 88 percent.
9 For Moore Pond their building facades occupied
10 29 percent. Ox Bottom Manor occupied 45 percent.
11 Q Can you show us on the site plan the areas of
12 the study.
13 A That's what she's referring to as the
14 frontages.
15 Q As they abut Moore Pond?
16 A Right.
17 Q And then as they abut Ox Bottom Manor as well?
18 A Right.
19 Q In your opinion is that a substantial building
20 facade length?
21 A Yes. It's almost three times the facade
22 length as Moore Pond and almost two times the facade
23 length of the houses on Ox Bottom Manor.
24 Q Would you consider the differences in facade
25 length incompatible with Ox Bottom Manor?

1 A Yes, I would.
2 Q Would you consider the differences in facade
3 lengths incompatible with Moore Pond?
4 A Yes, I would.
5 Q Does this incompatibility unduly negatively
6 impact the owners in Moore Pond?
7 A Yes, it could.
8 Q Could this incompatibility unduly negatively
9 impact Ox Bottom Manor?
10 A It could.
11 Q If I could get you to refer back to Joint
12 Exhibit 15, that is Wendy Grey's report, Mr. Norsoph.
13 A Okay.
14 Q All right. Did Wendy Grey have any stated
15 concerns with the lot building mass?
16 A Yes, she did.
17 Q What were her concerns?
18 A In her report she states, "Based on this
19 analysis there is a potential issue of compatibility
20 relating to the visual impact of the smaller lot sizes
21 and subsequently higher building mass in Brookside
22 Village where it adjoins Moore Pond and Ox Bottom
23 Manor."
24 Q Subsequent to this report were there any
25 changes to the proposed site plan to lessen the

1 incompatibility?
2 A No.
3 Q Okay. All right. In the instance of the
4 Brookside Village, is intensity appropriate for review
5 in residential preservation?
6 A Yes, it is.
7 Q Okay. Mr. Norsoph, I would like to point you
8 to Joint Exhibit 33, the definitional section.
9 Let me know when you are there.
10 A What are we going to look at?
11 Q Page 306, intensity.
12 A Okay. I'm there.
13 Q Can you read that definition for us.
14 A "Intensity, a measurement of the extent of
15 land development including the consumption or use of the
16 space above, on, or below ground. Examples of intensity
17 measurement may include the measurement of the use of or
18 demand on facilities, allowable square footage or
19 floor-area ratio of nonresidential development, or the
20 number of dwelling units per acre of residential
21 development."
22 Q Did I hear you correctly, give an example of
23 using intensity in a residential analysis?
24 A Yes.
25 Q Okay. Is it your opinion that as the proposed

1 development is intensity required to be reviewed for
2 compatibility?
3 A Yes, it is. It is identified in the
4 Comprehensive Plan policy.
5 Q Okay. What specific Comprehensive Plan policy
6 requires a review for intensity?
7 A I believe it is policy 2.2.3.
8 Q Would you locate it? I will get you to read
9 the specific provision.
10 A Okay. I'm reading from Policy 2.2.3,
11 subsection (e), "Land use compatibility of low density
12 residential preservation neighborhoods. A number of
13 factors shall be considered when determining a land use
14 compatible with the residential preservation land use
15 category. At a minimum, the following factors shall be
16 considered to determinability whether a proposed
17 development is compatible with or existing proposed low
18 density residential uses and with the intensity,
19 density, and scale of surrounding development within
20 residential preservation areas: Proposed uses;
21 intensity; density scale; building size, mass, bulk,
22 height and orientation; lot coverage; lot
23 size/configuration; architecture; screening buffers;
24 including vegetative buffers; setbacks; signage;
25 lighting; traffic circulation patterns; loading area

1 locations; operating hours; noise; and odor. These
2 factors shall also be used to determine the size of
3 transitional development areas."
4 Q Is it your expert opinion that you shall
5 analyze and consider intensity for compatibility
6 determination?
7 A Yes.
8 Q Did you review the project for intensity?
9 A Yes, I did.
10 Q I will direct your attention to Joint
11 Exhibit 15, Wendy Grey's analysis of the Brookside
12 project.
13 A Okay.
14 Q Did Wendy Grey conduct an intensity analysis?
15 A Based on her report on page 12 she indicates,
16 "The following criteria listed in the future land use
17 element Policy 2.2.3 were found to not be applicable to
18 this analysis." And the first bullet point is
19 intensity. So she did not conduct an intensity
20 analysis.
21 Q Is it your opinion that it was incorrect for
22 her not to conduct the analysis?
23 A That should have been part of a compatibility
24 analysis, yes.
25 Q Did Susan Poplin, the principal planner for

1 Leon County conduct an intensity analysis?
2 A Not that I'm aware of. I didn't find any
3 documents.
4 Q As a planner, how did you form your opinion on
5 intensity?
6 A I looked at intensity from a number of
7 factors, which included looking at the density, lot
8 sizes, lot coverage, setbacks, buffers, building mass
9 and bulk, lot coverage. So those were the key factors
10 that I looked at, because those are basically the key
11 elements of the development.
12 Q Is it your opinion that the code requires you
13 to first review all those individually?
14 A Yes.
15 Q And then for the intensity, is it your opinion
16 that it requires you to look at them all together?
17 A As a group, yes.
18 Q Is the development on the Moore Pond lots as
19 intense as Brookside?
20 A No.
21 Q Why?
22 A It has much smaller lots -- significantly
23 smaller lots, significantly larger building coverage,
24 much smaller setbacks, and much larger building
25 frontages on each of those lots.

1 Q Is the development on the Ox Bottom Manor lots
2 as intense as Brookside?
3 A No.
4 Again, the Brookside lots are -- the Brookside
5 lots, again, are much smaller -- much smaller setbacks,
6 larger building coverage, larger building frontages,
7 again, all contributing to creating a greater intense
8 development on the neighborhood.
9 Q Does Brookside Village's intensity make it
10 incompatible with Moore Pond?
11 A In my opinion, yes.
12 Q Does Brookside Village's intensity make it
13 incompatible with Ox Bottom Manor?
14 A Yes, it does.
15 Q Is it your opinion that this intensity unduly
16 negatively impacts the owners in Moore Pond?
17 A It could.
18 Q Is it your opinion that the incompatibility
19 and intensity of Brookside Village unduly negatively
20 impacts the owners of Ox Bottom Manor?
21 A It could.
22 Q How long would those impacts persist?
23 A For the life of the project.
24 Q Okay. Mr. Norsoph and Your Honor I would like
25 you to look at Joint Exhibit 34, which is the Land

1 Development Code excerpts.
2 A Is that in this stack or the book?
3 Q Actually, it is in the book. In particular
4 Section 10-6.617. I believe that's on page 33.
5 A Okay.
6 Q If I could direct you to paragraph (a)(5)(b).
7 A Okay.
8 Q What does consistent with the type of
9 residential development pattern mean?
10 ADMINISTRATIVE LAW JUDGE: I couldn't find it.
11 THE WITNESS: Page 33.
12 MR. ANDERSON: Page 33. It is two-thirds of
13 the way down, Your Honor.
14 ADMINISTRATIVE LAW JUDGE: I got it.
15 THE WITNESS: Where it says (5).
16 ADMINISTRATIVE LAW JUDGE: Go ahead.
17 THE WITNESS: (5), which letter?
18 BY MR. ANDERSON
19 Q (5)(b).
20 A (5)(b). Okay. "Parcels proposed for
21 residential which are located inside the urban service
22 area and not in a recorded or unrecorded subdivision
23 shall develop consistent with the type of residential
24 development pattern located to the adjacent parcel."
25 Q The first question: Is Moore Pond adjacent to

1 the proposed development?
2 A Yes.
3 Q Is Ox Bottom Manor --
4 A Yes.
5 Q -- adjacent --
6 A Yes.
7 Q What is the intent of or what is consistent
8 with the type of residential development pattern -- what
9 does that mean?
10 A I think it's meaning that if you understand
11 what the development pattern of the existing
12 neighborhoods are and types of residential development,
13 single family or townhouse or cluster development would
14 be different types of residential development.
15 BY MR. HUNTER
16 Q So is it your expert opinion that paragraph
17 (a) of that ordinance where it specifically lists single
18 family, duplexes, manufactured home, and cluster housing
19 are a type of residential development?
20 A Yes. It would be a type of residential
21 development.
22 Q I believe it was your testimony earlier
23 Brookside Village is a cluster type of residential
24 development?
25 A Yes, it appears that it is.

1 Q And 10-6.67(a)(5)(b) requires it be
2 consistent.
3 Is the Brookside cluster development
4 consistent with the type of residential development
5 pattern of Moore Pond?
6 A No.
7 Q Is it consistent with the type of residential
8 development pattern of Ox Bottom Manor?
9 A No, it's not.
10 Q What sort of residential pattern would you
11 consider Ox Bottom Manor?
12 A Ox Bottom Manor is a traditional single family
13 type subdivision with relatively large lot sizes,
14 somewhere in the range of half acre to almost three
15 quarter-acre lots.
16 Q And what type of residential development
17 pattern would you consider Moore Pond?
18 A Again, almost an estate type of residential
19 development with very large lots, 3 acres or more.
20 Q If I can direct you to (a), the last sentence.
21 If you could read that.
22 A You are on (5)(a)?
23 Q Excuse me. No. The paragraph (a), the intro
24 paragraph.
25 A Okay. I'm sorry. Okay.

1 Okay. Go ahead.
2 Q The last sentence --
3 A The last sentence, "Compatibility with
4 surrounding residential type and density shall be a
5 major factor and the authorization of development
6 approval and in the determination of the permissible
7 density."
8 Q What does that sentence require you to do?
9 A It requires you to be compatible with the
10 surrounding residential type and density.
11 Q So is it your opinion that Brookside Village
12 is not compatible with the residential type of Ox Bottom
13 Manor?
14 A Yes, it's not.
15 Q Is it your expert opinion that it is not
16 compatible with the residential type of Moore Pond?
17 A It's not.
18 Q Do you believe --
19 In your opinion did Leon County consider this
20 compatibility requirement a major factor in the
21 authorization of the development approval?
22 A I don't believe they did.
23 Q What about in the consideration of the
24 density?
25 A I don't think they did.

1 Q Based upon this Land Development Code
2 provision, should the DRC have approved Brookside
3 Village development?
4 A Not as it was currently proposed. No.
5 Q In your testimony you indicated a number of
6 asserted incompatibilities between Brookside and Moore
7 Pond. You also indicated a number of incompatibilities
8 between Brookside and Ox Bottom Manor.
9 Can an incompatible development be consistent
10 with the Leon County Comprehensive Plan?
11 A In my opinion, no.
12 Q What if there's only one incompatibility?
13 A That's a tricky question. It's hard to say
14 what that one incompatibility would be.
15 Q Do the number of incompatibilities increase
16 the likelihood it is not consistent with the
17 Comprehensive Plan?
18 A That I agree with, yes.
19 Q In your opinion does the proposed 25-foot
20 buffer eliminate the incompatibilities you described
21 today?
22 A Not in my opinion. Based on looking at the Ox
23 Bottom Gardens buffer, between Ox Bottom Gardens and Ox
24 Bottom Manor, that's a 75-foot buffer. Ox Bottom
25 Gardens is almost the same type of design as Brookside

1 Village, and that's a 75-foot buffer.
2 Q Does the Comprehensive Plan guarantee
3 developers the highest profit?
4 A No, it didn't.
5 Q Does the Comprehensive Plan guarantee the
6 developers the highest use of a parcel?
7 A No, it doesn't.
8 Q Does the Comprehensive Plan guarantee a
9 developer the ability to have the most intense use on a
10 parcel?
11 A No, it doesn't.
12 Q I believe if I could direct your attention to
13 Joint Exhibit 34, the land development regulation
14 excerpts.
15 We are going to go to page --
16 A Is that in this stack? Yes.
17 Q All right. Page 56, please.
18 A Okay. I'm there.
19 Q All right. So we are looking at 10-7.505.
20 What does this land development provision
21 discuss?
22 A Well, it talks about a number of factors in
23 relationship to how a subdivision would be designed.
24 Q Does it relate to the impacts on adjacent
25 owners?

1 A Yes. Some of it does.
2 Q Specifically (1), what does (1) require?
3 A "Each development shall be designed to be as
4 compatible as practical with nearby development and
5 characteristics of the land."
6 Q I believe it was jointly stipulated your
7 expert testimony is in site planning.
8 In site planning design is the Brookside
9 development designed to be as compatible as practical to
10 the nearby developments?
11 A No. I would think there could be improvements
12 to the site plan to make it more compatible.
13 Q So what would some of those examples to make
14 it more compatible?
15 A They could increase the lot sizes along Moore
16 Pond and Ox Bottom Manor, reduce some of the building
17 scale so it doesn't have -- it doesn't have as much lot
18 coverage and building frontage.
19 Q In your site planning experience is there
20 anything in the Comprehensive Plan that would prohibit
21 the developer from reducing the number of lots?
22 A No.
23 Q Is there anything in the Land Development Code
24 that would prohibit the developer from reducing the
25 number of lots?

1 A No.
2 Q In your site planning experience is there
3 anything in the Comprehensive Plan that would prevent
4 the developer from increasing the size of the lots?
5 A No.
6 Q Okay. Is there anything in the Land
7 Development Code that would prevent the developer from
8 increasing the size of the lots?
9 A No.
10 MR. ANDERSON: I think that's it.
11 Thank you, Mr. Norsoph.
12 ADMINISTRATIVE LAW JUDGE: All right. Let's
13 take a short break. Let's take another ten
14 minutes.
15 (Brief recess.)
16 ADMINISTRATIVE LAW JUDGE: Let's prepare to
17 begin. Let's go back on the record.
18 Mr. Hunter, do you wish to proceed on cross?
19 MR. HUNTER: I have a few questions, Your
20 Honor.
21 CROSS EXAMINATION
22 BY MR. HUNTER
23 Q Mr. Norsoph, good morning.
24 A Good morning.
25 Q Gary Hunter on behalf of Golden Oak Land

1 Group, the applicant.
2 Let me ask you just real quickly, you said
3 earlier -- I think your testimony was that you were
4 familiar with the Leon County comp plan.
5 Is it fair to say that your familiarity with
6 the Leon County Comp Plan was limited to this instance?
7 A Yes.
8 Q So you have done no prior work with the Leon
9 County Comp Plan?
10 A That's correct.
11 Q Same thing with the Land Development Code?
12 A That's correct.
13 Q And same thing with the development review
14 process -- in Leon County you said you were familiar
15 with that. Your familiarity is limited to your review
16 with what happened in this case, is that correct?
17 A Correct.
18 Q Let me show you --
19 What number is that?
20 This is what's been marked as Respondent's
21 Exhibit 16. Can you take a look at it and tell me --
22 It should be in your notebook.
23 MR. HUNTER: May I approach, Your Honor?
24 BY MR. HUNTER
25 Q You can probably find it under the

1 Respondent's exhibits. Just take a look at it.
2 Those are Joint, Mr. Norsoph.
3 You need to go to Respondent's. It will be
4 back behind all those joint exhibits.
5 A Oh.
6 Q Just tell me when you are there and I will ask
7 you a few questions.
8 A What was the exhibit again?
9 Q 16.
10 A 16?
11 Q It is a two-page document.
12 A Okay.
13 Q Take a look at it.
14 Can you tell me what that is when you look at
15 the front and back of that exhibit?
16 A It is the Property Appraiser maps.
17 Q And are you familiar enough with the area to
18 understand that that's depicting the Moore Pond -- the
19 northern portion of Moore Pond and the southern portion
20 of Ox Bottom Manor?
21 A Correct. Yes.
22 Q Let's just look at those --
23 Where is that pointer?
24 A I got it here.
25 ADMINISTRATIVE LAW JUDGE: Now that he

1 identified it, we should move it to see if there's
2 any objections before you discuss its contents.
3 MR. ANDERSON: No objection.
4 ADMINISTRATIVE LAW JUDGE: Any objection to
5 Respondent's 16?
6 MR. STEWART: No objection.
7 ADMINISTRATIVE LAW JUDGE: Respondent's
8 Exhibit 16 is admitted.
9 (Respondent's Exhibit No. 16 marked for
10 identification.)
11 BY MR. HUNTER
12 Q This here where the pointer is pointing is a
13 lot in Moore Pond subdivision, is it not?
14 A Yes.
15 Q And these here are lots in Ox Bottom
16 subdivision, are they not?
17 A Okay. Well, it is a sub-subdivision of Ox
18 Bottom Manor.
19 Q That's part of Ox Bottom Manor?
20 A Right.
21 Q Correct?
22 A Um-hum.
23 Q So just a question for you. Are these lots,
24 based upon the testimony I heard you say earlier, are
25 these Ox Bottom lots abutting these Moore Pond lots

1 incompatible?
2 A Not knowing the actual lot sizes of those
3 smaller lots, pictorially it would appear that they are
4 similar to Brookside Village, and so I would say it is
5 not compatible.
6 Q Okay. So the existing -- the existing
7 development pattern on the northern portion of Moore
8 Pond and the southern portion of Ox Bottom Manor as they
9 interface in your opinion, is that the county or city,
10 whichever entity approved the last approved development,
11 should not have approved it because in your opinion they
12 are incompatible, correct?
13 A Well, as I indicated before, pictorially, yes.
14 I don't know when those were approved. The
15 Comp Plan could have been totally different at the time
16 these were approved. So I can't verify at all whether
17 they would be compatible or not, not knowing the details
18 of how this was approved.
19 Q I understand.
20 If this were to be presented to you today as a
21 proposed development to the north under the comp plan
22 provisions that you just went through with Mr. Anderson,
23 would your conclusion be that they are not compatible?
24 A That would be my conclusion based on me
25 analyzing all the lot areas, which I have not done in

1 this case.
2 But pictorially it appears similar to the
3 northern lots along Meadow Ridge Road are similar to the
4 Brookside Village lots.
5 Q In your opinion, related to that, at least
6 looking at this photograph or this exhibit, Respondent's
7 Exhibit 16, the Leon County Property Appraiser map of
8 those parcels as they exist today is based upon the
9 density factor of how many units are abutting the larger
10 lots in Moore Pond, correct?
11 A Well, if I understand your question, it is a
12 combination of density and lot size.
13 Q Okay. And so in your mind compatibility is --
14 is it the same, meaning does the lot size -- would the
15 lot size to the north, if this was a proposed new
16 development to the north on this map, would these lots
17 that are abutting Meadow Ridge Drive need to be the same
18 size as the lots below them in order to be compatible?
19 A I think there's what I would call a balancing
20 process, and you would have to look at should it --
21 should they match 100 percent, no.
22 But there has to be a balance between
23 recognizing the existing development pattern and what's
24 being proposed.
25 And, again, in using the case of Brookside,

1 the differential and all those factors I discussed, lot
2 size, density, lot setbacks, I think there's significant
3 difference to create incompatibility, and you'd have to
4 do something to balance that by increasing lot sizes in
5 combination with buffers. So there's a whole lot of
6 factors --
7 I'm sorry.
8 Q I don't mean to cut you off.
9 A -- so there's a lot of different factors to
10 consider.
11 Q Do you --
12 If Moore Pond --
13 Let's just hypothetically take an example and
14 say Moore Pond had been developed at one unit per
15 10 acres, would you say that whatever went next to it
16 would have to -- would be dictated by Moore Pond having
17 developed one unit per 10 acres regardless of what the
18 comp plan and Land Development Code allowed on the
19 property nextdoor?
20 A Can you restate the question?
21 Q You have 10-acre lots in Moore Pond, it is
22 developed. Under your analysis you then start looking
23 at what's nextdoor in order to guide what can be
24 compatible adjacent to that project. So the comp plan
25 has all these policies. We are inside the urban service

1 area, you have available urban services.
2 You would agree that the policy of Leon
3 County's comp plan is to maximize use of urban services,
4 correct?
5 A Correct.
6 Q And so you got land inside of the urban
7 service area that's designated residential preservation.
8 You would agree at least in some context,
9 maybe not this one in your opinion, but in some context
10 in residential preservation you can go up to six units
11 per acre, correct -- it allows up to six units per acre?
12 A Six units per acre may be permitted. It is
13 not guaranteed.
14 Q That's your opinion?
15 A Yes.
16 Q And so if Moore Pond had been developed as
17 10-acre lots, not 3-acre lots, but 10-acre lots, then
18 whatever came next to it was going to have to be in some
19 form consistent with those 10-acre lots or compatible
20 with those 10-acre lots in Moore Pond. Your opinion on
21 compatibility, you have to follow the pattern of what's
22 developed nextdoor, is that correct?
23 A You use that as a basis for determining what
24 would be appropriate. As I indicated before, it is a
25 balance.

1 Q Okay. Turn to -- let's pull up policy -- the
2 comp plan provisions.
3 Do you know what the difference in lot size is
4 between Ox Bottom and Moore Pond? Did you look at that?
5 You testified earlier you knew the difference in lot
6 size between Brookside and Moore Pond and Brookside and
7 Ox Bottom.
8 A Right. That was taken from Miss Grey's
9 report.
10 Q Do you know the difference between Moore Pond
11 and Ox Bottom?
12 A Yes.
13 Q And what is that?
14 A The average lot size for Moore Pond is a
15 little over 3 acres. The average lot size for Ox Bottom
16 Manor is .67, almost .7.
17 Q You broke up. I'm sorry.
18 A I'm sorry. Ox Bottom Manor is .67 lot size,
19 acres.
20 Q So, again, in your opinion you testified that
21 because of the disparity between Brookside and Moore
22 Pond and Brookside and Ox Bottom, I believe you said
23 that the lot size was incompatible. Is it also your
24 opinion that that lot size disparity between Ox Bottom
25 and Moore Pond is incompatible?

1 A Well, Ox Bottom and Moore Pond don't adjoin
2 each other.
3 Q Oh, they don't?
4 A Well, okay. I take that back.
5 Yes, based on that -- what you're showing me,
6 yes.
7 Q They are incompatible?
8 A That's what we discussed before.
9 Not knowing specifics, just looking at the
10 drawing and how it's relatively the same as Brookside,
11 it would appear to be incompatible.
12 Q You testified earlier --
13 Mr. Anderson asked you about various factors
14 that you were looking at to assess compatibility, and
15 you went through a number of them.
16 And then you were critical of Miss Grey for
17 not using an intensity analysis as part of her review,
18 is that correct? Do you recall that?
19 A Yes, she did not do one.
20 Q And isn't it true, looking at the definition
21 of intensity from the Comprehensive Plan, I am pointing
22 you to Joint Exhibit 33, the provision that you read
23 earlier dealing with intensity, that intensity in a
24 residential context means number of units per acre under
25 Leon County's Comprehensive Plan?

1 A It also talks about a measurement to the
2 extent of land development including consumption and use
3 of the space above, on, or below.
4 So that speaks to not just density but other
5 factors.
6 Q So at the end of that definition where it says
7 "or the number of dwelling units per acre of residential
8 development," you don't think that's what's applying as
9 an intensity standard on residential development?
10 A That's one of the standards.
11 Q You say the --
12 How many comp plans have you worked with in
13 your life?
14 A Three.
15 Q And how many of those had an intensity
16 standard relating to residential? Intensity standard.
17 A Right. I don't recall.
18 Q Okay. Let's look at Policy 10-6.617, Joint
19 Exhibit 34.
20 A What page is that?
21 MR. STEWART: 33.
22 BY MR. HUNTER
23 Q 33. I'm sorry.
24 So you testified when Mr. Anderson was asking
25 you about this policy he had directed you to

1 specifically down to subparagraph (5) and the allowable
2 development type.
3 If I understood your testimony, you referred
4 to the development type as cluster development in
5 Brookside. Is that how you characterized it?
6 A Yes, I did.
7 Q When you look at that subparagraph (5) in
8 context of all the paragraphs below it, the (a), (b),
9 (c), (d), (e), isn't indeed the type differentiation
10 that's being made in this Land Development Code one of
11 whether it's conventional single family or multifamily
12 in the form of a duplex or a townhome, or use of a
13 mobile home, manufactured home? Aren't those the types
14 that it's differentiating in that section of the code?
15 A I think you can have different types of
16 residential based on the characteristics of the pattern
17 of a neighborhood.
18 You have large lot development. Single family
19 homes on large lots is different than a single family
20 home on a very small lot. There are different
21 characteristics.
22 Q I understand that is your opinion.
23 But I'm asking you about subsection (5) of
24 this provision dealing with the residential preservation
25 in the Land Development Code.

1 Do you see anything in there that's
2 differentiating the type of development based upon the
3 size or the density; or instead isn't it actually
4 looking at whether it is a single family house or a
5 duplex or townhouse or a manufactured home?
6 A Yes.
7 Q Those are the things that it is distinguishing
8 its type?
9 A Um-hum.
10 ADMINISTRATIVE LAW JUDGE: It says cluster
11 housing --
12 MR. HUNTER: Right.
13 BY MR. HUNTER
14 Q And then in density, on the density issue is
15 subparagraph (a), paragraphs one, two, three and four,
16 aren't those paragraphs the one actually talking about
17 the density of how you apply that policy?
18 A I'm not following where you are at on the
19 page.
20 Q I'm sorry. I'm going up to the top of section
21 10-6.617, sub paren (a). Below sub paren (a), you have
22 one, two, three, four. Do you see those?
23 A Yes. Um-hum.
24 Q All those are talking about --
25 Take your time and look at them before you

1 answer my question.
2 But my question is getting you to verify that
3 those are dealing with the way you deal with density
4 within the residential preservation, in this case zoning
5 category, is that correct?
6 A It's talking about the density range
7 permissible.
8 Q Right.
9 A It also talks about --
10 Where is it now? I can't find it.
11 Q Tell me when you are done reading.
12 A Okay. Okay. I'm finished.
13 Q My point I'm asking in that question is where
14 you are getting guidance out of the zoning code, the
15 Land Development Code on density, it's subparagraphs
16 one, two, three and four.
17 A Yes. Looking at them collectively, yeah.
18 Q Paragraph five then looks to the type and
19 provides guidance on type, correct?
20 A Correct.
21 Q And in the plan -- I mean in the Land
22 Development Code in subparagraph (2), for example, where
23 the county wanted to limit the sizes of lots or be
24 directive on the size of lots where they are telling you
25 how you use density, they did that in subparagraph (2),

1 did they not?
2 Didn't they say if you are developing inside
3 an existing residential development within the
4 residential preservation category, that's all it's
5 applying to, that you can't develop lots that are
6 smaller than the smallest lot already in that
7 subdivision?
8 A That's correct. Yes.
9 Q And when you get to subparagraph (3) where
10 you're talking about what we are dealing with here,
11 which is new development on an area not in an existing
12 recorded or unrecorded subdivision, you would agree
13 that's what Brookside is, correct?
14 A Correct.
15 You are looking at (3) again?
16 Q Yes.
17 A Yes, that's correct.
18 Q So (3) then is what would apply to the
19 Brookside project.
20 Nowhere within (3) does it place a similar
21 limitation on how big a lot can be, does it?
22 A No.
23 Q Right.
24 A It just says density up to six units.
25 Q Where the county wanted to direct an applicant

1 on what they could do with lot sizes, they did so in
2 subparagraph (2), that's within existing residential
3 neighborhoods, and they chose not to do so in
4 subparagraph (3) which applies to Brookside, correct?
5 A Well, you are correct on that point.
6 But then you can't just look at one single
7 aspect. You have to go back to the comp plan which has
8 policy 2.2.3 that talks about looking at the development
9 compatibility, and specifically says in the residential
10 preservation land use category. So you got to look at
11 that policy as well as this and do the compatibility
12 analysis.
13 Q Okay. I understand that's your opinion.
14 Give me a second.
15 You talked earlier about the side setbacks and
16 the fact that the -- only 10-feet spacing between those
17 homes were in your opinion -- I think it was your
18 opinion created a walled effect, is that how you
19 described it?
20 A That, in combination with the fact you have
21 greater lot coverage, greater frontage, all of which
22 contribute to that.
23 Q If your clients, the Moore Pond residents had
24 asked for the homes within Brookside to be larger homes
25 because they were concerned that smaller homes were

1 going to impact the value of their -- in their mind more
2 valuable homes nextdoor, wouldn't it be fair to say in
3 order for the homes to be larger they would have to take
4 up more space on the lots?
5 A They would have to be.
6 But then, again, you can create larger lots to
7 be more consistent with the development pattern of Moore
8 Pond and Ox Bottom Manor.
9 Q But taking the project as it sits today, if
10 the Moore Pond residents said one of the things we
11 wanted was bigger homes, not resizing your lots, but
12 doing bigger homes, the only way to do that is take up
13 more space on the lot, correct?
14 A That's correct.
15 Q And the same thing if the Moore Pond residents
16 nextdoor said we would like you to agree to limit the
17 height of the houses, and if the developer agreed to
18 limit the height, meaning not to make them two story,
19 limited them to a single story, half story, maybe using
20 the garage, the effect of doing that if you were going
21 to do bigger homes means you had to take up more of the
22 land, the space on the lot in order to achieve that
23 request, right?
24 A Right.
25 Q Mr. Anderson asked you in all of your criteria

1 that you evaluated -- and I will not go through each one
2 individually unless you have a different answer as to
3 each of them individually -- and if so I'll ask you to
4 tell me what it is. I will ask you a few more questions
5 related to it.
6 But he asked you a series of questions on
7 whether there were undue negative impacts under the
8 definition -- the statutory definition of compatibility
9 that you had referenced.
10 Based upon your analysis of those particular
11 factors, building size, lot size, the setbacks, the
12 frontage, all of those things that you said you had
13 evaluated or that you had borrowed from Miss Grey
14 looking at her report, in every instance that I recall
15 he said did those have undue impacts on Ox Bottom Manor
16 and Moore Pond, your answer was, "they could."
17 A Correct.
18 Q So you haven't done any evaluation studies to
19 conclude that they would, have you?
20 A No. I mean, you wouldn't know until real
21 estate values were affected somehow. I'm not a realtor.
22 I don't have that expertise. And all those other
23 environmental issues that the gentleman before spoke of,
24 you wouldn't realize those until the project was there
25 and it is ongoing. So I have no crystal ball.

1 Q Right.
2 A That's why I said could.
3 Q But you didn't conclude that they would.
4 I guess in your mind it was something that you
5 ought to consider as you are going through the
6 evaluation process under the plan and the Land
7 Development Code on how those developments interface
8 with each other, right?
9 A Correct.
10 MR. HUNTER: I have no further questions,
11 Mr. Norsoph.
12 I thank you for your time.
13 THE WITNESS: Thank you.
14 ADMINISTRATIVE LAW JUDGE: Does Leon County
15 have some cross for this witness?
16 MR. STEWART: Just a few, Your Honor.
17 CROSS EXAMINATION
18 BY MR. STEWART
19 Q Mr. Norsoph, this particular development,
20 Brookside, have you ever been there, the area?
21 A No. I didn't go there physically.
22 But I used Google aerials, Google street view.
23 It makes it a lot easier to do that than spending the
24 client's money.
25 Q In terms of reviewing the site plan and

1 perhaps even a comp plan amendment or a site plan for a
2 development, have you done that in the past as part of
3 your experience?
4 A I've done some site plans.
5 Q Where you actually prepared the site plan?
6 A No. I mean an engineer would prepare the site
7 plan. I would provide direction as to how that would be
8 prepared and general conceptual layouts.
9 Q I apologize. It is an inartful question.
10 Have you ever represented a governmental
11 entity that has been charged with the responsibility of
12 reviewing a site plan that has been submitted for
13 approval?
14 A Yes. When I was with the City of St.
15 Petersburg.
16 Q Is it common in site plan submissions that
17 there may be a variety of reports submitted in support
18 of that site plan?
19 A Yes.
20 Q And is it normal practice in governmental
21 entities that you've been involved in that the reports,
22 the studies would be then allocated to the respective
23 experts within the county departments or city
24 departments to evaluate?
25 A Yes. Correct.

1 Q And they would take -- and they may agree with
2 those reports, correct?
3 A Who is they?
4 Q City staff, county staff that's evaluating
5 these.
6 A Yes.
7 Q Or they may have disagreements with the
8 studies that have been submitted?
9 A That's correct.
10 Q You testified earlier that one of the faults
11 that you cited was that county staff did not
12 independently create its own study on compatibility. Do
13 you remember that testimony?
14 A Yes. That's correct.
15 Q Can you show me or tell me where in the comp
16 plan it requires that staff must perform an independent
17 compatibility analysis?
18 A Well, I think the policy states that
19 compatibility analysis has to be done.
20 Q Doesn't it say compatibility factors have to
21 be considered?
22 A Correct.
23 Q And are you testifying today that the fact
24 that Miss Grey had submitted a compatibility analysis
25 that it was inappropriate for staff to review that

1 report to determine whether they agreed or disagreed
2 with the analysis?
3 A No, I'm not saying that.
4 Q But you think there's something else the comp
5 plan requires above that as a matter of law?
6 A I think in reviewing the staff report, the
7 only thing they did was include Miss Grey's report.
8 There was no concurrence with her report. There was no
9 -- there was no statement that we read this report and
10 we concur with her conclusions. I don't recall that
11 ever being in the staff report.
12 Q Did you read Miss Poplin's report?
13 A I read her memo where she said that
14 compatibility analysis was not even required.
15 Q So in terms of -- is that all you got from her
16 memo, that her conclusion was that no compatibility
17 analysis was required?
18 A That was part of her memo. There was a
19 critical comment.
20 Q There were other parts?
21 A Right.
22 Q Did she discuss the various factors under the
23 Comprehensive Plan that deal with compatibility?
24 A I don't recall that she did, I mean, as far as
25 the Policy 2.2.3.

1 Q Now, you talk about, in terms of the various
2 factors of compatibility, you talk about density.
3 Does the Comprehensive Plan provide guidance
4 as to how density is to be addressed dealing with
5 residential property?
6 A Well, it talks about the density of ranges, if
7 that's what you are referring to.
8 Q Does it also define gross density in the
9 Comprehensive Plan?
10 A Yes.
11 Q Does it in fact indicate that how residential
12 property -- how gross density is to be applied when
13 considering a residential development?
14 A Yes, it does.
15 Q And what does it say?
16 A The gross land area of the parcel.
17 Q So the analysis that all of the property
18 within Brookside would be considered and then how many
19 dwelling units they propose to build within that total
20 development?
21 A Correct.
22 Q So the 1.73 is consistent with the methodology
23 dictated by the Comprehensive Plan, is it not?
24 A Yes, it is.
25 Q Now, you did another analysis that talked only

1 about adjacent properties or development properties?
2 A Yes.
3 Q Was that required by the Comprehensive Plan?
4 A It talks about compatibility with the adjacent
5 properties.
6 Q But in terms of the density analysis, isn't it
7 true that the Comprehensive Plan dictates that gross
8 density is the methodology to be used in evaluating the
9 density?
10 A That's part of the equation.
11 Q Thank you.
12 Now, you talked about Exhibit 15, a joint
13 exhibit, which was Miss Grey's report. Mr. Anderson had
14 you read a section of it indicating some of her concerns
15 -- or a concern that she had. Do you recall that
16 testimony?
17 A Yes.
18 Q And I believe that's on page nine of the
19 report of Exhibit 15.
20 I'll let you go get to that page.
21 ADMINISTRATIVE LAW JUDGE: What exhibit is
22 this?
23 MR. STEWART: Joint Exhibit 15.
24 THE WITNESS: Okay. I'm at the exhibit.
25

1 BY MR. STEWART
2 Q All right. I believe you read previously the
3 first part of that where the concern was cited by
4 Miss Grey.
5 A Correct.
6 Q That's correct?
7 A Correct.
8 Q And I think the question of Mr. Anderson, was
9 there anything done after this report. But doesn't in
10 fact Miss Grey indicate in her opinion this has been
11 addressed by the buffering?
12 A Yes, she does.
13 Q So this was not an outstanding issue. At
14 least as far as Miss Grey's opinion, it had been
15 resolved?
16 A Correct.
17 Q Now, you talked a little bit about the walled
18 effect.
19 Do you recall in your deposition you provided
20 us various resource materials that you relied on in your
21 opinion, did you not, as part of the documentation?
22 A Um-hum. Yes.
23 Q Do any of the documents that you relied on for
24 your opinions in this case ever even talk about a walled
25 effect?

1 A No. That's a term that I used.
2 Q And where did you get that term?
3 A I utilized that term based on the -- all these
4 factors we are talking about in terms of the impacts, it
5 does create a walled effect when you have these
6 buildings, you know, side by side by side by side,
7 you're creating a visual wall.
8 Q And can you refer me to a planning textbook,
9 treatise, book, whatever it might be that uses the term
10 walled effect in the way that you have been discussing
11 it here today?
12 A I can't recall any plan document that uses
13 that term.
14 Q One issue I guess I was a little bit --
15 Mr. Hunter had asked you about.
16 Isn't it your opinion to be truly compatible
17 it must be identical?
18 A No, I never said that.
19 Q Well, let me ask you about your deposition.
20 Do you recall that being taken in Tampa?
21 A Yes.
22 Q And I believe your deposition was taken on
23 October 23rd at my office in Tampa.
24 A Yes.
25 Q And on page 71, beginning line 16, do you

1 recall being asked the question:
2 "Q So are you saying to be truly
3 compatible the developments need to be
4 equivalent?"
5 Do you recall what your answer was?
6 A Yes.
7 Q What was your answer?
8 A I believe I said yes.
9 Q Or correct?
10 A Correct.
11 MR. STEWART: Thank you.
12 Nothing further.
13 ADMINISTRATIVE LAW JUDGE: Redirect?
14 MR. ANDERSON: Okay.
15 REDIRECT EXAMINATION
16 BY MR. ANDERSON
17 Q Mr. Norsoph, Attorney Hunter had an image up
18 there related to a community.
19 To do a proper analysis, would you require
20 more information than just a single image on a
21 projector?
22 A Yes, I would.
23 Q Okay. Did I hear you correctly that you
24 stated that you don't even know if the same
25 Comprehensive Plan provisions were applicable at the

1 time of the development?
2 A That's correct.
3 Q Even if Leon County approved that sort in the
4 past, does it eliminate the requirements of the current
5 Comprehensive Plan to review for compatibility on this
6 proposed project?
7 A No, it would not.
8 Q All right. Did you review Miss Poplin's
9 report?
10 A Her memo?
11 Q Yes. I believe that's Joint Exhibit 29.
12 If we can go there, I would appreciate it.
13 A Is that in this stack?
14 Q It will be in the notebook as a joint exhibit.
15 A What was it? Was it 29?
16 Q 29. Yes.
17 A You need to buy an electric page turner.
18 Q Okay.
19 A I'm not there yet.
20 Q I believe it is page six, is the first page of
21 that.
22 A Okay. I'm there.
23 Q Okay. What's the date of that report?
24 A August 4, 2017.
25 Q August 4. Okay.

1 On page seven, third paragraph down,
2 Miss Poplin indicates the data she used to create this
3 report.
4 What data does she use?
5 A Can you just start the sentence for me.
6 Q It says, "The applicant provided a
7 compatibility analysis dated" --
8 A Oh, at the very bottom. The last sentence of
9 the third paragraph?
10 Q Yes.
11 A "The applicant provided a compatibility
12 analysis dated October 19, 2016 and updated April 26,
13 2017, conducted by land use consultant Wendy Grey that
14 examined these factors with regard to the project."
15 Q And then below that is an examination of
16 various factors?
17 A Correct.
18 Q But it is based upon those two reports,
19 correct?
20 A Based on her memo, yes.
21 Q Okay. Do you recall the last updated report
22 by Wendy Grey?
23 A I believe it was August 2.
24 Q August 2?
25 A Of 2017.

1 Q Okay. Were there changes in the proposed
2 Brookside development project subsequent to the
3 April 26, 2017 report that is cited by Miss Poplin?
4 A Yes. Miss Grey's report is different. Yes.
5 Q Were there different factors that had changed
6 on the proposed development?
7 A You mean in terms of Miss Grey's --
8 Q Okay. Let's specifically --
9 Let's kind of do a little bit of a side by
10 side.
11 A Do I need to get Miss Grey's report in front
12 of me?
13 Q Yes. We will do Miss Grey's report, which is
14 Exhibit 15, I believe.
15 A I got it.
16 Q Okay. What I'm getting at is is the
17 information for the proposed project that was approved
18 by the DRC, is the project different than Miss Poplin's
19 report?
20 For instance, on page nine of Miss Poplin --
21 page nine of the document that has Miss Poplin's report,
22 can you look at lot size for me.
23 A Okay.
24 Q Okay. Yes or no question, is the data for
25 Brookside Village different?

1 A Okay. Let me turn to the --
2 So you're looking at page nine of Miss
3 Poplin's report and page eight of Miss Grey's report?
4 Q Yes.
5 Yes or no, is there a difference in the lot
6 size for Brookside Village?
7 A Yes.
8 Q Okay. Let's go to --
9 On Miss Grey's report on page nine, and we
10 will go to lot coverage, and that is on page eight of
11 Miss Poplin's report, is there a difference in lot
12 coverage for Brookside Village?
13 A Yeah, there is a difference.
14 Q Okay. And in this instance is the lot
15 coverage discussed in Miss Grey's report greater than
16 what was analyzed by Miss Poplin?
17 A No. It's less.
18 Q Now, Miss Poplin's report on page nine
19 indicates 23 percent, correct?
20 A Yeah. Brookside Village, yes.
21 Q And Miss Grey's report indicates 24 percent?
22 A Correct.
23 Q So there is a difference there.
24 Is there also a difference if you look at page
25 nine of Miss Grey's report, it talks about the building

1 facade right in the middle.
2 What is the total building facade specifically
3 for that -- that Miss Grey indicates in her report?
4 A Which --
5 Can you start with the paragraph?
6 Q Right in the middle, where it says for Moore
7 Pond.
8 A The calculation was using the length, is that
9 where you are at?
10 Q Yes.
11 A Okay.
12 Q The last sentence of that paragraph.
13 A The length of the building facade as
14 percentage of the total lot length is .29 for -- this is
15 referencing Moore Pond. And for Brookside Village the
16 calculation was made using lots A4 through A15, the
17 percentage of building facade as a percentage of the
18 total lot length is .88.
19 Q .88. All right.
20 Let's go to page eight of the report that was
21 provided by Miss Poplin.
22 What is the ratio along -- the ratio along the
23 lot lines, the properties?
24 A For Brookside?
25 Q Yes, for Brookside.

1 A She has it as .8.
2 Q So it is different.
3 What I'm getting at there, there is a lot of
4 differences in the report.
5 Miss Poplin I think you testified did not
6 include the latest updates of the proposed project.
7 Could it be stated that she didn't actually provide an
8 analysis on what was approved by the DRC?
9 A Correct.
10 Q Okay. All right.
11 Let's go to -- back to the Land Development
12 Code. I believe that was a joint exhibit.
13 MR. HUNTER: 34.
14 BY MR. ANDERSON
15 Q It will be Joint Exhibit 34. Okay. Let's go
16 back to 10.617.
17 A Tell me what page that's on.
18 Q Yes.
19 MR. HUNTER: Page 33.
20 THE WITNESS: Thank you, sir.
21 BY MR. ANDERSON
22 Q I have to locate it myself. Here we go. All
23 right. Page 33.
24 All right. You --
25 This section, 10.6 -- 10-6.617, what area does

1 that apply to?
2 A The residential preservation zoning district.
3 Q And it was your testimony it lists several
4 different housing types.
5 Is it your testimony that these are types of
6 residential development patterns within the residential
7 preservation area?
8 A Yes.
9 Q Okay. Okay. And the first paragraph,
10 paragraph A, it indicates those residential type -- type
11 of residential development patterns, and they provide a
12 range, correct, of density?
13 A Yes. Zero to six --
14 Q I believe you testified previously --
15 Is a developer guaranteed the maximum of
16 density?
17 A No. No.
18 Q In land use in general, are they guaranteed
19 essentially almost any level of density?
20 A No.
21 Q How do you determine what the actual density
22 in a project is for Leon County?
23 A You would go through the compatibility
24 analysis and address all those factors.
25 Q So you can't just rely upon density analysis

1 alone?
2 A Correct.
3 MR. ANDERSON: No further questions.
4 ADMINISTRATIVE LAW JUDGE: Redirect.
5 MR. HUNTER: Recross, let us do that.
6 ADMINISTRATIVE LAW JUDGE: I don't like
7 recross. Sorry.
8 MR. HUNTER: I was afraid to ask.
9 ADMINISTRATIVE LAW JUDGE: Thank you, sir.
10 You may step down. All right.
11 Let's take an hour for lunch. We will start
12 up at quarter after -- quarter after 1:00.
13 (Luncheon recess.)
14 ADMINISTRATIVE LAW JUDGE: Let's go back on
15 the record.
16 Sir, stand and raise your right hand, please.
17 Thereupon,
18 MARK NEWMAN
19 was called as a witness, having been first duly sworn,
20 was examined and testified as follows:
21 ADMINISTRATIVE LAW JUDGE: Please state your
22 name and address.
23 THE WITNESS: Mark Newman. 6015 Quailridge
24 Drive.
25 ADMINISTRATIVE LAW JUDGE: Spell your last

1 name, please.
2 THE WITNESS: N E W N A N.
3 ADMINISTRATIVE LAW JUDGE: Go ahead.
4 THE WITNESS: Thank you.
5 First of all, I appreciate very much an
6 opportunity to come in and offer my opinion.
7 I live in the Ox Bottom Manor subdivision.
8 And I will be very brief, but I would like to make
9 four brief comments.
10 First, I have seen a copy of the survey
11 results and I completely agree that the proposed
12 Brookside development will harm my property values.
13 I don't begrudge a business entity trying to
14 maximize the value of their investment but not when
15 it impacts my investment and the investments of the
16 neighbors around me.
17 I have a copy of what was provided to the
18 homeowners from the Leon County Board of County
19 Commissioners and have studied this document. And
20 I'm concerned with some of the data that's
21 presented here.
22 This number 1.73 dwelling units per acre I
23 think is deceptive. Although it technically
24 satisfies the legal requirement, it is kind of like
25 if I have a thousand dollars and I split it up

1 between ten people, I give nine people $1, and I
2 give one person $91, and I can say on the average
3 $100. That doesn't accurately represent the truth
4 at all. That's what is happening here. We have a
5 bunch of little tiny lots and two larger ones,
6 which affects the averages significantly.
7 Also in here there is reference to there
8 having been performed a traffic impact analysis. I
9 quote, "Leon County and City of Tallahassee
10 Concurrency Management performed traffic impact
11 analysis for the proposed development and
12 determined that the proposal will not require
13 transportation concurrency mitigation."
14 And then it says, "A traffic study was not
15 required as the project generates less than 100
16 peak-hour trips." So it's fuzzy. I am not sure if
17 there was a traffic analysis done or not. It was
18 not provided as an attachment, so we cannot see
19 what it says. Were there 99? Were there 98? I
20 don't think the number should be considered in a
21 vacuum.
22 The traffic on Ox Bottom Road and also
23 Meridian Road are already very heavy in peak hours.
24 So I take issue with that.
25 The next paragraph states, and I quote, "A

1 school impact analysis application was submitted to
2 Leon County Board for review and was approved at
3 the board meeting on February 9th and then a
4 revised one was provided update information on the
5 home sizes submitted approved by the board on June
6 20." Again, that was not attached in here. I
7 don't know what it says or what it did. We tried
8 multiple times to contact Rocky Hanna and he never
9 responded back.
10 Ox Bottom Rise Elementary School has almost
11 900 students already. It has been expanded through
12 the years. It has two temporary buildings in
13 there. The access to the building from Meridian
14 Road and also from the Ox Bottom Manor side are so
15 congested, I can't imagine putting 58 more houses.
16 Thank you very much for the opportunity to
17 speak.
18 ADMINISTRATIVE LAW JUDGE: Thank you,
19 Mr. Newman. Any matters to discuss before the
20 petitioner calls the next witness?
21 MR. ANDERSON: No more witnesses, Your Honor.
22 ADMINISTRATIVE LAW JUDGE: You don't?
23 MR. ANDERSON: No, Your Honor.
24 ADMINISTRATIVE LAW JUDGE: Who is next to call
25 as a witness?

1 MR. HUNTER: I think we will go with Wendy
2 Grey, Your Honor, if that's okay.
3 ADMINISTRATIVE LAW JUDGE: Good afternoon.
4 THE WITNESS: Good afternoon.
5 ADMINISTRATIVE LAW JUDGE: Please raise your
6 right hand.
7 Thereupon,
8 WENDY GREY
9 was called as a witness, having been first duly sworn,
10 was examined and testified as follows:
11 THE WITNESS: I do.
12 ADMINISTRATIVE LAW JUDGE: State your name for
13 the record.
14 THE WITNESS: Wendy Grey, G R E Y.
15 ADMINISTRATIVE LAW JUDGE: Your witness.
16 MR. HUNTER: Thank you, Your Honor.
17 DIRECT EXAMINATION
18 BY MR. HUNTER
19 Q Miss Grey, what's your address and by whom are
20 you employed?
21 A My address is 1047 Myers Park Drive, in
22 Tallahassee.
23 And I am self-employed in a planning
24 consultant firm Wendy Grey Land Use Planning, LLC.
25 Q Are you the sole employee of that firm?

1 A I'm the managing member. There is one other
2 member.
3 Q Do you -- I will put up what's been marked as
4 Joint -- I guess Respondent's Exhibit Number 11. It is
5 your resume.
6 Could you take a look at that. It is in the
7 notebook, Respondent's Exhibit 11.
8 Make sure you identify it.
9 A Yes.
10 Q It is your resume?
11 A Yes, it is.
12 Q How long have you been --
13 MR. HUNTER: Do you all have any objection to
14 the introduction of Wendy Grey's resume?
15 MR. ANDERSON: No.
16 MR. STEWART: No objection.
17 MR. HUNTER: We will proffer that.
18 ADMINISTRATIVE LAW JUDGE: Respondent's
19 exhibit is admitted.
20 (Respondent's Exhibit No. 11 admitted into
21 evidence.)
22 BY MR. HUNTER
23 Q How long have you had your consulting firm,
24 Miss Grey?
25 A About 15 years.

1 Q And what is the nature of the services that
2 you provide as a consultant for your firm?
3 A I worked with both public sector and private
4 sector clients on a range of land use issues, such as
5 Comprehensive Plan evaluations, review of zoning codes.
6 I worked with private clients on compatibility and comp
7 planning consistency evaluations for projects.
8 Q Is that work all over Florida, in Tallahassee,
9 or what's the --
10 A It's been primarily in north Florida. Quite a
11 bit of work in Walton County. I worked in several other
12 locations in Florida, as well as in Albany, Georgia.
13 Q Before you were with your own consulting firm,
14 what was your immediate prior employment?
15 A I was the planning director of the Tallahassee
16 Leon County Planning Department for ten years.
17 Q Okay. And as planning director, did you --
18 what did you do under those duties?
19 A Well, primary responsibilities related to
20 Comprehensive Planning, all aspects of the monitoring,
21 implementation, evaluations of Comprehensive Plan. We
22 reviewed rezonings. Their department was responsible
23 for long-range transportation planning and long-range
24 environmental planning.
25 Q As part of that job, the Comprehensive Plan

1 that's at issue in this case today, was that under your
2 responsibility as planning director?
3 A Yes.
4 Q And the Land Development Code, was that part
5 of your responsibility or did you have interaction with
6 it as part of your responsibility?
7 A Primarily within the context of the zoning
8 code, yes.
9 Q Okay.
10 A Obviously it has been amended since then.
11 Q Right.
12 What's your education background?
13 A I have a Bachelor's degree in environmental
14 studies from the State University of New York in
15 Binghamton, and Master's of regional planning from
16 Cornell University.
17 Q Do you have any professional certifications?
18 A I am a member of the American Institute of
19 Certified Planners.
20 Q Have you ever been admitted as an expert
21 witness as a planner?
22 A In administrative proceedings?
23 Q Yes. We will start with that. Administrative
24 proceedings.
25 A Yes. About five times.

1 Q And were all five of those times you were
2 serving as a planning expert?
3 A Correct.
4 Q What about in a circuit court --
5 A Yes.
6 Q -- or nonadministrative trial?
7 A Yes, circuit court.
8 Q Were you also a planning expert in your
9 capacity in front of a circuit court?
10 A Yes.
11 Q What about in front of governing boards, city
12 council, county commissions, have you provided testimony
13 to those bodies as a planning expert?
14 A Yes. As a planning consultant I have
15 testified numerous times in front of boards and
16 commissioners. And as a planning director I was
17 responsible for advising both city and county commission
18 on issues related to planning.
19 MR. HUNTER: I would offer Miss Grey as an
20 expert, Your Honor, in the field of land use
21 planning.
22 ADMINISTRATIVE LAW JUDGE: Any objection?
23 MR. ANDERSON: No.
24 ADMINISTRATIVE LAW JUDGE: She is admitted.
25

1 BY MR. HUNTER
2 Q Miss Grey, are you familiar with the Brookside
3 subdivision that's the subject of this discussion today?
4 A Yes, I am.
5 Q And how did you become familiar with that
6 project?
7 A I was retained to conduct a compatibility
8 study for the project.
9 Q Okay. And tell me a little bit about what
10 that means. What was the scope of what you were doing
11 when you were asked to provide that stuff?
12 A Okay. What the scope was was to look at the
13 compatibility requirements as they appeared in the
14 Comprehensive Plan and to conduct an evaluation of the
15 project as to their compliance with those requirements,
16 or potential requirements, and to render my opinion.
17 Q Did that also involve an analysis of Land
18 Development Code consistency?
19 A To the extent that there were issues -- to the
20 extent that the Land Development Code addressed issues
21 of compatibility, yes, I also reviewed the Land
22 Development Code.
23 Q Have you performed compatibility analysis for
24 other projects before this one?
25 A Yes.

1 Q Do you know how frequently?
2 Let me break that down.
3 A Okay.
4 Q As a planning consultant have you done
5 compatibility studies?
6 A Yes. I probably have done about 15 or so
7 compatibility studies.
8 Q And then when you were planning director of
9 the City of Tallahassee, Leon County planning director,
10 did you, in that capacity, have to deal with issues of
11 compatibility in reviewing projects?
12 A Yes. And particularly in terms of
13 Comprehensive Plan amendments, changes to the future
14 land use map, and rezoning compatibility was often a
15 consideration.
16 Q Generally what was your conclusion regarding
17 the compatibility of Brookside as related to the
18 Comprehensive Plan requirements for residential
19 preservation -- for the residential preservation land
20 use category?
21 A My findings are that the project is consistent
22 -- excuse me -- it is compatible based on the
23 requirements of the Comprehensive Plan.
24 Q Is that a similar conclusion regarding the
25 applicable Land Development Code criteria?

1 A Yes, it is.
2 Q If we could --
3 I think it may have been referenced and you
4 already referred to it, Joint Exhibit 15, as Miss Grey's
5 report.
6 If you could pull that up.
7 It is a joint exhibit, Your Honor. It is
8 Joint 15 in the notebook.
9 Do you have that in front of you, Miss Grey?
10 A I do.
11 Q Is that the most recent version of the
12 compatibility -- of the analysis that you said you
13 performed of Brookside?
14 A Yes, it is.
15 Q Looking at page four of your study --
16 You can turn there if you want.
17 Are you there?
18 A Yes.
19 Q What definition of compatibility did you look
20 to to guide you in doing your analysis?
21 A I used the definition which is found in the
22 Florida Statutes.
23 Q And what does that definition say about --
24 what does it say in guiding you on doing a compatibility
25 analysis?

1 A It eventually provides a definition of
2 compatibility that defines it as "A situation which land
3 uses or conditions can co-exist in relative proximity to
4 each other in a stable fashion over time such that no
5 use or condition is unduly negatively impacted directly
6 or indirectly by another use or condition."
7 Q In your opinion and in the application of that
8 definition that you have done in other circumstances
9 does compatibility in your mind being that things have
10 to be the same?
11 A No.
12 Q When you were looking at what to compare or
13 contrast Brookside to, what areas did you look to in
14 doing your analysis?
15 A Geographic area?
16 Q Yes, ma'am. I'm sorry.
17 If you want, if it helps, we can pull up a map
18 to look at.
19 A Okay. Um-hum.
20 I selected a radius of a quarter-mile from the
21 project site and looked at the development pattern
22 within that quarter-mile.
23 Q Is that a quarter-mile radius you are
24 referencing?
25 A The green line represents the quarter-mile

1 radius.
2 Q Why did you pick that radius?
3 A There was no specific definition of
4 surrounding area in the plan, and the plan talks about
5 looking at compatibility within the surrounding area.
6 So I relied on my previous experience.
7 I think I had mentioned I had done quite a bit
8 in Walton County, which has pretty extensive
9 compatibility requirements. They look at a
10 quarter-mile.
11 These neighborhoods are not connected
12 entirely. Some are.
13 A quarter-mile is generally considered by
14 planners to be walkable, contextual distance. That was
15 the basis for my decision.
16 Q I'll put a pointer up next to you.
17 Generally show us -- walk us through what you
18 were looking at in the context of that quarter-mile
19 radius.
20 A Okay. Here, again, in purple is the property.
21 Here is Ox Bottom Road.
22 You have Rosehill -- a portion of the Rosehill
23 subdivision, which would be to the south.
24 And then you have portions of Moore Pond
25 subdivision to the east and the north.

1 And then you have portions of the Ox Bottom
2 subdivision -- Ox Bottom subdivision to the north.
3 Um-hum. And to the west --
4 Q And to the west --
5 A Um-hum.
6 Q -- is Brookside Village, the area that's in
7 the lavender or purple?
8 A Yes.
9 Q Is that within the urban service area of Leon
10 County?
11 A Yes, it is.
12 Q And what's the significance of it being within
13 the urban service area from a planning standpoint?
14 A The Tallahassee Leon County Comprehensive Plan
15 uses the concept of an urban service area to encourage
16 the majority of new growth inside of this area. It is
17 an area designed to have urban services necessary to
18 accommodate higher density and intensity development and
19 it is intended to promote more orderly growth and
20 sufficient use of resources.
21 Q What's the land use category of the Brookside
22 project?
23 A The future land use designation is residential
24 preservation.
25 Q Are all the other areas that you were --

1 within your radius, all the other neighborhoods also
2 residential preservation?
3 A Yes.
4 Q Is the zoning category likewise residential
5 preservation?
6 A Yes, that's correct.
7 Q Turn to --
8 Let's pull up Policy 2.2.3 of the future land
9 use element.
10 I think it is Joint Exhibit 33, Your Honor.
11 Page 31 is the page we are on, Your Honor,
12 counsel.
13 Could you identify from just looking at that
14 policy what the purpose is in your opinion of the
15 residential preservation land use category?
16 A Well, I think as stated, in the second
17 sentence, "The primary function of the category is to
18 protect existing stable and viable residential areas
19 from incompatible land use intensities and density
20 intrusions."
21 Q Does it allow within the RP land use category,
22 are there allowed different uses or does it require a
23 single type of use from a residential perspective?
24 A From a residential perspective it allows
25 certain types of residential housing. I believe it also

1 allows some community facilities and allows residential
2 development at a range of zero to six dwelling units per
3 acre.
4 Q Is the premier experience as planning director
5 in Tallahassee, Leon County and then your experience in
6 looking at this site in this case, is the RP land use
7 category intended to be one of a rural land use
8 category; is that the point of it from a planning
9 perspective?
10 A No. No, it's not.
11 Q And why do you say that and what's the basis?
12 A Well, if you look at the rural preservation
13 category as it is applied inside of the USA, in both the
14 city and the county, it is applied in what I would
15 define as suburban types of developments, maybe a little
16 bit further out from the central core, and it is also
17 located in areas quite close into the urban core.
18 Q Have you seen examples of residential
19 preservation within the city, so inside the urban core,
20 let's say inside Interstate 10 where adjoining uses are
21 something different than residential?
22 A Right. One example that I could give you, the
23 Myers Park neighborhood, which is just south of the area
24 downtown, and it is east of Monroe Street --
25 Are we going to take a look at that?

1 -- and immediately adjoining it along Monroe
2 Street the future land use designation is central urban
3 which allows a variety of nonresidential uses as well as
4 higher density residential development.
5 And I think what we are looking at now, is
6 actually the big map that we are looking at is actually
7 a future land use map. That's the different colors.
8 If you can make out the green line here, which
9 I may be having a little trouble discerning, the
10 properties to the east, which are primarily yellow is
11 the Myers Park neighborhood which is residential
12 preservation. And the properties to the west of this
13 green line, would show in the various colors primarily
14 blue and red, so they do adjoin each other along the
15 rear property line.
16 MR. HUNTER: She is referring to a page within
17 composite -- Respondent's Composite 8, which is the
18 story board.
19 I don't know what page number within that
20 document. It looks like 13, of 13 pages.
21 Has that been admitted?
22 ADMINISTRATIVE LAW JUDGE: Yes.
23 MR. HUNTER: Sorry.
24 BY MR. HUNTER
25 Q You testified earlier that the zoning category

1 I think for Brookside is also residential preservation.
2 Is the zoning category for the surrounding areas also
3 RP?
4 A Yes.
5 Q For Ox Bottom Manor?
6 A Yes.
7 Q For Moore Pond?
8 A Yes.
9 Q For Rosehill?
10 A Yes.
11 Q For Ox Bottom Gardens?
12 A Yes. Um-hum.
13 Q What's the purpose, like I asked you earlier,
14 regarding the land use category of RP? What's your
15 understanding of the purpose from a planning perspective
16 of the RP zoning district? If it helps you can pull
17 that up.
18 MR. HUNTER: It is Joint Exhibit 34, Your
19 Honor, page 33.
20 THE WITNESS: The intent is similar to the
21 future land use category.
22 Again, it says "Primary function is to protect
23 existing stable and viable residential areas from
24 incompatible land uses and density intrusions."
25

1 BY MR. HUNTER
2 Q What is your --
3 Again, referring to the density, what density
4 does the zoning code allow within the residential
5 preservation zoning category?
6 A It allows a range of zero to six units per
7 acre.
8 Q And we will get into it in a little while in
9 more detail.
10 Does it characterize how that range is to be
11 applied within the various -- based upon what's adjacent
12 to the uses in RP? Does the --
13 That's a poorly asked question.
14 Let me rephrase it.
15 Does the section of the Land Development Code
16 dealing with residential preservation provide direction
17 on how to use that density, where the zero to six range
18 should be applied?
19 A Not for density.
20 Q Okay. What about for -- if it doesn't for
21 density, what does it provide?
22 A Well, if you look at -- again section
23 10.6-617, correct?
24 Q Yes.
25 A This section deals with two criteria, if you

1 will. One is surrounding residential type and one is
2 density. And the applicable criteria is in number
3 three, which says that "Proposed residential development
4 inside the urban service area in an area not located
5 within recorded or unrecorded subdivision, densities may
6 be permitted in the range of zero to six dwelling units
7 per acre compatible with the availability of central
8 water and sewer," which this site does have water and
9 sewer available to it.
10 There are other examples, like if you go to
11 the one above, where --
12 Q You are referring to subparagraph (2)?
13 A Correct, I am.
14 -- where it talks about new residential
15 development within portions of an existing recorded,
16 unrecorded subdivision. And then there is specific
17 language that talks about lot sizes there.
18 Q And in that circumstance the code provision is
19 limiting the minimum size of what a lot can be based on
20 what's already there?
21 A Right.
22 No lot that's created can be smaller than the
23 smallest existing lot --
24 Q I'm sorry. Go ahead.
25 A -- in the original subdivision.

1 Q And that limitation didn't apply to your
2 analysis in our case because we were not in an existing
3 subdivision?
4 A Correct. The criteria in number 3 applies. I
5 was making a distinction between the two conditions.
6 Q What's the character of the nature of the --
7 we will take them one by one.
8 What's the character of Ox Bottom Manor, in
9 your opinion, from a type of development and from just a
10 style of residential development?
11 A Well, it's -- obvious feature, single family,
12 low density, conventionally built home subdivision.
13 Q How do you define low density?
14 A Within the zero to six range.
15 Q Because that's what the code specifies?
16 A Correct.
17 Q How does the comp plan, other than residential
18 preservation and the Land Development Code define low
19 density? Do you know?
20 A The generic -- the general definition of low
21 density is zero to eight.
22 And I have to be honest, I have to remember if
23 it's the comp plan or code.
24 Residential preservation is limited zero to
25 six. So there is a distinction.

1 Q One would be zero to eight. And then there is
2 an additional heightened level of low density when you
3 are in residential preservation?
4 A Correct. And when I speak to low density in
5 this context, I'm talking about in residential
6 preservation.
7 Q What's the general character of the Moore Pond
8 subdivision, which I guess is to the east of Brookside?
9 A That is a -- also a single family, low
10 density, conventionally built residential community.
11 Q And I think you said earlier that within your
12 quarter-mile radius Ox Bottom Gardens fell in that
13 circle. Could you just point out, because I'm not sure
14 it has been made clear yet today, Ox Bottom Gardens,
15 where it is. Describe the nature of Ox Bottom Gardens,
16 if you could.
17 A Yes. Ox Bottom Gardens is also a low density
18 residential single family, conventionally built
19 subdivision.
20 Q Do you consider Ox Bottom Gardens and Ox
21 Bottom Manor consistent with one another from a planning
22 perspective?
23 A Yes.
24 Q Okay. Do you consider Ox Bottom Manor and
25 Moore Pond consistent with one another from a planning

1 perspective?
2 A Yes.
3 Q What is Rosehill? What's the character of
4 Rosehill to the south?
5 A Rosehill is a low density, single family,
6 conventionally built residential subdivision.
7 Q And, again, looking at Ox Bottom to Rosehill
8 and Moore Pond to Rosehill, do you consider all those to
9 be consistent with one another from a planning
10 perspective?
11 A I would consider those -- that pattern of
12 development in that range of low density uses to be
13 compatible -- compatible condition, if that's what you
14 are asking.
15 Q Are all the development patterns within each
16 of the neighborhoods I just asked you about, so Ox
17 Bottom Gardens, Ox Bottom Manor, Moore Pond, and
18 Rosehill within the defined low density definition in
19 the residential preservation zero to six limit?
20 A Yes. The highest density was Ox Bottom
21 Gardens, which is a little over two units per acre --
22 2.13, so the maximum allowable being six, they are all
23 of the lower range of the low density.
24 Q Let's turn to Policy 2.2.26 of the comp plan.
25 It is Exhibit 33. I don't know what page that is.

1 A 26?
2 Q 2.2.26. Tell me when you are there.
3 A I'm there.
4 Q Are you familiar with this policy and the
5 chart that's part of it?
6 A Yes.
7 Q And what is this? How did you use this in
8 your analysis -- or how did you use this in your
9 analysis?
10 A Well, I did not look at 2.2.26 in my analysis.
11 I subsequently have looked at it.
12 The matrix is intended to provide guidance in
13 terms of proposed land use and whether or not it is
14 permissible based on a number of factors, including
15 environmental factors, infrastructure, and adjoining
16 land uses. And those criteria are all depicted within
17 what's called the matrix.
18 Q So with respect to this case, this Brookside
19 subdivision in relationship to what's around it, what
20 does the matrix tell you?
21 A Well, how it would work --
22 I guess I should point out first that how the
23 matrix works is if there is a green X, then that
24 determines that the use is -- or indicates that the use
25 is allowable or compatible. If there is red, it

1 indicates that it is not compatible.
2 So if we look here --
3 Excuse me. This is kind of small.
4 A residential -- low density residential is
5 the proposed use.
6 And you come across the matrix until you get
7 to the proposed existing -- excuse me -- the existing
8 use, and you see that it is also low density and it is
9 marked in green, which means it is allowable,
10 permissible on the matrix.
11 Q And so is the study that you prepared that's
12 been marked as Exhibit 15, Joint Exhibit 15, is the
13 study you prepared consistent with the guidance of that
14 matrix?
15 A Yes, it is consistent.
16 Q So let's look at your study. Walk us through
17 what you did as part of your study. If you need to look
18 at the study itself, feel free.
19 A Well, to actually walk through --
20 Well, the first thing I did was to do an
21 analysis of the proposed development. And then after I
22 had determined to look within the quarter-mile radius, I
23 evaluated the general conditions within each of the four
24 subdivisions. And then I proceeded to analyze them in
25 more detail based on the criteria that are contained in

1 Policy 2.2.3(e).
2 Q Okay. Did you look at Policy 2.1.1?
3 A Yes, I did.
4 Q And what specifically within Policy 2.1.1 --
5 If we can turn to page 21 of Joint Exhibit 34.
6 A That's okay. I will use it on my report.
7 MR. HUNTER: Your Honor, it is page 21 of
8 Joint 34.
9 THE WITNESS: And just to give some context,
10 the objective under which that policy appears
11 generally speaks to residential land use. That's
12 the portion of the plan that speaks generally to
13 residential land use.
14 And Policy 2.1.1 states, "The policy is to
15 protect existing residential areas from the
16 encroachment of incompatible uses that are
17 destructive to the character, integrity of the
18 residential environment."
19 It goes on to say, "The Comprehensive Plan
20 provision and land development regulations to
21 accomplish this shall include but are not limited
22 to." And then there are a list of provisions and
23 regulations that should be adopted.
24 The two that I particularly paid attention to
25 was the inclusion A, which is the inclusion of

1 residential preservation category in the future
2 land-use map; and then C, which speaks to
3 limitations on future higher density residential,
4 adjoining low density residential areas. And that
5 goes on to say, "Such limitations are to result in
6 effective visual and sound buffering either through
7 vegetative buffering or other design techniques
8 between the higher density residential uses and the
9 low density residential uses."
10 BY MR. HUNTER
11 Q So two points I guess to ask you about on this
12 policy.
13 One, is there anything in your analysis that
14 would lead you to believe that the Brookside project is
15 in any way incompatible with or destructive of the
16 character and integrity of the residential environment
17 which surrounds it?
18 A No.
19 Q And why is that, just generally?
20 We will get into details in a minute.
21 What helps you reach that conclusion?
22 A Well, most simply what helps me reach the
23 conclusion, this is single family, low density
24 residential adjoining single family, low density
25 residential.

1 And further if you look at C, if I could go
2 ahead, that speaks specifically to limitations on future
3 higher density development adjoining low density
4 residential areas.
5 The case we are talking about is low density
6 to low density residential.
7 For me the significance of C was that it did
8 specifically indicate that should such buffering be
9 provided, vegetative buffering is an acceptable
10 mechanism for providing a buffer.
11 Q But in that case, just to understand you
12 fully, you are talking about where you got a high
13 density --
14 A Higher than lower density is how I guess I
15 would say it.
16 Q So in this case --
17 A It is low density to low density.
18 Q What did you look to next to guide your
19 analysis? Was it the residential preservation land use
20 policy itself?
21 A Correct. 2.2.3.
22 Q And how did you -- what were you doing in your
23 analysis to apply it in the context of the Brookside
24 proposal?
25 If you want to pull it up --

1 ADMINISTRATIVE LAW JUDGE: I got it.
2 THE WITNESS: Looking at the policy in
3 context, one of the requirements -- the end of the
4 first paragraph says, "Consistency with surrounding
5 residential type and density shall be a major
6 determinate in granting development approval."
7 That was one component of the policy I looked at.
8 The policy then goes on to say, "In order to
9 preserve existing, stable and viable residential
10 neighborhoods within residential preservation,
11 within the residential preservation land use
12 category, development and redevelopment activities
13 in and adjoining residential preservation areas
14 shall be guided by the following principles." And
15 then it goes on to list several principles in
16 greater detail that should apply.
17 BY MR. HUNTER
18 Q Does the policy define consistent?
19 A It does not.
20 Q So how do you --
21 From a planning standpoint, what are you
22 looking at to use -- I mean what does consistent mean to
23 you in that context?
24 A Well, there are two things.
25 One, I looked at the dictionary, since there

1 is no definition of consistent in either the comp plan,
2 the Land Development Code, or within this context of
3 consistency in the state statute. And I included that
4 in my report on my page five of my report, which
5 describes consistency as agreeing or accordant,
6 compatible, not self-contradictory, constantly adhering
7 to the same principles, course, form, et cetera, holding
8 firmly together, and cohering. So there was sort of the
9 language definition.
10 And then if I could go back to the conditions
11 that I said the policy mentions. They go through
12 letters (a), (b), (c), (d), (e), (f), (g). And if you
13 look at those they provide some guidance as well.
14 Subparagraph (a) speaks to the creation of
15 transitional development areas for low density
16 residential developments when higher density residential
17 development is proposed for areas adjoining an
18 established neighborhood within residential preservation
19 land use category. In other words, if you have a
20 category abutting an existing residential preservation
21 area that would allow higher than the low density
22 residential development, this is the policy guidance
23 that would apply.
24 The second condition is limitation on future
25 commercial intensities adjoining low density residential

1 preservation. And, again, if you had a zoning district
2 or future land use category abutting residential
3 preservation that would allow commercial, these are the
4 criteria that would apply.
5 Q Let me stop you and take it one by one.
6 Does (a) apply in this case?
7 A No. No. Both these properties are within
8 residential preservation.
9 Q And low density next to low density doesn't
10 trigger what (a) is?
11 A Correct.
12 Q And (b), we are talking about a condition
13 that's not applicable here, dealing with commercial?
14 A Correct.
15 And (c) is limitations on existing like
16 industry, which is also not applicable.
17 Q What about (d)?
18 A (d) creates additional development standards
19 for allowed community facilities. That is not
20 applicable.
21 Q And (e) -- I know you have gone through (e) in
22 your report and we can get into it in more detail, or
23 talk about it now. Either way.
24 But how did you apply (e) in the context of
25 this policy as relates to Brookside?

1 A Well, as I just said, if you look at
2 paragraphs (a), (b), (c), when they directed further
3 analysis should be done regarding compatibility, they
4 specifically refer you to paragraph (e). They say that
5 you should conduct an evaluation based on those criteria
6 in paragraph (e). (a), (b) and (c) do not apply.
7 However, I did conduct the compatibility
8 review as defined -- as described in paragraph (e) for
9 two reasons. First of all, I was well aware that there
10 were concerns by residents, particularly on either side
11 of the proposed development about the compatibility
12 issue, and specifically that the project was not
13 identical or very, very similar to the existing
14 developments on either side. And secondly, I was not
15 totally convinced in reading it that (e) did not apply
16 in cases even when (a), (b) and (c) did not apply. So
17 in an effort to be conservative and most cautious, I did
18 conduct the compatibility review as outlined in (e).
19 Q Do you think (e) applies?
20 A No.
21 Q We will get to (e) and the factors that you
22 went through, because I know you went through at least
23 numerous of those factors in your report.
24 Is there anything in Policy 2.2.3, in any of
25 the subparagraphs or sections language within that

1 policy that restricts the lot sizes of projects that are
2 being developed within the residential preservation
3 neighborhoods?
4 A Yes. In the preface of that policy, in the
5 earlier part it mentions that this policy applies to
6 developments both in and adjoining residential
7 preservation.
8 An example of (f), which is on page 32; and
9 (g), which is on page 33, speaks specifically to a
10 situation in which a parcel is being either created -- a
11 new subdivision is being created within an existing
12 subdivision or if a planned unit development is being
13 created within an existing subdivision, either recorded
14 or unrecorded.
15 In those cases there is language regarding
16 density in paragraph (f). It says, "Planned unit
17 developments proposed within the interior of a
18 residential preservation designated recorded or
19 unrecorded subdivision shall be generally consistent
20 with the density of existing residential development in
21 the recorded or unrecorded subdivision."
22 Q So are we talking about that scenario here?
23 A No. That does not apply.
24 Q If it did apply, it is telling you what your
25 density can be?

1 A Correct.
2 Q So if you were going to PUD an existing
3 residential subdivision and the density were .5 units
4 per acre, this is telling you what your PUD has to be .5
5 units per acre?
6 A Correct. It does provide an exception, which
7 is if that parcel, in my words has its own access, in
8 other words it doesn't require access through the
9 existing subdivision, the language, "Parcels abutting
10 arterial roadways and/or major collectors may be
11 permitted to achieve six dwelling units per acre." So
12 it does make that exception.
13 Q We are not talking about that with Brookside?
14 A Correct.
15 Q Neither scenario?
16 A Neither scenario applied.
17 Q And then you said in (g) there were similar
18 limitations --
19 A Yes.
20 Q What is it in (g)?
21 A (g) says, "Consistency for the purpose of this
22 paragraph shall mean that parcels proposed for
23 residential development shall develop consistent with
24 the lot size and density of the recorded or unrecorded
25 subdivision."

1 Again, this is the case in which you are
2 creating what I will call a traditional subdivision
3 within an existing subdivision.
4 Q And --
5 A And it also provides the exemption, if you
6 will.
7 Q Before you get to the exemption, this
8 subsection (g) doesn't apply in the case of Brookside,
9 correct?
10 A It does not apply. It is not within the
11 existing subdivision.
12 Q And other than the limitations on density and
13 size of a lot that are specified in (f) and (g), are
14 there any other locations in the residential
15 preservation land use policy that places limitations
16 on -- other than up to six units per acre on the density
17 or lot size?
18 A No.
19 Q I think you already said it, but I'll ask it
20 again, subject to being clear.
21 Was it your conclusions then when you applied
22 this policy that the Brookside proposal as reflected in
23 the plans that went before the DRC in August of 2017 was
24 consistent with the surrounding residential type and
25 density?

1 A Yes.
2 Q And your basis of that I think you said
3 earlier was because it was single family next to single
4 family?
5 A Correct. Low density, single family. Um-hum.
6 Q Let's look at your report, and since you did
7 apply the factors of subparagraph (e) -- and I think
8 Mr. Norsoph reviewed some of those, at least in the
9 context of relying upon the data that you generated in
10 your report -- let's look at your application of those
11 factors.
12 If you could turn to your report, Joint
13 Exhibit 15. Tell us what factors within subparagraph
14 (e) that you did look at.
15 A Let's see. I looked at density, building
16 size, lot size, lot configuration and orientation, scale
17 and height, lot coverage, mass and bulk, architecture,
18 screening and buffering, setbacks, and traffic
19 circulation.
20 Q Mr. Norsoph earlier said you should have
21 looked at the intensity, that's one of the factors in
22 subparagraph (e).
23 Did you consider intensity?
24 A I did not consider intensity except to the
25 extent that the definition of intensity in the plan

1 includes residential -- dwelling units per acre for
2 residential, which was addressed; and to the extent that
3 I believe he referred to things like lot coverage,
4 building size, those were all addressed in my report.
5 So it might not have been labeled intensity I believe
6 those characteristics were all addressed in my report.
7 Q Is it your opinion that under the definition
8 of the plan development code that intensity as relates
9 to residential development is the same thing as density
10 in units per acre?
11 A Yes, that's been my experience.
12 Q And what did you conclude with regard to
13 density --
14 Let's take them factor by factor. Density was
15 one of the factors you looked at. What was your
16 analysis of that issue in your quarter-mile radius study
17 area?
18 A The density criteria was -- the one criteria
19 under which I did look outside of the quarter-mile area,
20 and I did -- what I did is look at the density, the
21 gross density for each of those subdivisions. And I did
22 that because of the definition in the plan which says
23 that gross density shall be the standard applied to
24 determine residential density.
25 Q Okay. And what were your --

1 A In that case the range in densities were Ox
2 Bottom Gardens from 2.13 dwelling units per acre down to
3 Rosehill which was .17 units per acre, with Brookside
4 Village at 1.73 units per acre.
5 Q Was it your conclusion that those density
6 ranges were -- co-exist with one another, that one
7 didn't have an unduly negative impact upon the other?
8 A Yes.
9 Q What about with regard to building size, what
10 were your findings on that factor?
11 A Again, there was a wide range of building
12 sizes.
13 I looked using Property Appraiser data for the
14 building sketches for each of the parcels within the
15 residential parcels which had buildings on them within
16 the quarter-mile radius. And you can see on page six of
17 my report that I look at the ranges as well as the
18 averages. And the averages range from over 6300 square
19 feet for Moore Pond down to 2389 square feet for Ox
20 Bottom Gardens, with the Brookside Village at 2850,
21 within the range.
22 Q And so again on that factor, assuming again it
23 were applicable, you testified you don't think it is,
24 but if it were is the Brookside proposed building size
25 in any way unduly negatively impacting the properties in

1 the quarter-mile radius that you studied?
2 A No.
3 Q What about the factor of lot size?
4 A Again, similarly using Property Appraiser
5 data, there was a range in average lot size from 3.08 at
6 Moore Pond to .19 at Ox Bottom Gardens. The average at
7 Brookside Village was .26, Ox Bottom Manor .67.
8 Q And the same question with regard to that
9 range in lot size, did Brookside -- does Brookside
10 Village -- the lot size average of Brookside Village in
11 any way unduly negatively impact the surrounding area
12 within that quarter-mile radius?
13 A No.
14 Q What about lot configuration?
15 A In that case for lot configuration,
16 orientation I generally looked at the various plats and
17 saw that generally with the exception of some
18 environmental features or roadway conditions that the
19 lots in all subdivisions were generally rectangular, and
20 lot configuration and orientation in Brookside Village
21 was similar to the existing pattern.
22 Q Given that conclusion was it your
23 determination then that the configuration didn't have an
24 unduly negative impact on the surrounding area within
25 your quarter-mile study radius?

1 A Correct. Yes.
2 Q What about the factors of scale and height?
3 A To analyze scale and height, I looked at
4 building heights, and there was a range throughout the
5 area of one, one and a half, and two-story buildings. I
6 ascertained that through using building square footage
7 for each parcel. And if there was square footage
8 identified as a finished upper story, I determined that
9 it was greater than one story.
10 And there was a variety of building heights
11 within the area. With the exception of the two larger
12 lots, lots A17 and C2 in Brookside Village, the
13 buildings will be one story to one and a half stories,
14 as I think was expressed earlier. There will be no
15 windows facing the adjoining subdivisions from any upper
16 story within those -- I'll call them the smaller lots.
17 Those criteria did not apply to A17 and C2, but the
18 other lots they do.
19 Q Was it your conclusion then that the scale and
20 height of the Brookside subdivision as proposed I guess
21 in the limitations of the restrictive covenants, since
22 there is nothing built there yet, proposing something
23 that would be unduly -- have an undue negative impact on
24 the area within the quarter-mile radius use study?
25 A No.

1 Q I think you said you looked at the factor of
2 lot coverage, is that --
3 A Yes, I did.
4 Q And the same question, how did you perform
5 that analysis or what was the result of that analysis
6 when you looked at that factor?
7 A Right. The lot coverage was ascertained by
8 looking at the square footage for each building, the
9 ground level in relationship to the size of the lot for
10 each of the parcels. And there was a range of average
11 lot coverage at Moore Pond from 5 percent up to Ox
12 Bottom Garden of 28 percent with Brookside Village of
13 24 percent. Again, there was a wide range.
14 Q And what was --
15 For comparison, what is the range of Brookside
16 compared to Ox Bottom Gardens?
17 A Ox Bottom Gardens is 28 percent. Brookside
18 Village is 24 percent.
19 Q So Gardens has greater lot coverage?
20 A Correct. It does.
21 Q And the same question I have been asking, was
22 it your conclusion with regard to lot coverage that the
23 Brookside proposed development was not unduly negatively
24 impacting the surrounding quarter-acre radius that you
25 studied as a result of how the lot coverage factor came

1 out?
2 A It would not unduly negatively impact the
3 surrounding area.
4 Q I think the next factor you said you looked at
5 was mass and bulk, is that right?
6 A Yes.
7 Q And the same process, describe how you did
8 that.
9 A This one was a little bit different.
10 What I did in this case was I did look at the
11 conditions in the adjoining lot line.
12 I don't know if it would be helpful if there
13 was a map. I don't think it matters which one.
14 I'm just trying to -- the site plan would be
15 fine, I think. Okay.
16 Using the way you have it right now --
17 Reduce it. Okay.
18 I looked at the length along the property line
19 of those smaller lots. Then I took the amount of vacant
20 space, I would say, for each lot, let's say along Moore
21 Pond, and then I subtracted out again using Property
22 Appraiser building sketches the amount of building
23 facade that faced in that direction and created --
24 excuse me not that one -- and created a percentage of
25 how much was open space and how much was built, and then

1 did the same thing for these lots with the assumption of
2 the 5-foot side setback for each parcel.
3 And in that case --
4 Where there were no homes constructed I just
5 assumed that the ratio would be the same, for example,
6 in Moore Pond.
7 The length of the building facade as a length
8 of the total -- the length of the building facade as a
9 percent of the total lot length for Moore Pond is .29.
10 And for Brookside Village it was .88. For Ox Bottom
11 Gardens the building length -- the building facade as a
12 percent of the total building lot length in Ox Bottom
13 Manor was .45. For Brookside Village the calculation
14 came to .88.
15 Q And given the results of that analysis, was it
16 your conclusion that the proposed form of development in
17 Brookside was not going to have an undue negative impact
18 on the properties within the quarter-acre radius --
19 quarter-mile radius study area that you looked at?
20 A It was my finding it would not have an unduly
21 negative impact.
22 Q Are you familiar with the buffer that is
23 proposed in the Brookside project?
24 A Yes.
25 Q If we could pull up -- let's pull up Joint

1 Exhibit 34 and specifically look to Land Development
2 Code, Section 10-7.552, which is --
3 Tell me when you are there.
4 A Do you have a page number?
5 Q That would be requiring me to be looking at
6 it.
7 A 522. Okay. Page 57.
8 Q Thank you. Are you familiar with this
9 section?
10 A I am.
11 Q And what is it? What does it do?
12 A This sets the buffer standards that implement
13 the Comprehensive Plan requirements for vegetative
14 buffering that I think I alluded to in Policy 2.1.1 and
15 establishes the type of buffer that is required between
16 adjoining land uses both in terms of the width of the
17 buffer and the planting.
18 Q Right. And so in this case we have
19 residential preservation next to residential
20 preservation in every circumstance, I believe you
21 testified.
22 So what's the buffer that Section 10-7.522
23 requires between those land uses?
24 A Okay. If you could just scroll down a little
25 bit.

1 It actually does it by residential type as
2 opposed to residential preservation. If you come down
3 the left-hand column to number four, that is single
4 family detached. And looking across the top, which I
5 think is cut off, but column four, the proposed use is
6 low density residential, and that is a Type A buffer,
7 which is a minimum width of 10 feet.
8 Q Does the buffer proposed for the Brookside
9 subdivision exceed the requirement of the Land
10 Development Code?
11 A Yes. The portions of the property that I
12 described -- the simplest way to say the areas of my
13 mass and bulk analysis is a 25-foot buffer with much
14 greater vegetation.
15 Q Okay. From a code compliance perspective comp
16 plan and Land Development Code -- we will take the comp
17 plan first -- was that 25-foot buffer necessary to make
18 those single family residential uses compatible with one
19 another?
20 A No.
21 Q So in your opinion is the buffer just extra
22 benefit for the surrounding neighbors to the extent they
23 don't want to see what's going on in Brookside Village?
24 A Yes.
25 Q Did you say you looked at the factor of the

1 architecture also as part of the criteria you looked
2 into?
3 A Yes, I did.
4 Q What was your conclusion on that?
5 A Well, further to point out that two of the
6 subdivisions, Rosehill and Moore Pond I did not include
7 in my site visits because they have restricted access.
8 But generally looking at the other
9 developments, Ox Bottom Manor, Ox Bottom Gardens and
10 being familiar with the other similar developments in
11 northeast Leon County, I would describe all the
12 developments, including Brookside Village to have what I
13 would call sort of typical suburban-type development in
14 terms of articulated roofs, peak roofs, the facades will
15 tend to be brick, stucco, and covered entrances, and
16 closed garages.
17 Q And so was it --
18 A I want to clarify that the facades for the
19 proposed development are Hardie board.
20 Q And was it therefore your conclusion that the
21 architecture -- the style of architecture of the
22 Brookside proposed project was -- wouldn't have an
23 unduly negative impact on the area within your
24 quarter-mile study radius?
25 A It would not have an unduly negative impact.

1 Q Setbacks. You said you looked at the setbacks
2 as part of your analysis also.
3 A Yes.
4 Q You are talking about side, front, rear --
5 A Well, I incorporated an analysis of the side
6 setbacks in particular.
7 I guess that was part of the mass and bulk.
8 To the extent I looked at setbacks, specific parcels,
9 specific data was not available.
10 But I did look at the plats and the general
11 layout, location of the houses on the lots, and in all
12 cases they were fairly typical. In other words, they
13 were not brought out to the curb the way they might be
14 in some type of developments, there was no zero lot line
15 development. They were generally consistent with the
16 pattern of traditional suburban subdivisions.
17 Q The same question then, nothing relating to
18 the required setbacks, since nothing is developed there
19 yet -- but the required setbacks in Brookside would in
20 your opinion have an undue negative impact on the area
21 within your quarter-mile study radius?
22 A That's correct.
23 Q I think your last factor you said you looked
24 at was traffic circulation, is that accurate?
25 What does that mean and what did you do with

1 respect to that?
2 A Well, I looked at the traffic circulation
3 patterns both within the subdivisions, internal to the
4 subdivisions, their access, and whether or not there
5 were interconnections. And one exception I guess to the
6 pattern was that Ox Bottom Gardens does interconnect to
7 Ox Bottom Manor. Other than that, the subdivisions
8 generally were similar in terms of the curb linear
9 roadways and accessing onto major road, generally Ox
10 Bottom Road, and I think in one case onto Meridian.
11 Q And Brookside would be consistent with that
12 from a traffic circulation perspective?
13 A Correct. And it does not interconnect to any
14 other subdivision.
15 Q Was it therefore your conclusion that the
16 traffic circulation pattern had no unduly negative
17 impact in your quarter-mile study radius?
18 A That's correct.
19 Q So bringing all of that to a landing, was it
20 your ultimate conclusion that Brookside was consistent
21 with the provisions in policy 2.2.3 -- 2.3.3, I'm sorry
22 -- relating to its relationship to the surrounding
23 neighborhoods?
24 A Yes.
25 Q There was no inconsistency with the guidance

1 of that policy relating to how it interacted with the
2 surrounding developments?
3 A Correct.
4 Q You were in the room when Mr. Norsoph was
5 testifying, were you not?
6 A I was.
7 Q Did you understand Mr. Norsoph to interpret --
8 I'll direct you specifically to page nine of
9 your report. Let me know when you're there.
10 A I'm there.
11 Q He alluded several times in questions that Mr.
12 Anderson was asking him on several occasions, implied
13 that you had reached a conclusion that there were
14 concerns based upon the paragraph that's at the top of
15 page nine where you say, "Based on this analysis there
16 is a potential issue of compatibility relating to visual
17 impact," and then it goes on from there.
18 Could you clarify for the Court whether you
19 had such concerns. I mean, was it your conclusion that
20 there were issues of compatibility between these
21 subdivisions that had to be fixed or addressed and that
22 those were done by virtue of the buffering or is that an
23 overinterpretation of that sentence?
24 A Well, I think the first thing I would like to
25 clarify when we looked at the buffer is that a 10-foot

1 Type A buffer is required between these uses even though
2 they are both low density, single family residential.
3 So I would say the question is meeting the
4 requirements of the code, the development certainly is
5 compatible. Additional -- and it couldn't be accepted
6 without having the buffers that are required by the
7 code.
8 This additional buffer that goes above what's
9 required by the Type A is a reflection of the concerns
10 that were expressed by residents about the potential
11 visual impact of the development.
12 Q I guess back to my -- just the simple part of
13 my question.
14 Did you have concerns when you did your
15 analysis initially, and is that you expressing that you
16 had concerns in that sentence?
17 A No. That was reflective of the concerns that
18 had been made part of the record by people who made
19 concern about the -- the residents of the Moore Pond and
20 Ox Bottom primarily who expressed concerns about the
21 development.
22 Q And your development in this case was post
23 dated the initial -- I guess it was an ARM process where
24 there was a public hearing and people had voiced their
25 concerns regarding the Brookside project?

1 A Yes. I received those comments as part of the
2 files that I received as part of the record.
3 Q Before you did any analysis?
4 A Correct.
5 Q Let's look at Joint Exhibit 33, which is --
6 I'm sorry -- 34.
7 ADMINISTRATIVE LAW JUDGE: Let's take a
8 ten-minute break.
9 (Brief recess.)
10 ADMINISTRATIVE LAW JUDGE: Let's go back on
11 the record.
12 You may continue.
13 MR. HUNTER: Thank you, Your Honor.
14 BY MR. HUNTER
15 Q Miss Grey, only a few more questions. I'm
16 almost done.
17 We were looking at the Land Development Code,
18 and I asked you earlier about the residential
19 preservation policy -- or the section in the land
20 development -- I mean in the zoning code, not in the
21 land use -- future land use section of the comp plan.
22 And we were specifically looking at 10-6.617, which is
23 Joint Exhibit 34, page 33.
24 A Yes.
25 Q Are you there?

1 A Yes, I am.
2 Q So as part of your review of this project in
3 relationship to its compliance with the comp plan and
4 Land Development Code, did you look at this section of
5 the Land Development Code?
6 A Yes, I did.
7 Q And explain to us generally, you don't have to
8 read it, you have been through it some today, but
9 explain to us in your terms what you interpret the
10 residential preservation zoning section of the Land
11 Development Code to say.
12 A Well, it provides the direction for what is
13 permissible essentially as any zoning code does for its
14 district, what the allowable uses are and what the
15 relevant development standards are.
16 Q And the way that policy is -- or that section
17 of the code is broken down, what portions of it apply in
18 your opinion to Brookside?
19 A (a)(3), I think that's the correct citation,
20 "New residential development in the urban service area
21 but outside of a recorded or unrecorded subdivision."
22 Q And there's no limitation in there on the
23 sizes of lots --
24 Let me rephrase that.
25 Is there a limitation in subparagraph (3) on

1 the size of the lots that can go into the Brookside
2 project?
3 A No.
4 Q What does subparagraph (5) mean to you when it
5 talks about the allowable development type in the
6 context of this section of the Land Development Code?
7 A Well, reading (5) and the portions below it,
8 it speaks specifically to what I would describe as the
9 nature of the building.
10 So the relevant portion here is (5)(b), which
11 says, "Parcels proposed for residential use inside of
12 the urban service area but not in a recorded or
13 unrecorded subdivision shall develop consistent with the
14 type of residential development pattern located adjacent
15 to the vacant parcel."
16 So in order to get direction or an
17 understanding of what the type of residential
18 development pattern means, if you read through the
19 following sections it explains it. It says, "For
20 parcels proposed in a residential development surrounded
21 by a mix of conventional single family homes and
22 manufactured homes," it provides direction as to the
23 residential type.
24 Under letter (d) it says, "Parcels proposed
25 for residential development surrounded by a mix of

1 single family and duplexes," and it provides direction.
2 And then again for (e) for manufactured
3 housing.
4 So (c), (d) and (e) do not apply.
5 But taken as a whole, it does explain what
6 this section of the code is talking about when it talks
7 about an allowable development type.
8 Q And what is the type of residential
9 development pattern proposed in Brookside?
10 A Single family, conventionally site-built
11 homes.
12 Q What is the type of residential development
13 pattern of Moore Pond?
14 A Single family, conventional site-built homes.
15 Q What is the type of residential development
16 pattern of Ox Bottom Manor?
17 A Single family, conventionally -- conventional
18 site-built homes.
19 Q Is Brookside consistent -- is the pattern in
20 Brookside consistent with the pattern in those
21 neighborhoods I just asked you about?
22 A Yes.
23 Q So is it your conclusion that Brookside is
24 consistent with following Section 10-6.617 of the Land
25 Development Code governing residential preservation

1 projects?
2 A Yes.
3 Q Did you hear Mr. Norsoph talk about Section
4 10-7.505 of the Land Development Code?
5 A Yes.
6 Q That's on the same joint exhibit, page 56.
7 A Yes.
8 Q Of the various --
9 Let me stop and step back.
10 What is that section of the code directing?
11 A It establishes principle for the design of
12 projects in relation to its impacts on nearby streets
13 and property owners.
14 Q Okay. And I think Mr. Norsoph testified that
15 subparagraph (1) under there that says, "Each
16 development shall be designed to, (1) be as compatible
17 as practical with nearby development and characteristics
18 of the land" said that Brookside didn't comply with that
19 criteria. Is that also your conclusion?
20 A My conclusion that it is as compatible as
21 practicable.
22 Q Is that based upon your application of the
23 factors in the residential preservation Land Development
24 Code section and the residential preservation land use
25 -- future land use element policy?

1 A Yes.
2 Q Do you have any concern that the Brookside
3 project in any way doesn't comply with the --
4 ADMINISTRATIVE LAW JUDGE: Wait just a second.
5 I'm sorry.
6 I think we have taken leading questions to a
7 whole new level.
8 MR. HUNTER: This is an informal proceeding.
9 ADMINISTRATIVE LAW JUDGE: That's why I
10 allowed it.
11 Generally the answer to leading questions is
12 not as helpful on direct to the trier in fact.
13 In this case I'm more interested in an
14 explanation from the witness herself, the last
15 criterion about as practicable as possible, or
16 whatever it says.
17 Would you elaborate, please.
18 THE WITNESS: Well, I guess my answer to that
19 is that it is compatible.
20 So I tended not to look at compatibility I
21 guess sort of on a spectrum that the project even
22 meets the criteria for being compatible or it does
23 not.
24 So my conclusion was that the project based on
25 the criteria that I looked at that it was

1 compatible with the surrounding area.
2 And so as a result --
3 ADMINISTRATIVE LAW JUDGE: Doesn't the
4 criterion seem to imply that it is continuing?
5 THE WITNESS: Well, if something is compatible
6 --
7 ADMINISTRATIVE LAW JUDGE: Let me get it in
8 front of me.
9 What section is it?
10 THE WITNESS: It's on page 56. It's 10-7.505.
11 ADMINISTRATIVE LAW JUDGE: Okay. Be as
12 compatible as practicable.
13 Again, that sounds like there is a range of
14 compatibility.
15 You don't see it that way?
16 THE WITNESS: Well, in my professional opinion
17 I would analyze something and say either it is
18 compatible or it is not compatible.
19 What is meant by the term as compatible as
20 practical, I can only interpret it to the extent
21 that if I believe a project complies with the
22 statutory requirements it is practical, and that it
23 would be something that I would not be familiar
24 with that it required would tend to exceed that
25 without any clear direction or explanation of that.

1 ADMINISTRATIVE LAW JUDGE: Okay. Thank you.
2 Your witness.
3 MR. HUNTER: Just a few more questions related
4 to your inquiry, Your Honor, to help clarify
5 something that I think you are trying to
6 understand.
7 BY MR. HUNTER
8 Q In doing your compatibility analysis,
9 Miss Grey, does the fact that this is low density,
10 single family residential adjacent to low density,
11 single family residential weigh heavy in your ultimate
12 conclusion?
13 A Yes.
14 Q And why?
15 A Because as a general rule the impacts of those
16 uses are very similar. I mean, it is based on my
17 experience.
18 If we are going to talk about the concept of
19 compatibility, the undue negative impacts that infers
20 some kind of -- or implies some kind of offsite negative
21 impact that will be experienced by these other
22 properties. And the inherent condition of the size of
23 the lot or the lot coverage or most of these other
24 factors, the fact that I have gone through do not result
25 in that offsite negative impact which is applied by the

1 concept of whether something is compatible or not.
2 MR. HUNTER: I have no other questions, Your
3 Honor.
4 ADMINISTRATIVE LAW JUDGE: Okay. Any direct?
5 MS. SCHRADER: No questions from the county.
6 ADMINISTRATIVE LAW JUDGE: Cross?
7 MR. ANDERSON: Thank you.
8 CROSS EXAMINATION
9 BY MR. ANDERSON
10 Q In land planning are definitions important?
11 A Yes.
12 Q If they were to state in the Comprehensive
13 Plan, defined in the Comprehensive Plan, do you have to
14 use that definition?
15 A Yes.
16 Q Can you pick and choose portions of the
17 definition to fit in a specific scenario?
18 A I don't think you can pick and choose.
19 But if a definition is very expansive -- not
20 every component of the definition may be relevant to
21 what you're looking at.
22 Q Okay. But if there's portions that are
23 relevant, you need to apply them, correct?
24 A Yes.
25 Q So let's go to exhibit -- I think it is 33,

1 page 38. Let me get you to look at the definition of
2 intensity.
3 A Okay.
4 Q Go ahead and read the first part up to the
5 semi colon.
6 A "A measurement of the extent of land,
7 development, including the consumption for use of the
8 space above, on, or below ground."
9 Q Let's break that down.
10 So is Brookside -- proposed Brookside project,
11 is that land development?
12 A Yes.
13 Q Okay. All right. When you construct on
14 Brookside, whether it is the driveway, the home, the
15 width, all of those sort of things, is that a
16 consumption of use or the space above or below on the
17 lot?
18 A The space definitely on the lot is
19 traditionally part of what's considered intensity.
20 Q What I'm asking, would those homes be a
21 consumption of use of the space?
22 A Yes. Um-hum.
23 Q Okay. All right. And then let's read the
24 definition more. I think it gives examples.
25 A Um-hum.

1 Q Can I get you to read that.
2 A I'm sorry. "Examples of intensity measurement
3 may include the measurement of the use of or demand on
4 facilities or services, allowed square footage or
5 floor-area ratio for nonresidential development, or the
6 number of dwelling units per acre of residential
7 development."
8 Q Okay. So it gives two examples. Is one of
9 those related to residential use?
10 A Yes.
11 Q But prior to the examples does it say "may
12 include"?
13 A Well, it says a measurement --
14 Let me go back.
15 "Examples may include." Yes. Um-hum.
16 Q "Examples of an intensity measurement may
17 include." Is that limiting?
18 A No.
19 Q So is intensity as it relates to residential
20 limited only to a review of the number of dwelling units
21 per acre -- number of dwelling units per acre of
22 residential development?
23 A In my professional experience dwelling units
24 is the measure.
25 Q Okay. Your professional experience.

1 What we are doing now we are looking at the
2 Leon County Comprehensive Plan and its definition and
3 how it applies to this plan.
4 You testified that you applied the definition
5 to the plan. Does this definition -- does "may include"
6 limit it only to number of dwelling units per
7 residential acre?
8 A No.
9 Are you saying would it preclude looking at
10 other measures?
11 Q Yes.
12 A No, I don't believe it would preclude that.
13 Q Okay. Okay. I believe it is exhibit --
14 Let me see. Where were we?
15 So we are at Joint Exhibit 15, I believe --
16 A Um-hum.
17 Q -- and page 12 of that.
18 Is one of the things that you excluded in your
19 analysis, is that intensity?
20 A Yes.
21 Q Okay. You just opined that various other
22 factors on the lot would be considered intensity.
23 Why didn't you, with the construction of the
24 homes there, why didn't you review for intensity?
25 A Well, in terms of the definition contained in

1 the glossary, I believe that I did, because I looked at
2 residential density. It said it may include. There was
3 no direction as to what else ought to be looked at.
4 So I'm not sure what --
5 Q Does the measurement including the consumption
6 of use or space on or above, does that give you
7 direction?
8 A Well, it generally describes what it's looking
9 for.
10 Q I believe you opined or you testified that is
11 stuff that's developed on the lot?
12 A Right.
13 Q And that would be the buildings?
14 A Yes.
15 Q So in your analysis you did some independent
16 elements review of the different construction that was
17 going to occur on the lot?
18 A Right.
19 Q Wouldn't the requirement to review for
20 intensity require you to look at it all together, the
21 entire development and all of the things that are
22 occurring on the lot?
23 A Could you maybe give me an example?
24 ADMINISTRATIVE LAW JUDGE: He asked you a
25 question on direct from Mr. Hunter. Miss Grey said

1 that she, because she had considered bulk coverage
2 and factors of that kind, she thought that she
3 covered intensity issues -- residential intensity
4 issues. Do you agree?
5 THE WITNESS: Yes. It was the lot coverage,
6 it was the scale, if you want to include that as a
7 measure of intensity, the building size. Those
8 factors were all looked at.
9 I guess I'm not sure what else would be
10 included in that list, maybe.
11 BY MR. ANDERSON
12 Q I looked through your report. You did.
13 Did you do each of those individually, though?
14 A Yes.
15 Q In Policy 2.2.3(e), doesn't it specifically
16 say intensity and then list all those other things you
17 did individually? That is on page 33 -- going to Joint
18 Exhibit 33, I believe.
19 A We are in the future land use element now?
20 Q Yes. So we are page 14 in (e).
21 ADMINISTRATIVE LAW JUDGE: What exhibit?
22 MR. ANDERSON: We are in Joint Exhibit 33,
23 page 14.
24 BY MR. ANDERSON
25 Q I believe your testimony was that you examined

1 -- or your report shows that you examined each of those
2 individually.
3 A Um-hum. Correct.
4 Q Okay. Let's start on page 14 of that
5 document, paragraph (e), "At a minimum."
6 A Okay.
7 Q Can I get you to read that and I'll tell you
8 to --
9 ADMINISTRATIVE LAW JUDGE: You are saying page
10 14?
11 THE WITNESS: The little numbers. So it would
12 be 32.
13 ADMINISTRATIVE LAW JUDGE: All right. I'm
14 there.
15 THE WITNESS: Okay. "At a minimum"?
16 BY MR. ANDERSON
17 Q Yes.
18 A "At a minimum the following factors shall be
19 considered to determine whether a proposed development
20 is compatible with the existing or proposed low density
21 residential uses and with the intensity, density and
22 scale of surrounding developments within the residential
23 preservation area."
24 Q Okay. And so once it distinctly says
25 intensity, density and the scale, and then if you

1 continue on --
2 "Proposed uses," if you can read the first --
3 A "Proposed uses; intensity; density; scale;
4 building size, mass"--
5 Q All right. In reading that, wouldn't that
6 tell you you still had to do an individual analysis?
7 Even if you looked at each of the other ones
8 independently, using the definition of intensity,
9 wouldn't you have to look at all of them and still make
10 an opinion as to compatibility just on intensity?
11 A Well, if I --
12 I think in my conclusions, and maybe this is
13 not what you're asking, I do -- my conclusions are based
14 on the cumulative assessment of all those impacts -- or
15 of all those criteria that I looked at.
16 And I believe there is a series of findings
17 here in my report, page 11 --
18 I don't know what exhibit that is.
19 Exhibit 15.
20 I do bring all those different factors
21 together and draw a conclusion.
22 Q What page was that again?
23 A Sure. Well, 11 of my report. The page number
24 I guess is 12.
25 Q And your findings in there --

1 One more question on this. Does it indicate a
2 finding that as per compatibility that the intensity is
3 compatible with Moore Pond or Ox Bottom Manor?
4 A The word intensity is not contained in the
5 finding.
6 Q Okay. All right. Let's go to a joint
7 exhibit, page 31 --
8 Excuse me. Joint Exhibit 33, page 31.
9 All right.
10 A Okay.
11 Q On your direct examination you opined on the
12 introductory paragraph of Policy 2.2.3, residential
13 preservation, you testified that it sets forth types of
14 residential housing.
15 Explain to me types of residential housing.
16 A I was referring to the sentence that said,
17 "single family townhouse and cluster housing."
18 Q Okay.
19 A That sentence.
20 Q Within residential preservation it is your
21 opinion that those are residential types of housing?
22 A Yeah.
23 Q Okay. All right. Let's go ahead and --
24 Let's go back to the definitional page, still
25 on the same exhibit, Joint Exhibit 33. Let's go to page

1 33. Okay.
2 A Okay.
3 Q The term clustering, could you read that
4 definition for us.
5 A Okay. I think I'm on the wrong page.
6 Q We are in Joint Exhibit 33 --
7 A I'm sorry. I was looking at the wrong page
8 numbers.
9 33, and exhibit page numbers --
10 Okay.
11 Q All right. Can you read the definition of
12 clustering for me.
13 A "The grouping together of structures and
14 infrastructure on a portion of a development site with
15 the balance remaining undeveloped or reserved as green
16 space which may or may not be used for development at a
17 later date."
18 Q Okay. Does that describe Brookside
19 development?
20 A Yes.
21 Q Okay. So we have clustering of housing.
22 A Um-hum.
23 Q Let's go back to Policy 2.2.3. Let's break
24 this down a little more.
25 We are here on page 13 -- page 13 of the

1 exhibit.
2 A Um-hum.
3 Q Okay?
4 A Um-hum.
5 Q Within that introductory paragraph you opine
6 that single family homes, townhomes and cluster housing
7 are types of residential housing. Okay. And you just
8 opined that Brookside is cluster housing.
9 A Um-hum.
10 ADMINISTRATIVE LAW JUDGE: Let's not go
11 backwards. Let's go forward.
12 MR. ANDERSON: Yes, Your Honor.
13 BY MR. ANDERSON
14 Q I believe in your direct you indicated it was
15 similar type of housing.
16 But is Moore Pond cluster housing?
17 A No.
18 Q Is Ox Bottom Manor cluster housing?
19 A No.
20 Q Okay. Can you read the next sentence for me
21 then.
22 A The one that starts with "Consistency" --
23 Q Yes.
24 A "Consistency with surrounding residential type
25 and density shall be a major determinate in granting

1 development approval."
2 Q Okay. You defined a general term of
3 consistency. It says -- so it has to be consistent with
4 the surrounding residential type.
5 Is a large lot residential type of Moore Pond
6 consistent with a cluster housing of Brookside Village?
7 A They are not the same.
8 Q Okay.
9 A Um-hum.
10 Q Okay. All right. And did that not raise any
11 flags with you, because that sentence said it should be
12 a major determinate in approval?
13 A Well, for two reasons it didn't.
14 One was the definition of residential type in
15 the Land Development Code, 10-6.617, exhibit -- Joint
16 Exhibit 34, page 33, where it talks about the allowable
17 development type and doesn't refer to clustering but
18 refers to the conventional duplex, townhouse.
19 Q Actually, that's the exact section I want to
20 go through, 10-6.617(a).
21 A Okay.
22 Q It states the same -- it says single family
23 duplex, manufactured, cluster housing --
24 A Um-hum.
25 Q And then it requires compatibility with the

1 surrounding residential type.
2 A Um-hum.
3 Q You said that they were not the same. So tell
4 me the difference why --
5 Does this prevail over the Comprehensive Plan?
6 A It doesn't prevail. But the information needs
7 to be taken in context.
8 So we can do this one first if you would like.
9 Q Yes.
10 A It describes as most zoning codes do the type
11 of housing that's permitted. And then it talks about
12 compatibility.
13 But to understand it says compatibility with
14 surrounding residential type is further addressed in
15 paragraph five. Now, the code can choose or not choose
16 to include clustering as one of the housing types which
17 should be considered for purposes of this section, but
18 it doesn't.
19 Q I think --
20 A The fact that the use is allowed in that
21 zoning district didn't require it to be addressed in
22 paragraph five, because they are either -- as a cluster
23 development it is going to be either single family
24 housing, duplex, manufactured housing, or townhouse.
25 It's going to be one of those building types.

1 Q But (5)(b), which you are citing, requires
2 consistent with the residential development pattern.
3 The type of residential --
4 You just opined they were different. But now
5 they are the same?
6 A What I'm saying is that a cluster development
7 pattern -- and unfortunately planners use the word
8 development a lot -- a cluster development is different
9 than a large lot development. My opinion on that is the
10 same.
11 In reading -- just looking at the Land
12 Development Code right now, the Land Development Code
13 allows both of those types of subdivision -- let's call
14 it that, subdivision of land, either cluster or large
15 lot.
16 It also states that you must demonstrate
17 compatibility with the surrounding residential type.
18 Now, I don't know what residential type is
19 until I come down and look at paragraph five when it
20 tells me that the type is either a single family, a
21 duplex, a townhouse, a manufactured home. It is not
22 telling me what kind of subdivision I can have. It is
23 telling me what kind of residential type, housing type I
24 can put on there.
25 Q Where specifically is that again? That's on

1 page 33?
2 A Correct.
3 What I was just talking about, if you look at
4 paragraph five it says "allowable development type."
5 And there's no reference to clustering or large lot
6 development. There's reference to the structure that
7 you get the building permit for. Is it a conventional
8 house, is it --
9 Q Doesn't the allowable development type in
10 paragraph five refer back to the original -- paragraph
11 (a) where it lists the development types, single family,
12 duplex residences, manufactured homes, clustered
13 housing?
14 A I think the point that I'm --
15 I'm sorry.
16 Q Go ahead.
17 A I think the point I'm trying to make that if
18 the Land Development Code or the drafters intended for
19 clustering to be a factor in consideration in (5), they
20 would have put it there.
21 The fact that it is not there indicates that
22 it is not to be considered a residential type in the
23 sense as I say it is a pattern of subdivision but it is
24 not a type of home.
25 ADMINISTRATIVE LAW JUDGE: I got to say that's

1 not obvious at all to me. You act like --
2 I mean, you suggest that this is clear to you
3 as a planner. I think it certainly wouldn't be
4 clear to a layperson. Once you read what the types
5 are in the comp plan and you see what the types are
6 in (a), and they include clustering; and then (b)
7 doesn't refer to any restriction on the need for
8 the type to be the same, but you read into that
9 that it can include a cluster as a type.
10 I don't understand how --
11 THE WITNESS: I'm sorry. Maybe I got it
12 confused.
13 Do you mind repeating that?
14 ADMINISTRATIVE LAW JUDGE: Remember you
15 referred to the policy in the comp plan and you
16 agreed that cluster housing was a type. That's
17 what you said in your examination.
18 THE WITNESS: Okay.
19 ADMINISTRATIVE LAW JUDGE: Then you seem to
20 agree that in (a) clustered housing is identified
21 as a type.
22 THE WITNESS: Okay.
23 ADMINISTRATIVE LAW JUDGE: Then you get down
24 to (5), and you say that because clustered housing
25 is not mentioned, you read into that that it wasn't

1 to be considered. Whereas why wouldn't it be --
2 why wouldn't -- those two provisions I mentioned
3 from the comp plan, (5)(a) of the same Land
4 Development Code guide you as to what (b) was
5 talking about.
6 THE WITNESS: Well, let me back up.
7 I may have misspoken, so I would like to
8 correct myself.
9 Single family is a type of building, if we can
10 use that in the most basic term, as is a townhouse.
11 Cluster housing -- they use the term cluster
12 -- a clustering is simply a mechanism by which you
13 split up the land. It is not housing in the sense
14 of it is a building type. And I think that's
15 probably where I may have misspoken, may have been
16 unclear.
17 You can't say this is going to be a single
18 family home or a cluster home. It is a cluster
19 home development.
20 So the building types are single family,
21 townhouses, duplexes, manufactured homes.
22 And so I misspoke, and I would like to make
23 that clear that cluster housing --
24 For some reason they are specifically saying
25 in here that addition to traditional, conventional

1 subdivision where the lots tend to be the same
2 size, you can cluster them on there. But it is not
3 speaking to the type of building or structure or
4 home that somebody would construct on it, and
5 that's the distinction that I'm trying to make.
6 ADMINISTRATIVE LAW JUDGE: Okay.
7 THE WITNESS: The county --
8 They don't care --
9 I'll stop now.
10 BY MR. ANDERSON
11 Q I would like to go back to the definition of
12 clustering.
13 You indicated how the grouping of the lots
14 are.
15 A Um-hum.
16 Q Can you reread the definition of clustering on
17 page 33 of that same Joint Exhibit 33.
18 A "The grouping together of structures and
19 infrastructure on a portion of a development site.
20 Q Yes. Okay. Which is contrary to what I
21 believe you just indicated, which is just a grouping of
22 the lots?
23 A Well, let me clarify and say that houses would
24 go on the lots.
25 The intent of clustering is to cluster the

1 lots and the houses that go on them.
2 I used the term lots because I was assuming,
3 maybe incorrectly, that this would be a subdivision of
4 land, and that you would start by clustering the lots
5 and then the houses that went on them. They are two
6 different things.
7 Q All right. Just so I won't belabor it
8 anymore.
9 Is it your expert opinion that in Section
10 10-6.617 in Policy 2.2.3 that --
11 I think we hit that enough.
12 MR. ANDERSON: Okay. I think that's it.
13 Thank you.
14 ADMINISTRATIVE LAW JUDGE: Redirect?
15 MR. HUNTER: Yeah. Quickly.
16 (End of Volume I)
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25

1 CERTIFICATE OF REPORTER

2

3 STATE OF FLORIDA)

4 COUNTY OF LEON)

5

6 I, JUDY CHIN, RPR, certify that I was

7 authorized to and did stenographically report the

8 proceedings herein, and that the transcript is a true

9 and complete record of my stenographic notes.

10 I further certify that I am not a relative,

11 employee, attorney or counsel of any of the parties, nor

12 am I a relative or employee of any of the parties'

13 attorney or counsel connected with the action, nor am I

14 financially interested in the action.

15 WITNESS my hand and official seal this 15th

16 day of November, 2017.

17

18

19

20 JUDY CHIN, RPR, CRR
2894 REMINGTON GREEN LANE

21 TALLAHASSEE, FL 32308
850-878-2221

22

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1 STATE OF FLORIDA
DIVISION OF ADMINISTRATIVE HEARINGS
2

3 CASE NO. 17-5082

4 MOORE POND HOMEOWNERS ASSOCIATION, INC., AND OX BOTTOM
MANOR COMMUNITY ASSOCIATION, INC.,
5 Petitioners,
vs.
6
GOLDEN OAK LAND GROUP, LLC, AND LEON COUNTY, FLORIDA,
7 Respondents.
8

COPY

9 VOLUME II

10 BEFORE:

11 ADMINISTRATIVE LAW JUDGE BRAM E. CANTER

12

13 DATE: November 9, 2017

14 TIME: Commenced at 9:00 a.m.
Concluded at 5:15 p.m.
15
LOCATION: Division of Administrative Hearings
16 Tallahassee, FL

17

18 REPORTED BY: JUDY CHIN,
RPR, CRR
19

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21

22

23 ACCURATE STENOTYPE REPORTERS, INC
2894 REMINGTON GREEN LANE
24 TALLAHASSEE, FL 32308

25

1 APPEARANCES:

2 REPRESENTING PETITIONERS:

3 JEREMY VINCENT ANDERSON, ESQUIRE
janderson@andersongivens.com
4 and
GUSTIN JOHN GIVENS, ESQUIRE
5 jgivens@andersongivens.com
ANDERSON & GIVENS
6 1699 Mahan Center Boulevard
Tallahassee, Florida 32308
7 850.892.6900

8

9 REPRESENTING RESPONDENTS/LEON COUNTY:
10
GREGORY THOMAS STEWART, ESQUIRE
11 gstewart@ngnlaw.com
and
12 KERRY ANNE PARSONS, ESQUIRE
kparsons@ngnlaw.com
13 and
CARLY J. SCHRADER, ESQUIRE
14 cschrader@ngnlaw.com
NABORS, GIBLIN and NICKERSON, P.A.
15 1500 Mahan Drive
Tallahassee, Florida 32308
16 850.224.4070

17

18 REPRESENTING RESPONDENT/GOLDEN OAK:

19

20 GARY K. HUNTER, JR., ESQUIRE
ghunter@hgslaw.com
21 and
ERIN J. TILTON, ESQUIRE
22 etilton@hgslaw.com
HOPPING, GREEN & SAMS
23 119 South Monroe Street
Tallahassee, Florida 32301
24 850.222.7500

25

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1 REDIRECT EXAMINATION
2 BY MR. HUNTER
3 Q Turn to Joint Exhibit 34, Miss Grey, page
4 seven. It is in the definitions.
5 A Okay.
6 Q Do you see the definition of cluster
7 development there?
8 A "Cluster development shall mean a development
9 design technique that concentrates buildings and
10 specific areas on the site to allow the remaining land
11 to be used for recreation, open space, and preservation
12 of environmentally sensitive, or other portions of the
13 site having existing characteristics worthy of
14 preservation or conservation."
15 Q Does that suggest to you it is a type of house
16 or a form of development?
17 A It is a form of development.
18 Q In fact, is the form of development used here
19 for the very purpose that it says, "which is to protect
20 areas of conservation"?
21 A That's correct.
22 Q Just to clarify. Mr. Anderson asked you a
23 series of questions implying that you failed to look at
24 intensity.
25 Would you conclude that whether you looked at

1 the intensity in the way that he tried to suggest it
2 should be defined that the factors that you analyzed
3 were -- would capture whatever form of intensity
4 residential could have when it is placed upon land?
5 A Yes, I would.
6 Q And just to go back and clarify, too, since he
7 spent time focusing on that subparagraph 2.2.3(e), it
8 was your testimony earlier that that section doesn't
9 even apply in this context but you had done the analysis
10 because of the concerns that had been expressed by the
11 neighbors?
12 A I believe my testimony was that I'm not
13 convinced that it does apply. I think there is a very
14 good reason that it does not apply.
15 But I did it in abundance of caution based
16 primarily on the concerns of the neighbors.
17 MR. HUNTER: Okay. No other questions, Your
18 Honor.
19 Thank you.
20 ADMINISTRATIVE LAW JUDGE: Any questions from
21 the county?
22 MR. STEWART: No, sir.
23 ADMINISTRATIVE LAW JUDGE: You may step down.
24 Does the response have another witness to
25 call?

1 MR. HUNTER: No, sir.
2 ADMINISTRATIVE LAW JUDGE: Is there any other
3 evidence to place in the record?
4 MR. GIVENS: Your Honor, can we take a
5 five-minute break?
6 ADMINISTRATIVE LAW JUDGE: Certainly.
7 MR. STEWART: Your Honor, Respondent's, to the
8 extent that it is Leon County, we do have some
9 witnesses to call.
10 ADMINISTRATIVE LAW JUDGE: All right. Does
11 that change what you wanted to do?
12 MR. GIVENS: No, Judge. Still a five-minute
13 break.
14 ADMINISTRATIVE LAW JUDGE: Okay. A short
15 break. I'm not going anywhere, so please be back.
16 (Brief recess.)
17 ADMINISTRATIVE LAW JUDGE: Let's go back on
18 the record.
19 Mr. Stewart, you may call your witness.
20 MS. SCHRADER: I would like to call Miss
21 Shawna Martin.
22 Just as one housekeeping matter. We had
23 stipulated with the parties that there was a notice
24 of final hearing fulfilling the requirements of
25 Leon County Land Development Code that was

1 published on October 23rd, 2017. That is
2 Respondent's Exhibit 7, I think -- 7 is the
3 affidavit of location.
4 I would just like to move that into evidence.
5 ADMINISTRATIVE LAW JUDGE: Any objection?
6 MR. ANDERSON: No, Your Honor.
7 ADMINISTRATIVE LAW JUDGE: It is admitted.
8 Respondent's 7.
9 (Respondent's Exhibit No. 7 admitted into
10 evidence.)
11 ADMINISTRATIVE LAW JUDGE: Good afternoon.
12 Raise your right hand.
13 Thereupon,
14 SHAWNA MARTIN
15 was called as a witness, having been first duly sworn,
16 was examined and testified as follows:
17 THE WITNESS: I do.
18 ADMINISTRATIVE LAW JUDGE: State your name for
19 the record.
20 THE WITNESS: Shawna Martin.
21 ADMINISTRATIVE LAW JUDGE: Your witness.
22 DIRECT EXAMINATION
23 BY MS. SCHRADER
24 Q Miss Martin, what is your business address?
25 A 435 North McComb Street.

1 Q What is your current occupation, business or
2 profession?
3 A Principal planner with Leon County.
4 Q And if you could turn to Respondent's Joint
5 Exhibit 10 in the notebook in front of you. It is also
6 on the screen, if that's helpful.
7 Do you recognize this as your resume?
8 A Yes.
9 Q And if you could, can you briefly describe
10 your educational background, college --
11 A Sure. My Bachelor's degree was in biological
12 sciences at Florida State University. I have a Master's
13 in urban planning also from Florida State University.
14 Q What certifications do you hold?
15 A I am a member of the American Institute of
16 Certified Planners.
17 Q And if you could, briefly, what is your
18 employment background?
19 A Well, actually I started as a planning intern
20 with the county back in 2005 as I was pursuing my
21 Master's degree.
22 And then I moved on to the Department of
23 Community Affairs where I worked with the Waterfronts
24 Florida Program.
25 And then I actually went to a working

1 waterfront community and worked in their community
2 redevelopment agency.
3 From there I came back and did stakeholder
4 engagement with FFWC in Tallahassee, and then came back
5 to the county.
6 MS. SCHRADER: I would like to move Exhibit 10
7 into evidence, please.
8 ADMINISTRATIVE LAW JUDGE: Any objection?
9 It is admitted.
10 (Respondent's No. 10 admitted into evidence.)
11 BY MS. SCHRADER
12 Q As part of your work currently with Leon
13 County, what are your responsibilities generally?
14 A Generally we review site plans for compliance
15 with the Land Development Code.
16 We also do building permits, sign permits,
17 compliance with the code with development agreements.
18 We also write ordinances for the Land Development Code.
19 And we present in front of numerous boards, planning
20 commission, board of county commissioners.
21 Q In terms of your responsibilities with
22 development services, do you have responsibilities for
23 applying and interpreting the Land Development Code for
24 Leon County?
25 A Do I personally have interpretive ability?

1 Q As part of your position.
2 A Well, we would leave interpretation --
3 official interpretation to our development services
4 administrator -- sorry -- director.
5 But we apply the standards of code, yes.
6 Q And do you consider yourself to have expertise
7 in land use planning and zoning?
8 A Yes.
9 Q Now, as to your particular responsibilities to
10 the Brookside project, what were those in general?
11 A I was the project manager, which means that we
12 obviously have a lot of staff, that collectively we
13 review a site plan for compliance with our Land
14 Development Code.
15 So I would coordinate the distribution of
16 those materials as they come in from the applicant to
17 those staff for review, coordinate meetings, coordinate
18 public participation with those meetings, run the
19 meeting itself, and just field all that project manager
20 type duties, as well as looking at applying the zoning
21 code, the Land Development Code in terms of zoning for
22 Chapter 10.
23 Q What particular --
24 So you said for Chapter 10 would have been
25 your area that you would apply?

1 A That's correct.
2 Q As part of Chapter 10, if you'll turn to Joint
3 Exhibit 34, which is the plan development code
4 provisions. And in particular, Section 10-7.407.
5 A What was it again?
6 Q 34.
7 A What page?
8 Q Page 51 of the Bates stamp numbers.
9 A 51. Okay. I'm with you.
10 Q Does this section give the standards that a
11 subdivision site development plan must comply with?
12 A Yes. The criteria for approval.
13 Q Could you just read into the record what are
14 those general criteria.
15 A "Whether the applicable zoning standards and
16 requirements have been met, whether the applicable
17 provisions of the Environmental Management Act have been
18 met, and whether the requirements of this chapter and
19 other applicable regulations or ordinances which impose
20 specific requirements on site and development plans and
21 development have been met."
22 Q I would like to focus a little bit on the
23 procedures that apply under the code.
24 Before a development plan is submitted to the
25 county, are there particular requirements that the

1 applicant must go through before that submittal?
2 A Yes. The first step in any development with
3 the county is to complete what's called a permitted use
4 verification certificate, and that is -- it is a
5 one-page application. They supply us what they are
6 proposing to do, the proposed intensity or density of
7 development. And we look at the land development
8 regulations and the zoning code to ascertain, one, is it
9 an eligible land use, is it within the zoning category
10 as a list of uses as permissible. And then we would
11 also look at the general criteria, and outline those,
12 the standards for development. We would look at the
13 environmental features on the property and just
14 generally list those basically letting the applicant
15 know that they should be aware of these things. And
16 then we would also provide a list --
17 ADMINISTRATIVE LAW JUDGE: Excuse me.
18 We are going to have some cumulative evidence
19 here because Mr. Marston went over these steps.
20 THE WITNESS: No. No. That's fine.
21 ADMINISTRATIVE LAW JUDGE: You really should
22 concentrate on the issues that have been raised by
23 the petitioner in what she's done.
24 BY MS. SCHRADER
25 Q Sure. I just wanted to make one point on the

1 permitted use verification.
2 Is that a development approval at that point?
3 A No, it is not.
4 Q And in this case what type of review does the
5 code require for the Brookside project?
6 A Well, looking at the Land Development Code
7 matrix where it outlines development in each of the
8 zoning districts and the intensity of development this
9 qualified as a Type B site and development plan review,
10 which means that it is required to go through two public
11 meetings -- a minimum of two public meetings. One is an
12 application review meeting and the second being a
13 Development Review Committee meeting which is where the
14 final disposition of the project occurred.
15 Q And this application went through a total of
16 three application review meetings, is that correct?
17 A That's correct.
18 Q And those were open for public comment?
19 Public comment was received?
20 A That's correct.
21 Q Publicly advertised?
22 A Yes, ma'am.
23 Q And as part of that review --
24 At the February 3rd, 2016 ARM meeting, was the
25 project continued?

1 A Yes, it was.
2 Q And what was the purpose of that continuance?
3 A There was some storm water concerns that had
4 to be addressed as well as concerns from the citizens.
5 I think that's when they inquired of Wendy
6 Grey to look at those concerns and just make sure that
7 we are covering all our bases.
8 Q And at that point in the process did the
9 applicant request an advance of the application?
10 A They did.
11 Q And before we came back for the third ARM
12 meeting, were there any changes made to the site plan?
13 A Yes. I believe there were in terms of lot
14 size reduction as well as buffering and storm water
15 obviously as well.
16 Q Are you aware that the applicant met with the
17 neighboring landowners?
18 A Yes, that's what I heard.
19 Q And did the project also come for review to
20 the Development Review Committee?
21 A Yes.
22 Q Is the Development Review Committee at that
23 point the decision maker on whether to give approval --
24 conditional approval to the project?
25 A That's correct.

1 Q Did the public attend and provide comment at
2 that meeting as well?
3 A Yes, they did. It is a little bit different
4 from the ARM meetings. We actually received public
5 comment prior to the DRC speaking with staff and making
6 their final recommendation.
7 Q And so what was the outcome of the DRC review?
8 A They provided conditional approval with one
9 additional condition over those outlined by staff, and
10 that was to add additional opacity in plantings along a
11 certain section of Brookside adjacent to Moore Pond,
12 which I know we heard about before. So 90 percent
13 opacity at the time of planting.
14 Q I would like to focus on the project as it was
15 approved by the -- conditionally approved by the DRC.
16 So if we can pull up Exhibit 8.
17 Now, on the screen, do you recognize this
18 exhibit?
19 A Yes.
20 Q And was this prepared under your direction?
21 A Yes.
22 Q And does it reflect the Brookside property as
23 it was -- or the Brookside project as it was ultimately
24 conditionally approved?
25 A Yes.

1 Q And --
2 A I mean, with the additional conditions in the
3 staff report, yes. But it doesn't change the layout of
4 the lots, if that's what you're implying.
5 Q On the screen currently, that's the site plan
6 that's in blue that's overlaid on the aerial, is that
7 correct?
8 A That's correct. Yes.
9 Q Okay. And if we could pull up Respondent's
10 Exhibit 4.
11 Do you recognize Respondent's Exhibit 4?
12 A Yes, I do.
13 Q What is that document?
14 A It was basically a summary table that I
15 created just to be clear on the changes that were made
16 to the site plan from the time it was first submitted in
17 November 2015 to the final submittal to the DRC in
18 August of this year.
19 Q And you heard the testimony earlier about the
20 reduction in lots and the reduction in the density?
21 A That's correct.
22 Q Were there some other preferred design
23 alternatives that the applicant voluntarily incorporated
24 within the project?
25 A Yes. We heard some of these today.

1 Obviously the increased lot sizes and widths
2 adjacent to Ox Bottom Manor and Moore Pond, which, you
3 know, ended in a decrease in the overall density of the
4 project; the increase buffer plantings and opacity,
5 which we have already heard about; the committal to
6 reduce building height when bordering Moore Pond and Ox
7 Bottom Manor.
8 One thing that wasn't mentioned is we also
9 asked the developer for connectivity purposes to extend
10 the sidewalk past their property boundaries on Ox Bottom
11 Road in order to connect to existing sidewalks so we
12 didn't have a gap in sidewalks there.
13 And I think the last one down at the bottom
14 was again in response to Moore Pond residents wanting
15 some certainty about the housing size that would go
16 adjacent to their properties.
17 MS. SCHRADER: I would like to move
18 Respondent's 4 into evidence.
19 ADMINISTRATIVE LAW JUDGE: Any objection?
20 MR. ANDERSON: No.
21 ADMINISTRATIVE LAW JUDGE: Respondent's 4 is
22 admitted.
23 (Respondent's Exhibit No. 4 admitted into
24 evidence.)
25

1 BY MS. SCHRADER
2 Q If we could turn to the Joint Exhibit 34, the
3 Land Development Code, Section 10-6.617.
4 A What page does that start on?
5 MR. STEWART: 33.
6 THE WITNESS: Thank you.
7 Okay. I'm with you.
8 BY MS. SCHRADER
9 Q What is the density that applies to the
10 Brookside project in this case under Section 10-6.617?
11 A Zero to six dwelling units per acre.
12 Q And it is within the urban services area?
13 A That is correct.
14 Q And it is certified for water and sewer?
15 A That's correct.
16 Q Is it considered low density under the
17 county's code?
18 A Yes. Low density residential is defined as
19 six dwelling units per acre.
20 Q And the adjacent neighborhoods of Moore Pond
21 and Ox Bottom Manor are also considered low density
22 residential under the county's plan?
23 A Yes.
24 Q I'm sorry. Under the county's code.
25 A Yes.

1 Q And how is density calculated under the Land
2 Development Code?
3 A As gross density. So you would take the
4 entire parcel and use that acreage to determine gross
5 density.
6 Q Okay. If you could go to Respondent's Exhibit
7 1.
8 A Okay.
9 Q And are you familiar with Respondent's Exhibit
10 1?
11 A Yes.
12 Q And was this a change that was made to the
13 residential preservation zoning district in 2005?
14 A That's correct.
15 MS. SCHRADER: I would like to move
16 Respondent's Exhibit 1 into evidence.
17 ADMINISTRATIVE LAW JUDGE: Any objection?
18 MR. ANDERSON: No objection.
19 ADMINISTRATIVE LAW JUDGE: Respondent's 1 is
20 admitted.
21 (Respondent's Exhibit No. 1 admitted into
22 evidence.)
23 BY MS. SCHRADER
24 Q What is your understanding as to how the
25 earlier pre-2005 code limited density under the

1 residential preservation zoning district?
2 A Well, in the prior residential preservation
3 zoning district for those areas that were inside of the
4 urban service area, the density, even though the
5 allowance was zero to six dwelling units per acre the
6 same as it is today, it limited it to no greater than
7 25 percent -- no denser than 25 percent of the smallest
8 existing lot adjacent or contiguous residential
9 development. And it further defined if there was no
10 contiguous development that you could go out a
11 quarter-mile to obtain that standard.
12 Q So for properties similar to the property for
13 the Brookside development, would that apply a more
14 onerous restriction that is currently under the county's
15 code?
16 A That is correct.
17 Q So this restriction was removed in 2005?
18 A Yes, it was.
19 Q If we could go to Respondent's Exhibit 2.
20 Do you recognize Respondent's Exhibit 2?
21 A Yes, I do.
22 Q And what is that document?
23 A It is an interpretation memo issued by the
24 director of Development Services Division. And it is an
25 interpretation of the residential preservation category

1 in the permitted zoning for metes and bounds parcels,
2 the density that would be allowed.
3 Q Does the department director of Development
4 Services have authority to interpret the residential
5 preservation zoning provision of the code?
6 A Yes.
7 Q As project manager do you typically use this
8 interpretation memo issued by the director in doing
9 projects under residential preservation?
10 A Yes. If there are questions with any zoning
11 district regarding what the intent is, we would seek
12 guidance, and we have memos regarding that.
13 MS. SCHRADER: I would like to move
14 Respondent's Exhibit 2 into evidence.
15 ADMINISTRATIVE LAW JUDGE: Any objection?
16 MR. ANDERSON: No objection.
17 ADMINISTRATIVE LAW JUDGE: Respondent's 2 is
18 admitted.
19 (Respondent's Exhibit No. 2 admitted into
20 evidence.)
21 BY MS. SCHRADER
22 Q Does this interpretive memo recognize that
23 before 2005 the allowable density for metes and bounds
24 parcels within the urban services area perpetuated in
25 efficient utilization of property within the U.S.A.?

1 A That's correct. They realized -- there was
2 actually a task force that was formed prior to the
3 revisions to the residential preservation zoning
4 district in '05 that looked at the availability and
5 affordability of land within Leon County, and one of the
6 recommendations that they had and the considerations
7 they had was that we weren't reaching the densities that
8 were called for by the Comprehensive Plan because of
9 that restriction, and thus perpetuating sprawl
10 development.
11 Q And so under the current provision, density is
12 allowed one to six units per acre within the urban
13 services area upon demonstration of compliance with the
14 environmental and concurrency management regulations?
15 ADMINISTRATIVE LAW JUDGE: I have a question.
16 What do you understand zero to six dwelling
17 units to mean?
18 THE WITNESS: Well, to provide a range. It's
19 flexibility.
20 So you never know what a parcel will hold in
21 terms of developable land.
22 So if you say, for example, that they must
23 meet a minimum of three dwelling units per acre,
24 and you also have a maximum range, they are having
25 to meet that regardless otherwise they can't

1 develop. So we always have some caveats in there.
2 But it allows for more flexibility of design.
3 ADMINISTRATIVE LAW JUDGE: Does it mean to you
4 that as long as there is water and sewer available
5 you can get your six dwelling units per acre?
6 THE WITNESS: As long as you are meeting the
7 Environmental Management Act and you are meeting
8 concurrency, yes.
9 ADMINISTRATIVE LAW JUDGE: Okay. Thank you.
10 BY MS. SCHRADER
11 Q The gross density of the approved -- the
12 conditionally approved Brookside project is 1.73, is
13 that correct?
14 A Yes.
15 Q That's within the --
16 That meets the requirements of the Land
17 Development Code in terms of density?
18 A Yes. It is actually the low end of that
19 density range.
20 Q And the Moore Pond homeowners --
21 The Moore Pond development nextdoor, is that
22 also low density residential?
23 A Yes, it is.
24 Q And the Ox Bottom Manor, that is also low
25 density residential?

1 A Yes, it is.
2 Q So those densities are consistent pursuant to
3 the Land Development Code?
4 A Yes.
5 Q Under Section 10-6.617 of the Land Development
6 Code, what is development type?
7 A Well, I think Wendy did a very good job laying
8 that out. Development type is the construction type.
9 So is it single family, is it duplex, is it townhome, or
10 is it a manufactured home, or even a mobile home.
11 Q Has the county --
12 Are you aware of the county ever interpreting
13 development type to include cluster housing?
14 A No.
15 Q And under --
16 ADMINISTRATIVE LAW JUDGE: Miss Grey said it
17 wasn't a housing type, it was a development type.
18 And now you are saying --
19 THE WITNESS: Well, she asked if it was --
20 ADMINISTRATIVE LAW JUDGE: She is asking you
21 to agree it is not.
22 THE WITNESS: I think she said housing type,
23 right?
24 My bad if that's what I heard.
25

1 BY MS. SCHRADER
2 Q Under the specific Section 10-6.617,
3 subsection (a)(5), as used there, allowable -- the
4 allowable development type, does that include cluster
5 housing?
6 A It is not included as a type of development
7 under that section, no. It is a design technique.
8 Q And you get that from the definition of
9 cluster development within the Land Development Code?
10 A Yes. And also we have zoning districts that
11 actually allow for clustering.
12 Clustering as a design type is usually setting
13 aside a percentage of reserve area in perpetuity, and
14 then your development area you actually receive a
15 density bonus to incentivize using that type of
16 development pattern, the design of the neighborhood as a
17 cluster development.
18 In this provision within residential
19 preservation we don't incentivize clustering if it meets
20 the range --
21 And you have to look at residential
22 preservation in its context. It includes areas inside
23 of the urban service area but it also includes areas
24 outside of the urban service area.
25 And outside of the urban service area it acts

1 as an overlay district. And in those cases you are
2 looking at the underlying land use which may, for
3 example, include urban fringe or even lake protection
4 which do allow clustering options to incentivize
5 protection of environmentally sensitive features in
6 those areas, including Lake Jackson and other areas
7 where you want that clustering to occur.
8 So residential preservation does not cull out
9 specific clustering provisions that allow a density
10 bonus of the underlying land use outside of the urban
11 service area may.
12 Q And residential type of the Brookside project
13 is what?
14 A Single family detached.
15 Q And for Moore Pond?
16 A Single family detached.
17 Q And for Ox Bottom Manor?
18 A Single family detached.
19 Q And in your professional opinion are those
20 consistent residential types?
21 A Yes.
22 Q I would like you to go to Respondent's Exhibit
23 5.
24 Do you recognize Respondent's Exhibit 5?
25 A Yes, I do.

1 Q And what is this document?
2 A Basically as we received Wendy Grey's
3 compatibility analysis, we obviously as staff reviewed
4 to see if we agreed with her conclusions and her
5 methodology. So this was just kind of a summary table
6 of findings regarding that.
7 MS. SCHRADER: I would like to move
8 Respondent's Exhibit 5 into evidence.
9 ADMINISTRATIVE LAW JUDGE: Any objection?
10 MR. ANDERSON: No objection.
11 ADMINISTRATIVE LAW JUDGE: Respondent's 5 is
12 admitted.
13 (Respondent's Exhibit No. 5 admitted into
14 evidence.)
15 BY MS. SCHRADER
16 Q Pursuant to your --
17 As part of this analysis that you performed,
18 you looked at the different densities of the nearby
19 neighbors?
20 A That's correct.
21 Q And this was calculated based on a gross
22 density measure?
23 A Yes, that's what the code calls for.
24 Q And if you could give the densities for Moore
25 Pond and Ox Bottom Manor.

1 A The density for Moore Pond, I concluded that
2 it was .25 dwelling units per acre.
3 Ox Bottom Manor 1.07 dwelling units per acre.
4 Q And for Ox Bottom Gardens.
5 A 1.93 dwelling units per acre.
6 Q Now, are all of these low density under the
7 county Land Development Code?
8 A Yes.
9 Q Was Ox Bottom Gardens developed at the same
10 time as Moore Pond, approximately?
11 A Yes. They were both platted in 1993.
12 Q What is the smallest lot size in Ox Bottom
13 Gardens?
14 A In Ox Bottom Gardens the smallest lot size is
15 .13 acres.
16 Q Now, could we go back to the story map.
17 If we could go down and take a look at Ox
18 Bottom Crest.
19 And if you could, where is Ox Bottom Crest
20 located in reference to Ox Bottom Manor and the other
21 developments off Ox Bottom Road?
22 A It's further east towards Thomasville Road on
23 Ox Bottom. So the same roadway but further east.
24 Q This is within the general vicinity of the
25 areas that we have been looking at?

1 A The general vicinity, yes.
2 Q And what is the density of Ox Bottom Crest?
3 A 3.01 dwelling units per acre.
4 Q And what is the average lot size?
5 A 0.17 acres.
6 Q And that's a higher density than the proposed
7 Brookside project?
8 A Yes.
9 Q And that's considered low density?
10 A It is still considered low density.
11 Q Are there some other examples that you pulled
12 of other neighborhoods within Leon County in the
13 residential preservation area with densities that are
14 higher than Brookside and bordering on residential
15 property?
16 A Yes. We approved several recently inside of
17 the urban service area, in the residential preservation
18 zoning district and residential preservation land use,
19 one of them being the Villas at Mahan, which was
20 approved in 2016. That gross density was 4.34 dwelling
21 units per acre, adjacent to larger styled lots, not a
22 conventional subdivision nextdoor but other metes and
23 bounds parcels. They provided the same buffering that's
24 required in the residential preservation zoning
25 district. The minimum requirement is the Type A buffer.

1 Q Okay. And you also pulled an example of
2 Jackson Gap?
3 A Jackson Gap was approved in 2008, also in the
4 residential preservation zoning district. And it
5 actually abuts another subdivision and was actually
6 required by code to interconnect with that subdivision
7 since there was an interconnect available.
8 Q This is in the Pedrick Road area of
9 Tallahassee?
10 A That's correct. Off of Mahan.
11 Q And that also has a density that's higher than
12 Brookside?
13 A Yes. 3.51 dwelling units per acre.
14 Q An additional example that you pulled is the
15 Preserve at Bucklake, is that correct?
16 A That's correct.
17 And that is also -- it has both access to
18 Mahan Road as well as Bucklake Road -- I'm sorry --
19 Mahan Drive.
20 That was approved -- it was a phase
21 development. So part of it was platted in '14 and the
22 rest in 2016. It was 44 lots that backed up to the
23 existing Buckwood subdivision as well as to a larger lot
24 single family home on the east border.
25 Q And then another example would be Centerville

1 Trace?
2 A Well, Centerville Trace is an older
3 subdivision that is in residential preservation.
4 Sorry. I'll wait until you get there. Having
5 technical difficulties. You should be able to use the
6 arrows to the left side of the story board. Okay.
7 I think the whole intent of providing
8 Centerville Trace was to show that it was again an older
9 subdivision residential preservation that was developed
10 at a high density. It was next to existing unrecorded
11 subdivisions. You'll notice the style of development is
12 quite different than what would be developed under
13 residential preservation today. You'll notice that the
14 lots go down into the lake instead of preserving the
15 environmental features on the property in their own
16 common area or common space area.
17 And that's a design technique that is
18 implemented today as the best management practice. You
19 don't want those environmentally sensitive features to
20 be included in the lots and then the responsibility for
21 maintenance being on the individual property owner who
22 may not know how to take care of those features.
23 So if we still had this style of development
24 in place, which is not a best management practice, the
25 whole layout of Brookside development would look

1 completely different. But that's not the case and the
2 way that things are developed today.
3 Q These examples that we have given, they are
4 all low density under the county's code?
5 A They are all low density residential
6 development.
7 Q In your professional opinion does the
8 Brookside project meet the requirements of the
9 residential preservation zoning district and all other
10 zoning requirements that you review as part of your
11 responsibility?
12 A Yes. All applicable requirements, yes.
13 Q Does Brookside meet the general layout and
14 design standards under Section 10-7.502 of your code?
15 A Yes, it does.
16 Q And was the street interconnection requirement
17 waived as part of the DRC process?
18 A Yes. Interconnections are required within the
19 urban service area if feasible, and there are some
20 exceptions to that. Older neighborhoods that are
21 already established don't have an area for
22 interconnection. Potentially there might be some land
23 available to require that interconnection.
24 Here in this case, two older established
25 neighborhoods, one of them being private, there was no

1 foreseeable way to interconnect them so the DRC chose to
2 waive that requirement.
3 Q If we could go to the Joint Exhibit 34,
4 Section 10-7.502.
5 Is this the general layout and design
6 standards?
7 A Yes. I'm here.
8 Q Does the Brookside project meet the
9 requirements of Section 10-7.502?
10 A Yes.
11 Q And a couple of pages over. If you'll turn to
12 Section 10-7.505 on page 56 of the same exhibit.
13 A Yes. I'm with you.
14 Q And this gives the general principles of
15 design relating to impacts on nearby streets and
16 property owners.
17 A Yes. It does.
18 These are kind of overarching performance
19 goals, if you may, and the more prescriptive standards
20 that apply to these can be found throughout the Land
21 Development Code. Compatibility obviously being within
22 the residential preservation zoning district,
23 environmental, you know, minimizing adverse
24 environmental impacts on site and off site can be found
25 through the EMA, and buffering can be found in the

1 buffering section. So these are just kind of guiding
2 principles that are further defined and the prescriptive
3 measures for how to apply those are found in the various
4 sections of code.
5 Q And so these are general performance based
6 standards that are implemented through other provisions
7 of the code if I understand your testimony?
8 A That's correct.
9 Q And does the project meet these standards in
10 this case?
11 A In my opinion it does.
12 Q In your opinion is the use of the property as
13 low density single family residential compatible with
14 the adjacent Moore Pond and Ox Bottom Manor
15 subdivisions?
16 A Yes, it is compatible.
17 Q As the project manager are you aware of the
18 project meeting other requirements of the county's code
19 that are reviewed by other professional staff?
20 A Yes. Staff will provide memos to other staff,
21 or they are uploaded into our project doc system and
22 available for anyone to review. Public had access, DRC
23 had access, other ARM staff had access. Yes.
24 MS. SCHRADER: No further questions.
25 ADMINISTRATIVE LAW JUDGE: Do you have any

1 questions?
2 MR. HUNTER: No, sir.
3 ADMINISTRATIVE LAW JUDGE: Cross.
4 CROSS EXAMINATION
5 BY MR. ANDERSON
6 Q Thank you.
7 You reviewed a lot it looks like. I will
8 review a few specific things.
9 Did you review the Brookside development for
10 consistency with the Comprehensive Plan?
11 A No. That's not my role.
12 Q Okay. Did you review the Brookside Village
13 for compatibility with the Comprehensive Plan?
14 A That's not my role.
15 Q I believe it was Respondent's Exhibit 5. It
16 is a summary table. I believe page one.
17 Was that produced prior to the approval or for
18 this hearing?
19 A No. It was done prior to. Um-hum.
20 Q Okay. And this information that you gleaned,
21 if you didn't do the analysis, where did you get this
22 information from?
23 A I didn't say I didn't do the analysis.
24 I looked at Wendy Grey's report, and as a
25 planner when you receive a report from someone related

1 to your development, you are obviously going to see if
2 you agree with the methodology and the conclusions,
3 regardless if it is my purview or not.
4 Q So you did an independent verification on the
5 number of lots, the density, all those factors?
6 A Those factors that are listed there, yes.
7 Q So in Chapter 10-6.617, that is in document
8 34, page --
9 10-6.617, you just indicated that you -- the
10 compatibility review for the project was another person?
11 A Compatibility with comp plan.
12 Q With the comp plan. Okay.
13 Is there compatibility that you review with
14 the Land Development Code?
15 A The residential preservation subdivision
16 compatibility factors that are listed there are they
17 compatible with the allowable density in residential
18 preservation; yes, they are. Are they compatible with
19 the type of use of the land, the construction of the
20 home; and, yes. Those are the two factors. Obviously
21 the density being reliant on meeting Environmental
22 Management Acts and concurrency, which they did.
23 Q I may not have caught this.
24 Who for the county does the review for the
25 consistency of the Comprehensive Plan?

1 A Our joint Leon County Planning Department.
2 Q So there's more than one person that provides
3 that review?
4 A Generally they assign one staff member for
5 consistency and continuity in the project. Obviously if
6 someone gets sick or leaves, that would change. But for
7 the purposes of this project, it has always been Susan
8 Poplin.
9 Q Does additional staff within the planning
10 department review the report that Susan Poplin provides?
11 A I guess I'm not following what you're asking.
12 The planning department is a separate entity
13 that serves both the city and the county.
14 Q Okay. Let me ask it a different way.
15 In your report, we are going to Joint 29, in
16 the staff recommendation that you prepared as leader,
17 coordinator of the project, you made several findings.
18 Finding number one was consistency with the
19 Comprehensive Plan.
20 Was that finding based upon Susan Poplin's
21 determination of consistency of the project?
22 A Yes, that's correct.
23 Q Number one is Susan Poplin. Okay.
24 Is finding number four also -- it discusses
25 compatibility. Was finding number four based upon Susan

1 Poplin's determination?
2 A That was just a summation of Wendy Grey's
3 report.
4 I'm not sure I followed your question there.
5 Q It is a finding --
6 ADMINISTRATIVE LAW JUDGE: Mr. Anderson, what
7 difference does it make, these preliminary
8 findings? Because the purpose of the hearing is to
9 put together -- to listen to the -- what ought to
10 be the findings and to present them to the Board of
11 County Commissioners.
12 MR. ANDERSON: Yes, Your Honor.
13 What I'm trying to show is that the findings
14 were prepared by other individuals. She did not
15 make any findings related to consistency or
16 compatibility, which are our main arguments.
17 So she had no input on that.
18 THE WITNESS: From a comp plan standpoint.
19 MR. ANDERSON: Yes.
20 ADMINISTRATIVE LAW JUDGE: She told us that.
21 MR. ANDERSON: Okay. That's all we have.
22 Thank you, Your Honor.
23 ADMINISTRATIVE LAW JUDGE: Any redirect?
24 MS. SCHRADER: One housekeeping matter.
25 Exhibit 8, I'm not clear if it got entered

1 earlier. To the extent it didn't, we would like to
2 enter Respondent's Exhibit 8.
3 MR. STEWART: It is the story board.
4 ADMINISTRATIVE LAW JUDGE: Respondent's 8 came
5 in earlier. Yes. It was the first thing I
6 admitted. It was the very first exhibit I entered,
7 except the joints.
8 No other redirect?
9 MR. STEWART: No further questions.
10 MS. SCHRADER: No further questions.
11 ADMINISTRATIVE LAW JUDGE: You may step down.
12 Let's have a ten-minute break, and we will
13 wrap it all up.
14 (Brief recess.)
15 MR. STEWART: We would call Susan Poplin, Your
16 Honor.
17 ADMINISTRATIVE LAW JUDGE: Please have a seat.
18 Thereupon,
19 SUSAN POPLIN
20 was called as a witness, having been first duly sworn,
21 was examined and testified as follows:
22 THE WITNESS: I do.
23 ADMINISTRATIVE LAW JUDGE: State your name for
24 the record.
25 THE WITNESS: Susan Poplin.

1 MR. STEWART: Let me have you move closer to
2 the microphone, if you could, please.
3 THE WITNESS: Is this good?
4 DIRECT EXAMINATION
5 BY MR. STEWART
6 Q What is your address, please?
7 A My address 435 North McComb Street,
8 Tallahassee, Florida. 32301.
9 Q What is your business profession or
10 occupation?
11 A I am an urban planner with the Tallahassee
12 Leon County Planning Department.
13 Q On the screen and in the notebook as
14 Respondent's Exhibit Number 9 is a document which is up
15 there.
16 Do you recognize that, first of all?
17 A Yes, sir, I do.
18 Q What do you recognize it as being?
19 A That's my resume.
20 MR. STEWART: Your Honor, we would introduce
21 Respondent's Exhibit 9 into evidence.
22 ADMINISTRATIVE LAW JUDGE: Any objection?
23 MR. GIVENS: No, Your Honor.
24 ADMINISTRATIVE LAW JUDGE: It is admitted.
25 (Respondent's Exhibit No. 9 admitted into

1 evidence.)
2 BY MR. STEWART
3 Q Miss Poplin, your educational background is
4 set forth on your Exhibit 9. Is that accurate?
5 A Hang on. I'm still getting to Exhibit 9. I
6 do apologize. I'm having trouble finding it. Joint
7 Exhibit 9 --
8 Q Respondent's?
9 A I apologize.
10 Yes, that is accurate.
11 Q Then let's talk a little bit about your
12 employment history in terms of work that you've been
13 engaged in that enables you to perform the job function
14 that you currently have.
15 Can you give the Court a little bit of a
16 summary of your employment history.
17 A Well, I was initially employed with the
18 Department of Community Affairs, in the community
19 assistance section as a consultant working with
20 leveraging and state plans for various programs.
21 Then I moved into the planning division, and
22 worked with the planning division for 16 years,
23 specifically with Comprehensive Plans, reviewing
24 Comprehensive Plan amendments, new Comprehensive Plan,
25 developments of regional impact, grants, that kind of

1 thing.
2 And then most recently that was --
3 That was through 2011.
4 And then most recently I was employed with the
5 Tallahassee Leon County Planning Department in 2011,
6 again various functions, including Comprehensive Plan
7 review.
8 Currently I work on the land use team, and we
9 do site plan, rezoning reviews, plan unit development
10 reviews for consistency with the Comprehensive Plan.
11 Q Do you have any certifications in planning?
12 A I do. I am certified with the American
13 Institute of Certified Planners.
14 Q And when did you receive that certification?
15 A 1997.
16 Q And have you been qualified as an expert in
17 various proceedings?
18 A I have in previous cases.
19 Q Approximately how many?
20 A About five.
21 Q Have they all been before the Division of
22 Administrative Hearings?
23 A Yes, sir.
24 MR. STEWART: Your Honor, pursuant to the
25 stipulation, we would offer Miss Poplin as an

1 expert in Comprehensive Planning and urban
2 planning.
3 ADMINISTRATIVE LAW JUDGE: She is accepted.
4 All the stipulated tenders are accepted.
5 BY MR. STEWART
6 Q Miss Poplin, were you involved or had any role
7 in the review and evaluation of the Brookside Village
8 site plan approval which is before us today?
9 A I do. I was the assigned planner to do the
10 Comprehensive Plan consistency review.
11 Q Can you tell me approximately when you first
12 began, got engaged in the project?
13 A In 2015.
14 Q Okay. And the Brookside development itself,
15 is it within the urban services area?
16 A Yes, sir, it is.
17 Q And is one of the purposes of the urban
18 service area to discourage sprawl?
19 A It is.
20 Q And where is that particular guidance given to
21 you in the Comprehensive Plan, if you recall?
22 A That guidance is given in the future land use
23 element, objective one, and associated policies,
24 particularly objective 1.1 and the associated policies
25 that go with that.

1 Q Does the Comprehensive Plan also encourage
2 compact development to protect environmental features
3 within the urban services area?
4 A Yes, sir. The plan does do that in a number
5 of elements, including the future land use element.
6 Q What particular element policy would govern
7 that, if you recall?
8 A Well, there are a few. 111. 1412 which kind
9 of guides you toward land development regulations. And
10 the conservation element there is a whole section that
11 deals with preserving environmental features that would
12 guide you towards compact development. A number of
13 others similar to that.
14 Q Now, the future land use category for where
15 the Brookside property is located, we have had testimony
16 that's residential preserve, is that correct, to your
17 understanding?
18 A It is residential preservation land use
19 category in the Comprehensive Plan.
20 Q Let me ask if you will turn to Policy 2.2.3.
21 Is that the general future land use provision
22 that deals with residential preservation within the
23 Comprehensive Plan?
24 A It is.
25 Q And we have also had testimony that the

1 allowable density under this line use category is zero
2 to six units per acre. Is that your recollection?
3 A That is correct.
4 Q Now, in the Comprehensive Plan, where would --
5 or does it contain provisions that set forth the various
6 densities and types of residential development that
7 would be allowed?
8 A Within the glossary there's definition of
9 density and residential, and that includes the different
10 classifications of residential density. There's low,
11 medium and high. The low density residential strata is
12 from zero to eight dwelling units per acre.
13 Q On the screen we are showing Exhibit 33. It
14 should be page 43, I believe.
15 Is that the provisions of the Comprehensive
16 Plan that set forth the ranges of residential
17 development -- the different categories in densities for
18 residential development?
19 A That's correct.
20 Q And the Brookside development is what category
21 of residential development?
22 A It falls within the low density residential
23 category.
24 Q And that is a zero to eight dwelling units per
25 acre?

1 A Yes, sir.
2 Q Medium would be what levels?
3 A Medium would be 8 to 16 dwelling units per
4 acre.
5 Q And high?
6 A 16 to 50 dwelling units per acre.
7 Q And urban?
8 A Urban is 51 units to 150 units per acre, and
9 that's in our downtown area.
10 Q Now, in terms of developments that are in the
11 vicinity of the proposed Brookside Village, what are the
12 major developments that are in the vicinity of Brookside
13 Village?
14 A The ones we've been talking about today, which
15 are Ox Bottom Gardens, Ox Bottom Manor, Moore Pond, and
16 Rosehill.
17 Q And are all of those also low density
18 residential classified properties?
19 A They are.
20 Q Now, was part of your responsibilities to look
21 at the compatibility of the proposed Brookside Village
22 development?
23 A My responsibility was to look at the project
24 for consistency with the comp plan. And so to the
25 extent that compatibility is covered in the

1 Comprehensive Plan, that is what I would look at.
2 Q Now, in terms of compatibility of adjacent
3 neighborhoods and uses, did you make an analysis under
4 the comp plan of that factor?
5 A Yes, I did.
6 Q And how did you begin that analysis?
7 A Well, I began that analysis by looking at what
8 is allowed in the residential preservation land use
9 category, seeing if, one, if the use was allowable under
10 the description, and then whether or not they met the
11 density allowed within the category which is zero to
12 six.
13 Q In terms of the particular development, did
14 Brookside Village meet both of those criteria?
15 A Yes, it did.
16 Q How about compatibility with adjacent uses,
17 land uses?
18 A Yes. The compatibility with adjacent uses,
19 the plan describes in Policy 132 to look at the goals
20 and objectives and policies of the Comprehensive Plan,
21 and other sections, and also our land use matrix which
22 is in Policy 2226.
23 Q Let me ask --
24 You mentioned the development matrix. What is
25 that?

1 A Well, that is covered in our Comprehensive
2 Plan, Policy 2226, and it is generally giving us
3 direction or prescription about what uses are or are not
4 compatible with each other and whether or not there are
5 special development considerations that should be taken
6 into account when you are looking at proposed
7 development.
8 One of the stated prefaces to that matrix, if
9 we could go up one section in 226, if you'll look at
10 number two it says -- for this particular matrix it's to
11 look at the potential compatibility with surrounding
12 existing land use.
13 So with that prescription and direction in
14 mind, when you look at the matrix on the next page --
15 excuse me -- two pages down, it is one for the city and
16 one for the county -- but when you look at that matrix
17 the prescription it gives you is for low density
18 residential proposed adjacent to existing residential --
19 low density residential, which this is the case, what it
20 tells me with the notation down at the bottom -- if we
21 could blow that up just a little bit -- what it tells
22 you is that the land use is compatible/allowable.
23 Q And where is that reflected?
24 A That is reflected in the notation just below
25 the chart on the left-hand side.

1 Q Okay. The green X, the legend that says land
2 use is compatible, allowable?
3 A Yes, sir. That's one of the checks that I
4 did.
5 Q Now, are you familiar with future land use
6 Policy 2.2.3?
7 A I am.
8 Q And particularly subparagraph (e)?
9 A I'm familiar with subparagraph (e).
10 Q Did you determine or at least initially did
11 you believe that that particular provision is applicable
12 in determining compatibility with existing adjacent land
13 uses?
14 A In reviewing that particular policy and
15 looking at all the components of it, I concluded that
16 the section in (e) was not applicable to this particular
17 project.
18 Q Why is that?
19 A Because there's no development density
20 differential. These policies really go to looking at a
21 project that's coming into or adjacent to residential
22 preservation.
23 The purpose of residential preservation is to
24 protect those existing residential neighborhoods. When
25 we have situations where higher densities come in, that

1 would be a threshold that's crossed, but then we would
2 want to really delve into those factors and look at what
3 we have as far as impacts to our residential
4 preservation area.
5 Q Would it be a correct statement that your
6 initial review in terms of the compatibility of the
7 proposed development with the adjacent existing
8 developments was primarily driven by the comp plan
9 matrix, at least initially?
10 A It was driven by the matrix. But I also
11 considered a number of other policies, not just in the
12 future land use element.
13 Q Now, the interpretation or application of
14 2.2.3(e) and these various factors where you have the
15 same type of development coming into the existing
16 development, that there is a unanimity of those type of
17 developments, is that normally how the county and the
18 city have interpreted the Comprehensive Plan in the
19 past?
20 I didn't do a very good job of asking the
21 question.
22 A Maybe ask it again. I want to make sure I
23 understand.
24 Q You talked about Policy 2.2.3(e), and that
25 normally those are factors that are taken into account

1 where you have either a higher density or a differing
2 land use from those that are existing.
3 But where you have the same type of land use
4 occurring to existing, you generally do not utilize
5 those factors for compatibility, has that been
6 consistently the interpretation and evaluation of the
7 county and the city in applying that provision?
8 A I don't know. But to my knowledge it has not
9 been applied any other way.
10 Q Okay. Thank you.
11 Now, did you subsequently analyze or review
12 those factors in 2.2.3(e) related to the Brookside
13 development?
14 A Yes, sir, I did.
15 Q And why did you do that? Why did you perform
16 that analysis?
17 A I did that because a compatibility analysis
18 was submitted from the applicant, and we review all
19 those materials. And also because of the heightened
20 interest by the neighbors in this particular project who
21 had questions about the types of things that were in the
22 compatibility report.
23 Q How did you perform this analysis under
24 2.2.3(e)?
25 A Well, the first thing I did was go through and

1 determine is the use allowable, and then I determined if
2 the density was within the allowable range and the land
3 use category. That was sort of the baseline for
4 compatibility.
5 There were some other issues that had to be
6 looked at as part of compatibility that had to do with
7 storm water in the conservation element. That was
8 included. All of this was included in my staff report.
9 And then I went through the factors that were
10 laid out in the compatibility analysis to see if the
11 calculations looked correct, to see if there was
12 anything that sort of jumped out at me as a staff
13 reviewer.
14 My report then went through each of those
15 items and characterized what I was seeing as far as --
16 what I was seeing in the compatibility report.
17 Q As to the review of the specific factors, did
18 you review and verify the analysis submitted by
19 Miss Grey as part of this application?
20 A I did.
21 Q Did you independently perform an analysis or
22 did you utilize what she had done in that?
23 A Well, for part of it I did an independent
24 analysis because the factors are not the only thing that
25 we were looking at for compatibility.

1 But for the factors I did use her report to --
2 the data in her report to look at and characterize the
3 conditions, to describe them so that someone reading it
4 could get a gist of -- and summarize what the conditions
5 were on the site.
6 Q Is that common for either county or city staff
7 to critique or review a submitted analysis or study in
8 making and drawing their own conclusion as to a
9 particular development?
10 A Yes. It's very common to use reports,
11 information, data that's submitted from the applicant or
12 other parties, residents, other staff members, other
13 departments, external agencies. It's very common. It
14 is common practice.
15 Q Now, let me ask you if you would look at --
16 this will be Joint Exhibit 15, which should be in the
17 back.
18 First of all, let me ask if you recognize
19 Joint Exhibit 15.
20 A I do recognize it.
21 Q And what is it?
22 A It is the compatibility analysis that was
23 performed by Wendy Grey, revised August 2, 2017.
24 Q And let me ask you now if you would look at
25 Joint Exhibit 29.

1 A Yes. The staff recommendation for conditional
2 approval.
3 Q Is that the DRC staff report?
4 A Yes, sir.
5 Q And is your analysis of compatibility
6 contained within Exhibit 29?
7 A It is. It is included as attachment one.
8 Q I'm sorry. Nine --
9 A Attachment one of the overall compiled report.
10 Q Now, you heard some testimony from Mr. Norsoph
11 and also Miss Grey that the use of the statutory
12 definition of compatibility is generally what is used.
13 Do you also use the statutory definition?
14 A I do.
15 Q Okay. Now, in looking at the factors within
16 2.2.3(e), the specific review of those as opposed to the
17 additional matters that you considered, which factors
18 did you actually look at -- or felt were relevant to the
19 Brookside Village development?
20 A Well, certainly the density was a huge factor.
21 But are you asking me as far as what I have in
22 my staff report?
23 Q Yes. If you would just refresh your memory as
24 far as which factors you reviewed.
25 A Land use, density, the scale, building size,

1 height and orientation, lot coverage,
2 size/configuration, architecture, screening buffers,
3 setbacks, traffic circulation, and then mobility element
4 requirements, and conservation element requirements.
5 Q Now, we had some testimony concerning
6 intensity and whether that is a separate factor to be
7 analyzed.
8 In your expertise what determines intensity on
9 a residential development?
10 A We --
11 In my experience in the planning department we
12 have never used intensity as it's been suggested here.
13 The measure of intensity for residential is
14 density.
15 Q Is that reflected in your definitions of your
16 Comprehensive Plan?
17 A It is. Gross density in our glossary. And of
18 course we saw earlier that the intensity definition
19 allows the use and encourages the use of dwelling units
20 per acre.
21 Q To the extent any other factors might fall
22 within the category of intensity, are they covered by
23 the other matters that you reviewed?
24 A Yes, they are.
25 Q Now, in your report were there some

1 discrepancies in the numbers you -- contained in your
2 report from those that Miss Grey had in her August 2
3 report?
4 A Yes, there were.
5 Q And how did that happen?
6 A It happened because I did not pick up the
7 Brookside Village figures from the latest August 2
8 report and place them in the tables in my report.
9 Q Did you use an earlier draft of Miss Grey's
10 report?
11 A I did.
12 Q And there had been changes to the development
13 subsequent to that?
14 A Yes. There were lots that were taken out.
15 Q Now, can you tell the court a little bit --
16 What is the differential that existed between
17 what was contained in your report and then what ended up
18 in Miss Grey's final report?
19 A Well, if we go through each of them, the
20 errors were in the lot coverage, which was the
21 difference between taking out the one lot and you ended
22 up with 24 percent lot coverage instead of 23 percent,
23 which was in the April 26th report.
24 If you look at lot size, that changed from .27
25 to .26, so just a .01 reduction in lot size.

1 There was --
2 Building size went down slightly from 3063 to
3 2850, I believe. So a difference of 200 square feet in
4 average building size.
5 And then there was a discussion of the facade
6 frontage. Again, because of the adjustment of the lots
7 going from .81 to .88.
8 Q Would any of the changes in the numbers that
9 we have discussed that ended up in Miss Grey's August
10 final report, would that change your opinion as to the
11 compatibility of the development with the surrounding
12 neighborhoods?
13 A It does not.
14 Q And in terms of what was available to the
15 Development Review Committee, did they also have in
16 addition to your report Miss Grey's final report?
17 A Yes. The Development Review Committee had
18 access to all the files.
19 Q So let's talk a little bit about the factors,
20 if you would, and your analysis.
21 On compatibility, using the policy 2.2.3(e).
22 Let's start with -- I think you testified
23 already that it met the land use?
24 A Correct.
25 Q So let's go to density. We will talk about

1 that.
2 What was your analysis as to compatibility of
3 the density for Brookside with the adjacent
4 neighborhoods?
5 A Well, the density, which the plan prescribes
6 that we calculate it as gross density.
7 I looked at the gross density to determine if
8 it was within the allowable range of the land use
9 category, which is 06, and it was.
10 The analysis in my staff report also picked up
11 the analysis that Wendy did, and again looking at the
12 range, it falls within the range of other developments
13 that have occurred in the area.
14 I would also point out being in the urban
15 service area we don't necessarily want very, very low
16 densities. We do want to bump those densities up, and
17 actually have direction in our plan. And one of the
18 policies in the future land use element 119 to get a
19 slightly higher density within that urban service area.
20 Q Why is that?
21 A Again, to direct development to the correct
22 places, the appropriate areas, and to get efficiency of
23 services.
24 Q Well, did you find that the Brookside Village
25 development was compatible as to density with the

1 adjacent developments within the area?
2 A Based on the Comprehensive Plan, I did.
3 The Comprehensive Plan, again, defines low
4 density residential as zero to eight. Residential
5 preservation is zero to six. They are both within the
6 residential preservation land use category adhering to
7 those low density -- residential preservation densities
8 prescribed in the plan. So I did not identify any
9 compatibility issue with the density.
10 Q What's the next factor you considered?
11 A Going through these, I looked at density. And
12 then I looked at the scale.
13 Q What is scale?
14 A Well, it's usually looking at the height of a
15 building, what -- how many stories it has, does it tower
16 over the other development in the area. We look more at
17 scale in the downtown areas where we have specific
18 prescriptions for dealing with scale. It's not very
19 typical in this type of suburban setting.
20 What I determined with the proposal at two
21 stories, and then having those around it that are also
22 one, one and a half and two stories, that the scale was
23 similar and compatible with the other development in the
24 area.
25 Q And the next category.

1 A Building size and mass. And in the
2 compatibility analysis that was provided, again, they
3 looked at the linear -- the building to linear frontage
4 as a ratio.
5 This is not a very typical analysis. In fact,
6 I haven't seen this type of analysis before. But
7 nonetheless it was a provided analysis, and we noted
8 that there were some differences in the ratios,
9 particularly because of the larger lots in Moore Pond
10 that would explain the differentiation between the two.
11 Again, though, it wasn't something that
12 identified as a compatibility issue. It presented no
13 issues as far as the difference between the building
14 size and mass and bulk.
15 Q Next category.
16 A The height and orientation. I kind of talked
17 about height a little bit.
18 The orientation, of course where they are
19 oriented in this case had to do more with the visual
20 aspect of it, would the height of the building with
21 windows present some kind of visual intrusion to other
22 properties.
23 I concluded that given the similar height, the
24 fact that they were having -- orienting the building so
25 there were no windows facing the adjacent subdivisions,

1 that this did not present a problem for compatibility
2 purposes.
3 Q As to building's height and orientation, they
4 were compatible with the adjacent neighborhoods?
5 A Yes, sir.
6 Q The next category.
7 A Lot coverage, size, and configuration.
8 This was simply a measure of how much the
9 building covers percentage of the lot. Because of the
10 larger lots in Moore Pond, obviously they are a lower
11 lot coverage than Brookside Village, but not lower than
12 Ox Bottom Gardens. Ox Bottom Gardens has higher lot
13 coverage. It seemed very comparable to what is being
14 proposed here. In fact, Ox Bottom Gardens -- found that
15 with a lot of the comparisons that they were very, very
16 comparable to Ox Bottom Gardens which is already in
17 existence.
18 Q Let me ask you in your experience and
19 expertise, in comparing developments that are
20 surrounding a proposed development, is a distance of --
21 a radius of a quarter-mile to compare developments
22 within that radius, is that reasonable, in your opinion?
23 A It's reasonable. It's reasonable. But, I
24 mean --
25 It's reasonable from a planning perspective.

1 A quarter-mile seems to be a very typical use
2 particularly for transit. And where you want to
3 establish transit and walkability you would use a
4 quarter-mile. I'm not sure it is a perfect fit for
5 this. But it definitely captures the residential areas
6 that are around it.
7 Q I'm sorry. The next category that you
8 considered.
9 A The next category is lot size. Again, looking
10 at the lot size -- looking at the lot size, .27 -- of
11 course now it is .26. Still smaller than Moore Pond,
12 larger than Ox Bottom Gardens, which is nextdoor.
13 The architecture -- the architecture in this
14 case we were presented with information about how the
15 homes were going to look. They were very comparable to
16 what's in Ox Bottom Gardens.
17 Q Would the lot size, lot coverage, lot
18 size/configuration, would those all be -- at the
19 Brookside Village are those compatible with the adjacent
20 neighborhoods, surrounding neighborhoods?
21 A Yes, sir.
22 Q And the architecture, is it your opinion that
23 that also is compatible with the adjacent neighborhoods?
24 A Yes, sir.
25 Q The next category.

1 A Screening and buffers.
2 We looked at the surrounding subdivisions,
3 paired those. Brookside is proposing a 25-foot buffer.
4 There are none in Moore Pond or Ox Bottom Manor.
5 Rosehill, approximately 100 feet -- additional 100-foot
6 utility easement.
7 I will just point out that Rosehill is across
8 a major collector, so it is not really interacting with
9 this development at all.
10 Ox Bottom Gardens which is nextdoor,
11 approximately 75 feet along Ox Bottom Manor Road.
12 In this analysis I compared the buffer that
13 they had adjacent and determined that the project has
14 provided a satisfactory buffer to its adjacent
15 residential suburban development.
16 Q As far as screens and buffers, is it your
17 opinion that the development of Brookside Village is
18 compatible with the adjacent neighborhoods and
19 surrounding neighborhoods as to that factor?
20 A Yes, it is.
21 Q In fact, the buffer that is being included, is
22 it greater than they are required to?
23 A There's no specific requirement in the
24 Comprehensive Plan. So in that respect, yes, it is
25 greater than the required Comprehensive Plan.

1 Q So whether it is a Buffer A or Buffer C or
2 Buffer C-plus, that would be driven by the Land
3 Development Code?
4 A Absolutely. We would defer to the county on
5 the implementation of that buffer.
6 Q Is there a line in terms of your
7 responsibilities that you were only involved in
8 Comprehensive Planning issues but not with Land
9 Development Code issues?
10 A Yes, sir.
11 Q The next category.
12 A The next category has to do with the setbacks,
13 and this was front setbacks.
14 We concurred with the analysis that was
15 provided by Wendy Grey.
16 We also did a separate look using our GIS
17 system. This is not exact, but it is ballpark. It
18 looked like Ox Bottom Manor had 75 to 100-foot setbacks.
19 Ox Bottom Gardens, 18 to 30. Moore Pond, 75 to 100.
20 Brookside had setbacks of 15-feet from the right-of-way.
21 So there is a little bit -- there is a difference in the
22 setbacks. But they are actually very similar to what we
23 have in Ox Bottom Gardens.
24 AUDIENCE: Can you pull the mic up please? I
25 can't hear you.

1 THE WITNESS: They are very similar to what's
2 in Ox Bottom Gardens.
3 BY MR. STEWART
4 Q The next factor.
5 A Traffic circulation pattern.
6 Q What's that?
7 A That is the circulation through the project.
8 Usually we would want to see an interconnected system
9 that also provides appropriate access and also
10 appropriate interconnections to other development.
11 We cover that both in terms of -- talking
12 about Comprehensive Plan covers that from a mobility
13 element standpoint. That was the focus of my review,
14 making sure that not just the automobile part of it was
15 addressed but also the sidewalk and pedestrian
16 interconnection.
17 Q And were those factors addressed in your
18 opinion?
19 A Yes, they were.
20 Q Now, Miss Grey did not review all of the
21 factors that are in Policy 2.2.3(e), and excluded some
22 as not being applicable.
23 Did you agree that the ones she excluded were
24 not applicable?
25 A The ones that I identified were not

1 applicable, and this is mainly because they apply to
2 nonresidential development, including signage, lighting,
3 loading area locations, operating hours, noise, and
4 odor. So again those are usually associated with
5 nonresidential development.
6 Q Based upon your expertise and your review of
7 the Brookside Village development, do you have an
8 opinion as to whether it is consistent with the Leon
9 County Comprehensive Plan?
10 A I believe it is consistent with the Leon
11 County Comprehensive Plan.
12 Q Based upon your experience and review of the
13 relevant materials concerning Brookside Village
14 development, do you have an opinion as to whether it is
15 compatible with adjacent and surrounding neighborhoods
16 within the area?
17 A Based on the Comprehensive Plan, I believe it
18 is compatible with the existing adjacent neighborhoods.
19 Q And the various factors that you reviewed
20 under 2.2.3(e), even though that was not part of your
21 initial review, you believe that they are -- that
22 Brookside Village is compatible as to all of those
23 factors --
24 A I do.
25 Q -- with the adjacent neighborhoods and

1 surrounding neighborhoods?
2 A I do.
3 Q You mentioned the conservation element in
4 terms of the Comprehensive Plan. We didn't specifically
5 talk about it.
6 Did you find that it is consistent with the
7 Comprehensive Plan?
8 A I did, with the stated condition. On approval
9 we had a condition that they had to meet the storm water
10 requirements because they are within a closed basin. So
11 with the meeting of that condition they will be
12 consistent with the Comprehensive Plan.
13 Q One last question just to clarify.
14 It is your opinion that Policy 2.2.3(e)
15 generally would not apply to this particular
16 development, but the county performed it anyway because
17 the public interest and because there was submissions by
18 the applicant, is that correct?
19 A Yes.
20 MR. STEWART: We have nothing further.
21 MR. HUNTER: No, sir.
22 ADMINISTRATIVE LAW JUDGE: Cross?
23 MR. ANDERSON: I'll try to be quick here.
24 CROSS EXAMINATION
25

1 BY MR. ANDERSON
2 Q Thank you.
3 Let's go back to Joint Exhibit 29, page six,
4 your August 4th memo.
5 What is the purpose of that memo?
6 A Which memo? There are a number of memos in
7 here.
8 Q Your memo dated August 4th to the DRC.
9 A The purpose of my memorandum is to determine
10 consistency with the Comprehensive Plan.
11 Q Does the DRC review your report?
12 A Yes, sir, it does.
13 Q Do they rely in part on your report?
14 A They do.
15 Q They rely on the accuracy of your report?
16 A They do.
17 Q Just for clarification, how many times was the
18 Wendy Grey analysis revised that you didn't have updates
19 in your report on?
20 A My understanding is that it was revised once
21 on July 5th, and then again on August 2nd.
22 Q So two revisions of Wendy Grey's analysis
23 submitted in project docs not included in your report,
24 correct?
25 A Well, I reviewed the August report.

1 But, you are correct, the figures for
2 Brookside were not updated in the report.
3 Q In particular the project changed. I think
4 you know the concerns of the owners is the bulk, the
5 mass of the buildings.
6 Your report indicates .1 ratio for lot
7 frontage facade.
8 Wendy Grey's final report, what does that say?
9 That is Joint Exhibit 15. I believe her discussion of
10 that is --
11 A And you are specific to the facade?
12 Q Yes. I believe that's on page -- exhibit --
13 page nine, her report number eight.
14 A Yes. Where she ended up with the calculation
15 was the percent of the building facade as to the percent
16 of total lot, .88.
17 Q 7 percent increased building frontage facade
18 abutting Ox Bottom Manor?
19 A That would be correct.
20 Q Is the same 7 percent increase also abutting
21 Moore Pond?
22 A I don't know specifically.
23 But if I rely on her calculation, then I would
24 say yes.
25 Q Okay. All right. Do you believe --

1 Do you understand that increase to be an
2 increase in intensity on the lots?
3 A Well, a number of things happened to the
4 development, including loss of number of lots, and then
5 compaction of the lots on smaller areas. So that would
6 affect the facade number.
7 Q By reducing -- or increasing the building
8 size, reducing the nonbuilding area for that whole
9 length abutting Moore Pond, is that increasing the
10 intensity under the definition of intensity in your
11 Comprehensive Plan?
12 A The definition of intensity is -- I used it
13 for -- is dwelling units per acre. So, no, it doesn't
14 impact the dwelling units per acre.
15 Q Can I direct you to page 38 of Exhibit 33.
16 ADMINISTRATIVE LAW JUDGE: We seem to be going
17 over a lot of testimony and issues where the
18 dispute has already been focused through earlier
19 witnesses and examination.
20 If intensity includes consideration of
21 something other than density, there's been some
22 testimony about whether it still is compatible.
23 MR. ANDERSON: Yes, sir.
24 ADMINISTRATIVE LAW JUDGE: So if I were to
25 conclude that intensity should include more than

1 simply density, I have in the record already things
2 to consider. We don't need to go back and forth
3 over the same thing over and over.
4 MR. ANDERSON: Okay. All right. Yes, Your
5 Honor.
6 ADMINISTRATIVE LAW JUDGE: Including the .88.
7 MR. ANDERSON: Yes, Your Honor.
8 BY MR. ANDERSON
9 Q Looking at Joint Exhibit 34. Let's see.
10 Okay. Just a few more questions and I will be finished.
11 Page 31 of Joint Exhibit 34, specifically
12 Section 10-2.301.
13 A You said --
14 Q It is Section 10-3.201.
15 A I may have to get my glasses for this one.
16 MR. STEWART: Your Honor, for the record, I
17 would object. This is the Land Development Code.
18 She testified that's not within her purview. We
19 didn't ask any questions concerning the Land
20 Development Code.
21 MR. ANDERSON: Your Honor, I believe she is a
22 member of the Development Review Committee. She
23 submitted a report to the Development Review
24 Committee.
25 ADMINISTRATIVE LAW JUDGE: What you just said

1 doesn't take away from the objection.
2 In other words, you haven't resolved the
3 problem he identified, which is what would she add.
4 Yes, the DRC had to consider these things, but
5 now we are past the DRC. That's old news.
6 Now we are moving forward with a new record
7 and a recommendation to a new body.
8 MR. ANDERSON: Okay.
9 ADMINISTRATIVE LAW JUDGE: So this is where
10 you need to identify issues and the factual support
11 for your position.
12 MR. ANDERSON: Okay.
13 ADMINISTRATIVE LAW JUDGE: Why would we need
14 to hear from her about something that she doesn't
15 work on?
16 MR. ANDERSON: Two things, I believe she is a
17 member of that committee, and she created a report.
18 One of the requirements is that they make an
19 informed review of the proposed development,
20 design, also the consistency, and applicable
21 development regulations.
22 I guess my only question would be whether they
23 were able to make an informed decision with a
24 report that was based upon incorrect information,
25 wasn't even the final development project being

1 reviewed by the DRC.
2 MR. STEWART: Judge, briefly.
3 This is a de novo proceeding --
4 ADMINISTRATIVE LAW JUDGE: I don't care what
5 the DRC did.
6 I'm reading this as a new question about
7 whether --
8 MR. ANDERSON: We are done, Your Honor.
9 ADMINISTRATIVE LAW JUDGE: Yeah. I'm not
10 feeling differential toward a prior decision.
11 I'm trying to decide whether this record --
12 recommended order I want to make on this record.
13 MR. STEWART: We have no further questions.
14 No redirect.
15 ADMINISTRATIVE LAW JUDGE: Okay. Thank you.
16 You may step down.
17 Any other witnesses to call?
18 MR. STEWART: No, Your Honor.
19 ADMINISTRATIVE LAW JUDGE: Any other evidence
20 to place on the record?
21 I know we may have some public comment.
22 Not all exhibits were moved, so parties know
23 that. I mean, there are some exhibits that were
24 not moved.
25 Are you satisfied with the record?

1 MR. ANDERSON: Yes, Your Honor.
2 ADMINISTRATIVE LAW JUDGE: Are there any
3 members of the audience that wish to make a
4 presentation?
5 GENE SHERRON: I want to make a public
6 comment.
7 ADMINISTRATIVE LAW JUDGE: Any other people?
8 Is that the only one?
9 Stand up, please, sir. I will swear you in.
10 Please rate your right hand.
11 Thereupon,
12 GENE SHERRON
13 was called as a witness, having been first duly sworn,
14 was examined and testified as follows:
15 THE WITNESS: I do.
16 ADMINISTRATIVE LAW JUDGE: Please state your
17 name and address.
18 THE WITNESS: Gene Sherron. I live of 6131
19 Heartland Circle in Moore Pond.
20 ADMINISTRATIVE LAW JUDGE: Spell your last
21 name.
22 THE WITNESS: S H E R R O N.
23 ADMINISTRATIVE LAW JUDGE: All right.
24 THE WITNESS: I've been a resident of Moore
25 Pond for 20 years. I served on the board for about

1 four. I am a native Floridian. I served in the
2 Army for 23 years. I worked at Florida State for
3 15 years.
4 And my comment, sir, just my own -- I'm not
5 representing the board or any other individuals.
6 The decision that's going to be made here is
7 probably very subjective. I've listened to it all
8 day, and that's what I conclude.
9 Haggling over the definition of compatible
10 when it seems that no definition was put in there,
11 because it was obvious to an intelligent person
12 something is or is not compatible.
13 I don't have the chart. But if you looked at
14 the one with all of the buildings of -- that are
15 proposed in the new development and then comparing
16 that with either side, Moore Pond or Ox Bottom
17 Manor and Rosehill, it is obvious they are not
18 compatible. You can haggle about it all day long.
19 I think an intelligent person would think
20 otherwise.
21 For example, Hardie board isn't compatible
22 with brick and stucco. I don't understand that.
23 Thirty-five acres that the developer has
24 purchased, but you can only build on 12, so the
25 density is very high. And I think that should be

1 obvious.
2 The city is more restrictive, I think, in its
3 regulations than the county is. I think this
4 property -- the development goes into the city
5 about the first time they make the first shovel
6 move. So it should be compatible with the city,
7 too.
8 It was interesting, when the question was
9 asked to one of the planners whether or not they
10 use a comp plan, no, it wasn't her job to do. And
11 it seemed to me that all should be part of the
12 process.
13 So the definition of density, scale,
14 compatibility, intensity, lot coverage,
15 reasonableness, lot size were all discussed here
16 today, and it seems to me that it is obvious they
17 are not compatible.
18 But I would like to mention something about
19 water and water runoff. My lot is -- if you heard
20 Alex this morning, I'm across the street from him.
21 And the water today, if it were to rain very hard
22 would come from the developing area -- to-be
23 developed area, across Moore Pond, across the
24 street into my yard, and into the lake. As it is
25 now, there's plenty. There's no shortage of water

1 that comes across. And that whole area that
2 belonged to Mr. Phipps was treated several years
3 ago, and so the land is very able to make the
4 runoff of water happen.
5 Part of that area is a pond that feeds Moore
6 Pond. It is very sensitive to how much water comes
7 in.
8 There is a plan that the developer has made
9 that will stop the water from flowing into the
10 pond, but its a matter of digging something down in
11 the ground, putting sand in it, and it is supposed
12 to hold it for 24 hours. We don't know that, and
13 we are concerned about it. And if that doesn't
14 work, then our lake in Moore Pond is in danger.
15 I've been to all of the meetings that are held
16 by Miss Martin, and I listened to them. And they
17 said about the school, no impact on the school.
18 Yet you and I know, Your Honor, that the schools
19 are overcrowded. If you went to the principal,
20 they would say we don't need any more children.
21 When they had the Fire Department man speak
22 out at one of the hearings, the road is going to be
23 wide enough for two lanes of traffic. Nobody is to
24 park on the street, but people will park on the
25 street. So the answer to the Fire Department

1 individual was we got bigger trucks than they do.
2 Well, I don't understand that.
3 I guess the basic question I have, is this a
4 good development for Tallahassee? Would you be
5 proud to see it happen? If you lived in Moore Pond
6 or you live in Rosehill or Ox Bottom Manor, would
7 you say this is a compatible neighborhood?
8 So that, sir, is about it.
9 I have no trouble identifying compatibility.
10 Thank you.
11 ADMINISTRATIVE LAW JUDGE: Thank you,
12 Mr. Sherron.
13 All right. Let's go off the record for a
14 moment.
15 (Discussion off the record.).
16 ADMINISTRATIVE LAW JUDGE: I discussed with
17 counsel the opportunity for submitting proposed
18 recommended orders and the timing for them and my
19 recommended order.
20 We have all stipulated that 15 days after the
21 transcript of this proceeding is filed with the
22 Division of Administrative Hearings their proposed
23 recommended orders will be due. And my recommended
24 order will be filed 20 days after that.
25 Any other matter to be placed on the record

1 before we close the hearing?
2 MR. HUNTER: Do you want to agree -- us to
3 agree to a limit on those PROs or do you not care?
4 ADMINISTRATIVE LAW JUDGE: I don't really
5 care.
6 MR. HUNTER: Okay.
7 ADMINISTRATIVE LAW JUDGE: I appreciate your
8 professionalism throughout the proceeding.
9 The hearing is now closed.
10 THE COURT REPORTER: Do you want to order the
11 transcript?
12 MR. STEWART: Yes, we will order. Yes. Go
13 ahead and order. Regular.
14 THE COURT REPORTER: Mr. Hunter, would you
15 like a copy?
16 MR. HUNTER: We are going to get a copy. Yes.
17 THE COURT REPORTER: Mr. Anderson, would you
18 like a copy?
19 MR. ANDERSON: Yes.
20 (Thereupon, the hearing was concluded.)
21
22
23
24
25

1 CERTIFICATE OF REPORTER

2

3 STATE OF FLORIDA)

4 COUNTY OF LEON)

5

6 I, JUDY CHIN, RPR, certify that I was
7 authorized to and did stenographically report the
8 proceedings herein, and that the transcript is a true
9 and complete record of my stenographic notes.
10 I further certify that I am not a relative,
11 employee, attorney or counsel of any of the parties, nor
12 am I a relative or employee of any of the parties'
13 attorney or counsel connected with the action, nor am I
14 financially interested in the action.
15 WITNESS my hand and official seal this 15th
16 day of November, 2017.

17

18

19

20 JUDY CHIN, RPR, CRR
2894 REMINGTON GREEN LANE
21 TALLAHASSEE, FL 32308
850-878-2221

22

23

24

25

Leon County

Board of County Commissioners

301 South Monroe Street, Tallahassee, Florida 32301
(850) 606-5302 www.leoncountyfl.gov

County Attorney's Office
Suite 202, 301 S. Monroe Street
Tallahassee, Florida 32301
(850) 606-2500 Telephone
(850) 606-2501 (Telefax)

Commissioners

JOHN E. DAILEY
District 3
Chairman

NICK MADDOX
At-Large
Vice Chairman

BILL PROCTOR
District 1

JIMBO JACKSON
District 2

BRYAN DESLOGE
District 4

KRISTIN DOZIER
District 5

MARY ANN LINDLEY
At-Large

VINCENT S. LONG
County Administrator

HERBERT W.A. THIELE
County Attorney

September 15, 2017

17-5882

FILED
2017 SEP 15 PM 4:37
DIVISION OF ADMINISTRATIVE HEARINGS

Robert S. Cohen, Director and Chief Judge
Division of Administrative Hearings
The DeSoto Building
1230 Apalachee Parkway
Tallahassee, Florida 32399-3060

Re: Notice of Request for Services Under the Administrative Law Judge Services Contract

Moore Pond Homeowners Association, Inc., and Ox Bottom Manor Community Association, Inc. v. Leon County, Florida and Golden Oak Land Group, LLC

Brookside Village Residential Development

Dear Judge Cohen:

Attached for your information is a copy of a Petition for Formal Proceeding regarding proposed Brookside Village Residential Development. The Petition has been filed by residents adjacent and near to the development, and include Moore Pond Homeowners Association, Inc. and Ox Botom Manor Community Association, Inc.

Pursuant to paragraph 7. Request for Services, of the Administrative Law Judge Services Contract between Leon County, Florida, and the State of Florida, Division of Administrative Hearings, we respectfully request that an Administrative Law Judge be provided within thirty days of your receipt of this correspondence so that we may schedule a hearing date for this case.

Thank you for your attention to this matter. Please let us know if you have any questions or need additional information.

COUNTY ATTORNEY'S OFFICE
LEON COUNTY, FLORIDA

Jessica Icerman

Jessica M. Icerman
Assistant County Attorney

JMI/smw

Enclosure

cc: Jeremy V. Anderson, Esq.

"People Focused. Performance Driven."

FILED
2017 SEP 15 PM 4:38
ADMINISTRATIVE HEARINGS

SPECIAL MASTER IN AND FOR LEON COUNTY, FLORIDA

Moore Pond Homeowners Association, Inc., and
Ox Bottom Manor Community Association, Inc.,

Petitioners,

v.

Leon County, Florida and Golden Oak Land
Group, LLC

Respondents,

_____/

Case # 17-5082

Brookside Village
Residential Subdivision
LSP150035

APPEAL AND PETITION FOR QUASI-JUDICIAL HEARING BEFORE A SPECIAL MASTER CHALLENGING THE WRITTEN PRELIMINARY DECISION OF THE DRC APPROVING BROOKSIDE VILLAGE RESIDENTIAL SUBDIVISION – ID #LSP150035

Come now, Petitioners, Moore Pond Homeowners Association, Inc., and Ox Bottom Manor Community Association, Inc., through their undersigned counsel, and pursuant to Section 10-7.404.(i) of the Code of Laws of Leon County, Florida, and together file this appeal and petition for a quasi-judicial hearing before a Special Master pursuant to Section 10-7.414. of the Code of Laws of Leon County, Florida, seeking a recommended order by a Special Master denying the Brookside Village Residential Subdivision #LSP150035 (herein "Brookside Village Residential Development") which was submitted for governmental approval by Golden Oak Land Group, LLC (herein "Applicant") and subsequently approved by Leon County through its Development Review Committee (herein "DRC") by preliminary written approval dated August 18, 2017.

BASIS FOR INVOKING JURISDICTION OF THE SPECIAL MASTER

Pursuant to Section 10-7.404 and 10-7.414 of the Code of Laws of Leon County, Florida, the Special Master has jurisdiction to: 1) hear an appeal to the DRC's written preliminary approval of Applicant's Brookside Village Application; and 2) issue a recommended order on the Brookside Village Application to the Leon County Board of County Commissioners.

STANDING AND COMPLIANCE WITH CONDITIONS PRECEDENT

Petitioners are "homeowners' associations" pursuant to Section 720.301(9), Florida Statutes. Moore Pond Homeowners Association, Inc. (herein "MPHOA"), is the corporate entity responsible for the operation, administration and governance of Moore Pond, a large lot residential subdivision immediately abutting the proposed Brookside Village Residential Development. Ox Bottom Manor Community Association, Inc. (herein "OBMCA"), is the corporate entity responsible for the operation, administration and governance of the multiple phases Ox Bottom Manor, a moderately sized lot residential subdivision immediately abutting the proposed Brookside Village Residential Development.

Section 720.303(1), Florida Statutes, provides that Florida homeowners' associations, such as the Petitioners, may institute, maintain, settle, or appeal actions or hearings in their name on behalf of all members concerning matters of common interest to its members.

The Petitioners and their members are aggrieved and adversely affected persons that will suffer adverse effects to interests protected or furthered by the local government Comprehensive Plan and the implementing land development regulations found in the Code of Laws of Leon County, Florida. The adverse effects to be suffered are a matter of common interest to the Petitioners and their members that exceed in degree the general interest in community good shared by all persons due in part because Petitioners and a number of their members directly abut the proposed Brookside Village Residential Development. Due to the close proximity to the proposed Brookside Village Residential Development, the Petitioners and their members will be directly impacted by the negative effects of Brookside Village Residential Development. Specifically, the "walled effect" of the clustered units in the proposed Brookside Village Residential Development, its substantially smaller building and lot sizes, and considerably higher density, as well as the

substantial difference in lot coverage, bulk, configuration, orientation, scale, height, mass, setbacks, noise and internal traffic circulation **will result** in a use that is wholly incompatible with the existing Moore Pond and Ox Bottom Manor residential communities. This incompatibility will result in a decreased quality of life and a reduction in property values in these existing neighborhoods.

All conditions precedent to this action have been met as the Petitioners each: 1) submitted written comments to the Department of Development Support and Environmental Management prior to adjournment of the DRC meeting held to consider the proposed Brookside Village Residential Development; 2) timely filed a notice of intent to appeal the DRC's preliminary written approval dated August 18, 2017; and 3) timely filed this petition.

STANDARD OF REVIEW

Pursuant to Section 10-7.414. of the Code of Laws of Leon County, Florida, the Special Master's standard of review in determining whether a proposed DRC order is consistent with the Leon County Comprehensive Plan shall be strict scrutiny in accordance with Florida law. Pursuant to Section 10-7.414. of the Code of Laws of Leon County, Florida, the Special Master's standard of review in determining whether the development is consistent with applicable land development regulations shall be in accordance with Florida law.

STATEMENT OF THE FACTS

The Moore Pond residential development, which consists of approximately 58 individual lots with an average lot size of 3.09 acres, directly abuts the proposed Brookside Village Residential Development to the north and northeast. The Ox Bottom Manor residential development, which consists of approximately 600 individual lots with an average lot size of .67 acres, directly abuts the proposed Brookside Village Residential Development to the north and

northwest. Moore Pond and Ox Bottom Manor have a future land use designation of Residential Preservation and are zoned Residential Preservation.

The proposed Brookside Village Residential Development is a 35.17+/- acre site located along the north side of Ox Bottom Road between Ox Bottom Manor Drive and Heartland Drive in unincorporated Leon County, Florida. The project site has a future land use designation of Residential Preservation and is zoned Residential Preservation.

The proposed Brookside Village Residential Development will consist of 61 single-family detached dwelling units with a gross density of 1.73 du/acre. However, the site plan proposes to construct the residential lots clustered on only 16.63 acres of the 35.17+/-. acre site, which equates to a density of 3.67 dwelling units/acre and which provides for a "walled effect" of tightly packed residential dwelling units, both internally and ringing the developed area. These tightly packed residential dwelling units will sit on lots as small as .14 acres. The average lot size in the proposed Brookside Village Residential Development is just .26 acres.

Exhibit "A" hereto, shows seven (7) Ox Bottom Manor Lots (solid orange lined area) situated on a total of 4.9 acres which is equal to **only 1.43 dwelling units per acre**. Abutting those lots are eleven (11) Brookside Village Residential Development lots (dashed red line area) crammed onto just 2.28 acres, which equals **4.82 dwelling units per acre**. The proposed density of these Brookside Village Lots is **3.3 times higher** than the Ox Bottom Manor lots which they abut.

Exhibit "A" hereto, shows three (3) Moore Pond lots (dashed yellow lined area) situated on a total of 9.95 acres which is equal to **only .3 dwelling units per acre**. Abutting those lots are twelve (12) Brookside Village Residential Development lots (solid dashed red line area) crammed

onto just 2.87 acres, which equals **4.18 dwelling units per acre**. The proposed density of these Brookside Village Lots is **14 times higher** than the Moore Pond lots which they abut.

Applicant submitted the Brookside Village Application for DRC approval pursuant Section 10-7.404 of the Code of Laws of Leon County, Florida. A meeting of the DRC was held and the DRC issued a preliminary written approval of the Brookside Village Residential Development dated August 18, 2017. Petitioners each filed a notice of intent to appeal on September 1, 2017, which are attached hereto as Exhibits "B" and "C".

ARGUMENT AND RELEVANT COMPREHENSIVE PLAN AND CODE PROVISIONS

A. Comprehensive Plan Compatibility Requirements

Through the stated Goals, Objectives and Policies contained the Tallahassee-Leon County 2030 Comprehensive Plan (herein "Comprehensive Plan"), Leon County provides for the protection of neighborhoods and requires compatibility between developments, as well as, protecting the integrity and character of adjacent neighborhoods.

While Leon County acknowledges that growth is inevitable, it states as a clear vision and sets as a primary goal the preservation and protection of residential neighborhoods, including by requiring objectionable impacts to be internally located and by not allowing exclusive reliance on landscape and setback buffering as a means to reduce perimeter oriented impacts such as on the proposed Brookside Village Residential Development. Buffering and setbacks alone do not sufficiently eliminate the negative impacts and incompatibility created by the "walled effect" of the tightly packed residential dwelling units, both internally and ringing the developed area and abutting Moore Pond and Ox Bottom Manor.

The County's intent is evident in the introductory Vision Statement and Implementation passage, Goal 1, Policy 1.4.12 and Objective 2.1 of the Comprehensive Plan, as follows:

Vision Statement and Implementation

. . .

The purpose of the comprehensive plan is to preserve, protect and enhance the quality of life for all citizens . . . The residential environment is also one of many criteria which form the community's perceived quality of life and must be protected.

. . .

Goal 1:
The Comprehensive Plan shall protect and enhance the quality of life in this community by providing economically sound educational, employment, cultural, recreational, commercial, industrial and professional opportunities to its citizens **while channeling inevitable growth into locations and activities that protect the natural and aesthetic environments and residential neighborhoods.**

. . .

Policy 1.4.12:
a. The intent of Site Plan and PUD planning and design requirements shall be to encourage and require the development of urban living and work spaces that minimize impacts to the natural environment. Environmental impacts shall be minimized through the development and redevelopment of compact and efficient urban land use patterns that closely integrate living and work spaces while maintaining compatibility through specified performance design criteria. **Neighborhood and inter-site compatibility shall be implemented through site planning and design criteria that require objectionable impacts of particular land use activities to be internally located within site or building designs, rather than relying exclusively on standard landscape and setback buffering methods to reduce perimeter oriented objectionable impacts.**

. . .

RESIDENTIAL LAND USE
Objective 2.1:
Enhance the livability of existing neighborhoods and in new neighborhoods provide for future mixed residential areas which will accommodate growth and provide a wide choice of housing types, densities and prices as well as commercial opportunities based on performance criteria. In furtherance of this, maintain a system of land development regulations and ordinances which will facilitate the implementation of the policies adopted in relation to residential land use. These **shall include, but not be limited to:**

1) Setback requirements from natural waterbodies and wetlands
2) Buffering requirements

3) Open space requirements
4) Landscape requirements
5) Tree protection
6) Stormwater management requirements

A stated objective of Leon County is to promote the regulation of development density and intensity. That is accomplished by ensuring that approved developments are compatible with adjacent existing residential land uses. The approval of the Brookside Village Residential Development is inconsistent with this objective because of the "walled effect" created by the tightly packed residential dwellings that are approved to abut Moore Pond and Ox Bottom Manor. This "walled effect" results in an incompatible density and intensity. Again, the proposed density of the Brookside Village Lots noted in Exhibit "A" are **14 times more dense** than the Moore Pond lots they abut and **3.3 times more dense** than the Ox Bottom Manor lots they abut. Specifically, Objective 2.2 of the Comprehensive Plan states as follows:

> **FUTURE LAND USE MAP CATEGORIES**
> **Objective 2.2:**
>
> . . .
>
> The Tallahassee-Leon County Comprehensive Plan shall promote appropriate location of land uses **and regulation of development density and intensity based upon:** (1) protection of conservation and preservation features; **(2) compatibility with adjacent existing and future residential land uses**; (3) access to transportation facilities in keeping with their intended function; and (4) the availability of infrastructure.

In the Residential Preservation land use area in which Moore Pond, Ox Bottom Manor and the proposed Brookside Village Residential Development are located, it is a stated policy that this area is characterized by existing homogenous residential areas and that a **primary function** of this Residential Preservation land use is **to protect existing stable and viable residential areas**. Specifically, the protections afforded existing stable and viable residential areas such as Moore Pond and Ox Bottom Manor are protections from incompatible land use intensities and density

intrusions. The DRC failed to provide these protections when it approved the proposed Brookside Village Residential Development as proposed. It did so by failing to adequately consider all required factors for development approval required under the Comprehensive Plan.

Even the Applicant's own planning expert recognizes this failure and the incompatibility that the Brookside Village Residential development creates with abutting neighborhoods. On page 9 of Wendy Grey's report prepared for the Applicant and considered by the DRC, Ms. Grey states:

> [b]ased on this analysis, there is a potential issue of compatibility relating to the visual impact of the smaller lot sizes and subsequently higher building mass in Brookside Village where it adjoins Moore Pond and Ox Bottom Manor.

This conclusion is consistent with the Comprehensive Plan which requires that a number of factors be considered when determining compatibility. These factors include, but are not limited to: intensity, density, and scale of surrounding development within residential preservation areas, intensity, density, scale, building size, mass, bulk, height, orientation, lot coverage and lot size/ configuration. County staff is required to consider compatibility as required by the Comprehensive Plan and the land development regulations. It should be noted staff did not conduct an independent compatibility analysis, but simply relied upon the analysis provided by Applicant's planner. The Applicant prepared an analysis clearly focused on providing the Applicant maximum profit and not on ensuring that compatibility was considered a primary focus of the development review. It should be further noted that the staff memorandum from Susan Poplin to the DRC dated August 4, 2017, indicated that she did not believe that the compatibility criteria stated in the Comprehensive Plan where relevant to the Brookside Village Residential Development review. Such a position is contrary to the express provisions of the Comprehensive Plan. Specifically, Policy 2.2.3 of the Comprehensive Plan provides as follows:

Policy 2.2.3:

RESIDENTIAL PRESERVATION

Characterized by existing homogeneous residential areas within the community which are predominantly accessible by local streets. **The primary function is to protect existing stable and viable residential areas from incompatible land use intensities and density intrusions.** Future development primarily will consist of infill due to the built out nature of the areas. Commercial, including office as well as any industrial land uses, are prohibited. Future arterial and/or expressways should be planned to minimize impacts within this category. Single family, townhouse and cluster housing may be permitted within a range of up to six units per acre. **Consistency with surrounding residential type and density shall be a major determinant in granting development approval.**

. . .

e) **Land use compatibility with low density residential preservation neighborhoods.**

A number of factors shall be considered when determining a land use compatible with the residential preservation land use category. At a minimum, the following factors shall be considered to determine whether a proposed development is compatible with existing or proposed low density residential uses and with the intensity, density, and scale of surrounding development within residential preservation areas: proposed use(s); intensity; density; scale; building size, mass, bulk, height and orientation; lot coverage; lot size/ configuration; architecture; screening; buffers, including vegetative buffers; setbacks; signage; lighting; traffic circulation patterns; loading area locations; operating hours; noise; and odor. These factors shall also be used to determine the size of transitional development areas.

B. Land Development Code Compatibility Requirements

Chapter 10 of the Code of Laws of Leon County, Florida, titled *Land Development Code* (herein "LDC") establishes the basis for the protection of neighborhoods through the development review process and the County's zoning districts. The LDC also implements the Goals, Objectives and Policies of the Comprehensive Plan. Development that fails to comply the LDCs should not be approved.

Section 10-2.301(a) of the LDC, which established the DRC, explicitly requires the DRC to review proposed developments with respect to the design and its consistency with the Comprehensive Plan and all applicable LDC provisions. Section 10-2.301(a) of the LDC states as follows:

> There is hereby established a development review committee (DRC) whose primary purpose is to provide professional, informed **review of proposed development with respect to design**, adequacy of public facilities, services and utilities **and consistency with the Comprehensive Plan, this chapter, and other applicable land development regulations.**

Section 10-6.617. of the LDC, which is the residential preservation section, explicitly states that the purpose and intent of the residential preservation area is to protect existing stable and viable residential areas from incompatible land uses and density intrusions. This is accomplished by making "compatibility" of a proposed development with surrounding resident types and densities a **major factor** in determining whether a development approval will be authorized **and** in determining permissible density. Although in Ms. Grey's report, she indicates that the Brookside Village densities and lot sizes are within the range of the surrounding neighborhoods; these ranges are so large, that you cannot reasonably conclude there is consistency or compatibility. Specifically, Section 10-6.617. of the LDC provides as follows:

> Purpose and intent. **The residential preservation district is characterized by existing homogeneous residential areas within the community predominantly accessible by local streets. The primary function is to protect existing stable and viable residential areas from incompatible land uses and density intrusions**. Commercial, retail, office, and industrial activities are prohibited. Certain nonresidential activities may be permitted, such as home occupations consistent with the applicable provisions of section 10-6.803; community services and facilities/institutional uses consistent with the applicable provisions of section 10-6.806; and churches, religious organizations, and houses of worship. Single-family, duplex residences, manufactured homes, and cluster housing may be permitted within a range of zero to six units per acre. **Compatibility with surrounding residential type and density shall be a major factor in the authorization of development approval and in the determination of the permissible density.**

Based upon admissions by County Staff (Poplin) that compatibility was not believed to be a factor in the Brookside Village Residential Development review and the County Staff's failure to conduct its own compatibility analysis, Petitioners contend that compatibility was not properly considered. If it was considered, Petitioners contend that compatibility was not properly considered by County Staff or by the DRC as a "major factor" as explicitly required by Section 10-6.617. of the LDC and Policy 2.2.3 of the Comprehensive Plan. In either event, the DRC should have denied the Application.

Section 10-2.301(a)(5)b. of the LDC, further dictates that the "allowable development type" on parcels in the residential preservation areas **shall** be consistent with the type of residential patterns of adjacent developments, which would include both Moore Pond and Ox Bottom Manor. Section 10-2.301(a)(5)b. of the LDC, provides as follows:

> (5) Allowable development type shall be construed to mean the following:
>
> b. Parcels proposed for residential use which are located inside the urban service area and not in a recorded or unrecorded subdivision **shall develop consistent with the type of residential development pattern located adjacent to the vacant parcel.**

There is absolutely no consistency or compatibility between the proposed Brookside Village Residential Development and the abutting Moore Pond and Ox Bottom Manor developments. Not only are the densities drastically different as previously discussed, the entire design concept of the proposed Brookside Village Residential Development is inconsistent with Moore Pond and Ox Bottom Manor. Inconsistencies include, but are not limited to drastic differences in intensity, scale, building size, mass, bulk, height, orientation, lot coverage and lot size/ configuration. The only consistent factor among these developments is that they are all located in Leon County, Florida.

Section 10-7.505. of the LDC, which is the code provision that provides for the general principles of design relating to impacts on nearby property owners requires that:

> Each development **shall** be designed to:
>
> (1) **Be as compatible as practical** with nearby development and characteristics of the land.

The Applicant's proposed design for the Brookside Village Residential Development is **not** as compatible as practical. The design was created to provide for maximum profit by jamming a large number of ultra small lots onto a relatively small developable area. A more practical design would have been to reduce the number of lots in the development and to increase lot size. Larger lots would lessen or eliminate the drastic differences in density discussed above, as well as the incompatibilities created by the drastic differences in intensity, scale, building size, mass, bulk, height, orientation, lot coverage and lot size/ configuration. The DRC failed to require Applicant to provide a plan that was as compatible as practicable. Accordingly, the DRC approval violated Section 10-7.505. of the LDC.

Numerous LDC provisions require development within the County to be consistent with the Comprehensive Plan and specifically prohibit development that is inconsistent with the Comprehensive Plan. Section 10-6.104(a) of the LDC providing for the County's policy of development of land within the County states:

> It is the **policy of the county to permit development of land that is consistent with and in conformance with the goals, objectives, and policies established in the Comprehensive Plan** through the use of this article.

Section 10-7.103(c) of the LDC explicitly prohibits the development of land that is inconsistent with the Comprehensive Plan. Specifically, it states:

> The statutory provisions and the Comprehensive Plan require that land development regulations be adopted to implement the Comprehensive Plan and that **no development of land shall take place which is inconsistent with the Comprehensive Plan**.

Section 10-7.104 of the LDC states the purposes of the "Subdivision and Site Development Plan Regulations for Leon County, Florida. The relevant provisions thereof are as follows:

> The purposes of this article are to:
>
> (5) **Ensure consistency with the Comprehensive Plan**.
>
> (9) **Protect and conserve the value of land, buildings, and improvements throughout the county**.

Section 10-7.108(a) and (g) of the LDC requires that all proposed subdivisions be designed to be consistent with the adopted Comprehensive Plan and that a parcel shall not be approved for development unless consistent with the Comprehensive Plan. Section 10-7.108(a) and (g) of the LDC states as follows:

> (a) **All proposed subdivisions or development shall be designed to be consistent with the adopted Comprehensive Plan**, as amended.
>
> (g) No parcel shall be approved for platting for any purpose unless it is suitable for a use permitted by article VI. **No parcel shall be approved for development unless it is consistent with the local Comprehensive Plan** and contains an adequate development site, both in size for the use intended and in its relationship to abutting land uses.

Based upon these forgoing LDC provisions, the incompatible Brookside Village Development should have been denied on the basis that approval could not be granted by the DRC because it had **no authority** to grant approval to a development that was inconsistent with the requirements of the Comprehensive Plan.

CONCLUSION

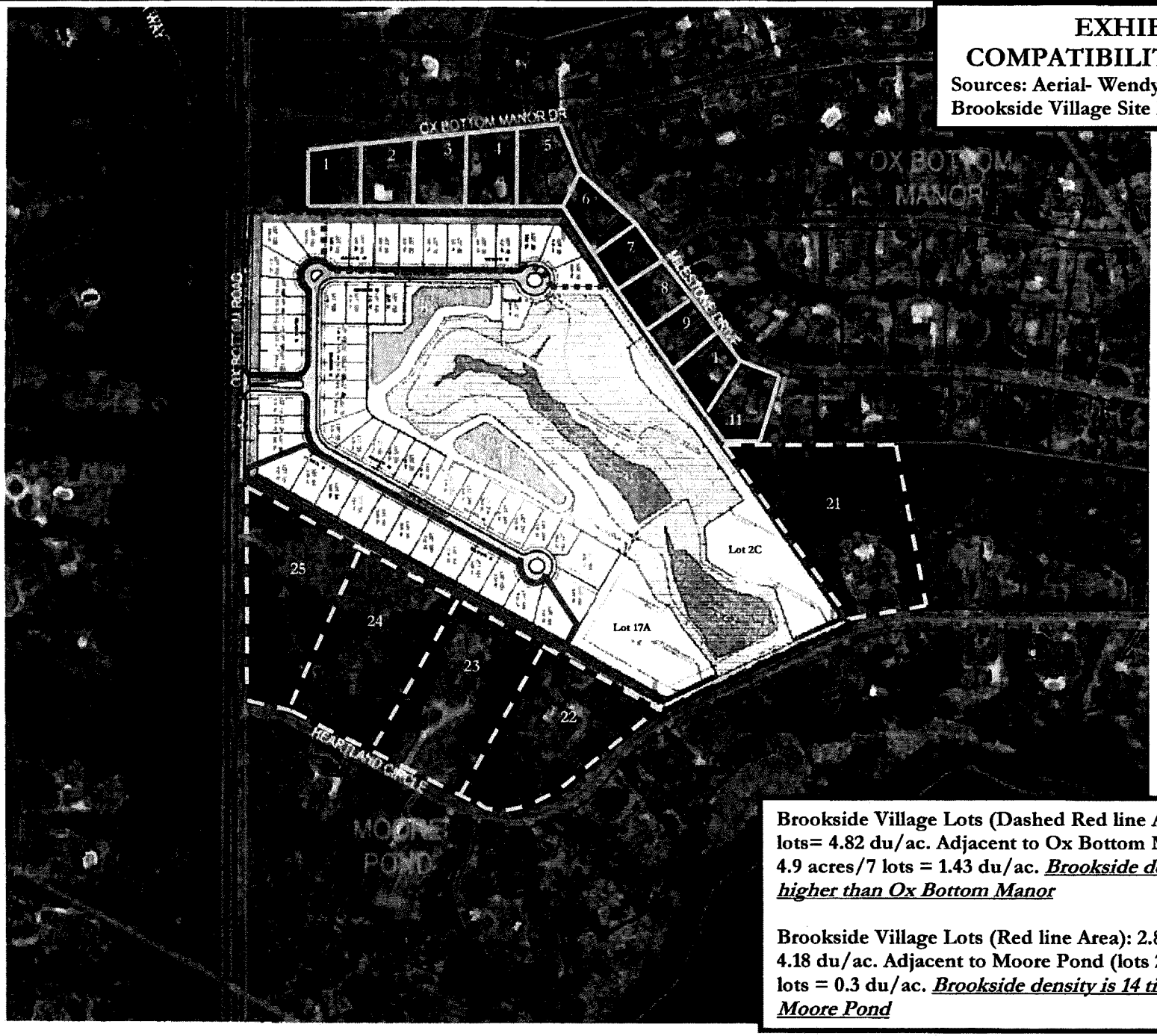
Petitioners contend that the DRC's approval of the Brookside Village Application is inconsistent with the stated Goals, Policies and Objectives of the Leon County Comprehensive Plan and is violative of the land development regulations of the Code of Laws of Leon County, Florida, and further, as such, the project is not compatible with the Ox Bottom Manor and Moore Pond neighborhoods. As such, the proposed DRC should not have provided written preliminary approval of the Brookside Village Residential Development. Specifically, the DRC is without authority to approve a development that is not consistent with the Comprehensive Plan and/or that fails to comply with applicable LDC provisions.

Wherefore, the Petitioners request that the Special Master issue an order to the Leon County Board of County Commissioners recommending a denial of the Brookside Village Residential Development Application based upon its inconsistency with the stated Goals, Policies and Objectives of Leon County's Comprehensive Plan and because it fails to meet the stated requirements of the applicable land development regulations of the Code of Laws of Leon County, Florida.

Jeremy V. Anderson, Esquire
Anderson & Givens, P.A.
1689 Mahan Center Blvd Suite B
Tallahassee, FL 32309
Email: janderson@andersongivens.com
Phone: 850-692-8900

EXHIBIT A
COMPATIBILITY ANALYSIS

Sources: Aerial- Wendy Grey Report, Brookside Village Site Plan dated 4/19/17



Brookside Village Lots (Dashed Red line Area): 2.28 acres/11 lots= 4.82 du/ac. Adjacent to Ox Bottom Manor (Lots 1-7): 4.9 acres/7 lots = 1.43 du/ac. *Brookside density is 3.3 times higher than Ox Bottom Manor*

Brookside Village Lots (Red line Area): 2.87 acres/12 lots= 4.18 du/ac. Adjacent to Moore Pond (lots 23-25): 9.95 acres/3 lots = 0.3 du/ac. *Brookside density is 14 times higher than Moore Pond*

DIVISION OF ADMINISTRATIVE HEARINGS
DATE 9-15-17 FILED

RECEIVED
SEP 01 2017

LEON COUNTY DEPARTMENT OF DEVELOPMENT SUPPORT AND ENVIRONMENTAL MANAGEMENT
NOTICE OF INTENT TO FILE A PETITION FOR FORMAL PROCEEDINGS BEFORE A HEARING OFFICER

For Appeals of a Limited Partition or Type "A" or "B" Site and Development Plan

THIS NOTICE MUST BE FILED WITH THE LEON COUNTY DEPARTMENT OF DEVELOPMENT SUPPORT AND ENVIRONMENTAL MANAGEMENT, DEVELOPMENT SERVICES DIVISION, WITHIN FIFTEEN (15) WORKING DAYS AFTER THE DECISION WAS MADE. NOTICES MUST BE DELIVERED TO THE DEPARTMENT OF DEVELOPMENT SUPPORT AND ENVIRONMENTAL MANAGEMENT, DEVELOPMENT SERVICES DIVISION, 435 NORTH MACOMB STREET, TALLAHASSEE, FL 32301, TOGETHER WITH A NONREFUNDABLE FILING FEE OF $90.00 (ADD $30.00 FOR EACH ADDITIONAL PERSON JOINING IN THE NOTICE) PAYABLE TO LEON COUNTY.

1. Name of Petitioners: **MOORE POND HOMEOWNERS ASSOCIATION, INC. (additional parties joining in on this notice, but submitted on separate applications as directed by County staff are: ROSEHILL PROPERTY OWNERS' ASSOCIATION, INC. and OX BOTTOM MANOR COMMUNITY ASSOCIATION, INC.).**

Correspondence Address Petitioner: **Anderson | Givens, P.A. c/o Jeremy Anderson, Esquire P.O. Box 12613, Tallahassee, FL 32317**

Telephone Number for Petitioner: **(850) 544 4653**

Email for Petitioner: **janderson@andersongivens.com**

2. The undersigned hereby gives notice of intent to file a petition for formal proceedings regarding the following project:

NOTICE OF INTENT TO FILE APPEAL TO DRC PRELIMINARY DECISION OF CONDITIONAL APPROVAL BROOKSIDE VILLAGE RESIDENTIAL SUBDIVISION, TYPE "B" SITE AND DEVELOPMENT PLAN
LEON COUNTY ID# LSP150035
PARCEL ID#: 14-19-20-001-0000

A PARTY FILING A NOTICE OF INTENT TO FILE A PETITION FOR FORMAL PROCEEDING MUST COMPLETE THE APPLICATION BY FILING A PETITION FOR FORMAL PROCEEDING BEFORE A HEARING OFFICER WITHIN THIRTY (30) CALENDAR DAYS AFTER THE DECISION IN QUESTION IS RENDERED. FAILURE TO COMPLETE THE APPLICATION WITHIN THE SPECIFIED THIRTY (30) DAY PERIOD WILL RENDER THE DECISION FINAL. APPEALS ARE HEARD BY A HEARING OFFICER AND

ARE CONDUCTED IN ACCORDANCE WITH THE PROCEDURES OUTLINED IN SECTION 10-7.414 OF THE LEON COUNTY CODE OF ORDINANCES. APPEALS OF THE HEARING OFFICER'S DECISION ARE REVIEWABLE BY THE CIRCUIT COURT.

EXHIBIT B

3. THE PERSON FILING THIS NOTICE IS (CHECK ONE BELOW):

_____The Applicant _____The local government with jurisdiction

__X___A person who will suffer an adverse effect to an interest protected by the Comprehensive Plan

4. STATE THE BASIS FOR SEEKING A FORMAL PROCEEDING Use additional sheets if necessary. You must allege how the proposed project violates the ordinances of Leon County.

The proposed Brookside Village development violates Sec. 10-6.617., the Residential preservation section of the Leon County Code. Specifically, the purpose and intent of that provision is to:

> **protect existing stable and viable residential areas from incompatible land uses and density intrusions.**

The proposed Brookside Village development is incompatible and is a density intrusion into an area with established larger lot developments.

Objective 2.2 of the Comprehensive Plan is to promote compatibility with adjacent existing and future residential land uses. The proposed Brookside Village development violates this objective.

Policy 2.2.2, Residential Preservation, of the Comprehensive Plan indicates that the Residential Preservation is:

> **[c]haracterized by existing homogeneous residential areas within the community . . .**

The proposed Brookside Village Development is not homogenous with existing residential areas due to the substantially smaller lot sizes, building sizes, and lot setbacks. This policy further states that:

> **[t]he primary function is to protect existing stable and viable residential areas from incompatible land use intensities and density intrusions. Future development primarily will consist of infill due to the built out nature of the areas."**

This policy contemplates infill with similarly dense uses, not super dense uses that are incompatible with adjacent existing residential communities. The proposed Brookside Village development is incompatible and is a density intrusion into an area with established larger lot communities. Lastly, this policy states that:

[c]onsistency with surrounding residential type and density shall be a major determinant in granting development approval.

The DRC errored in granting approval of the Brookside Village development because of its inconsistency and incompatibility with the surrounding residential type and density.

If you are not the applicant, state how you will be affected by the decision. Use additional sheets if necessary. To be entitled to initiate a formal proceeding you must show that you will suffer an adverse effect which exceeds in degree the general interest in community good shared by all persons:

MOORE POND HOMEOWNERS ASSOCIATION, INC. (hereinafter ("Association") is a "homeowners' association" pursuant to Section 720.301(9), Florida Statutes, that is responsible for the operation of the Moore Pond community. Section 720.303(1), Florida Statutes, provides that the Association may institute, maintain, settle, or appeal actions or hearings in its name on behalf of all members concerning matters of common interest to its members. The adverse effects of the proposed Brookside Village are a matter of common interest to its members that exceed in degree the general interest in community good shared by <u>all</u> persons. Further, the Directors and Officers of the Association have a fiduciary responsibility under Section 720.303(1), Florida Statutes, which would include opposing development impacts that would decrease property values, increase traffic, or that would otherwise result in the degradation of the quality of life now enjoyed by Association members.

While the Moore Pond development is approximately 1 unit per 3+ acres, the 8 acres of proposed building area, upon which the Brookside Village units is be constructed, will result in approximately 8 units per acre creating a use that is not compatible with the abutting Moore Pond development and that violates both county code and the Leon County Comprehensive Plan. <u>The Brookside Village developed area is approximately 23 times denser than Moore Pond</u>.

The incompatibility is quite evident in the density of the units clustered together, the substantially smaller building and lot sizes, as well as the substantial differences in lot coverage, orientation, scale, height, mass, setbacks and internal traffic circulation. Wendy Grey noted in her presentation to the DRC similar compatibility concerns. Such compatibility concerns are not experienced by other persons and other communities not in close proximity. Thus, the negative impacts of the proposed Brookside Village on Moore Pond Association and its membership exceed in degree the general interest in community good shared by <u>all</u> persons.

Pursuant to Sec.10-7.404 of the Leon County Land Development Code, the Association submitted written comments regarding the Brookside Village Residential application prior to the adjournment of the DRC meeting at which the written preliminary decision on the development application was made.

I CERTIFY THAT I HAVE READ THE ABOVE INFORMATION AND THAT ALL THE INFORMATION PROVIDED IN THIS NOTICE IS CORRECT.

Dated: 9/1/17

Jeremy Anderson, as authorized agent and
attorney for Petitioner

RECEIVED
SEP 01 2017
BY:

LEON COUNTY DEPARTMENT OF DEVELOPMENT SUPPORT AND ENVIRONMENTAL MANAGEMENT
NOTICE OF INTENT TO FILE A PETITION FOR FORMAL PROCEEDINGS BEFORE A HEARING OFFICER

For Appeals of a Limited Partition or Type "A" or "B" Site and Development Plan

THIS NOTICE MUST BE FILED WITH THE LEON COUNTY DEPARTMENT OF DEVELOPMENT SUPPORT AND ENVIRONMENTAL MANAGEMENT, DEVELOPMENT SERVICES DIVISION, WITHIN FIFTEEN (15) WORKING DAYS AFTER THE DECISION WAS MADE. NOTICES MUST BE DELIVERED TO THE DEPARTMENT OF DEVELOPMENT SUPPORT AND ENVIRONMENTAL MANAGEMENT, DEVELOPMENT SERVICES DIVISION, 435 NORTH MACOMB STREET, TALLAHASSEE, FL 32301, TOGETHER WITH A NONREFUNDABLE FILING FEE OF $90.00 (ADD $30.00 FOR EACH ADDITIONAL PERSON JOINING IN THE NOTICE) PAYABLE TO LEON COUNTY.

---

1. Name of Petitioners: **OX BOTTOM MANOR COMMUNITY ASSOCIATION, INC. (joining into the MOORE POND HOMEOWNERS ASSOCIATION, INC. petition submitted on 9/1/17, which ROSEHILL PROPERTY OWNERS' ASSOCIATION, INC. also joined in by separate application as directed by staff).**

Correspondence Address Petitioner: **Anderson | Givens, P.A. c/o Jeremy Anderson, Esquire P.O. Box 12613, Tallahassee, FL 32317**

Telephone Number for Petitioner: **(850) 544 4653**

Email for Petitioner: **janderson@andersongivens.com**

2. The undersigned hereby gives notice of intent to file a petition for formal proceedings regarding the following project:

NOTICE OF INTENT TO FILE APPEAL TO DRC PRELIMINARY DECISION OF CONDITIONAL APPROVAL BROOKSIDE VILLAGE RESIDENTIAL SUBDIVISION, TYPE "B" SITE AND DEVELOPMENT PLAN
LEON COUNTY ID# LSP150035
PARCEL ID#: 14-19-20-001-0000

A PARTY FILING A NOTICE OF INTENT TO FILE A PETITION FOR FORMAL PROCEEDING MUST COMPLETE THE APPLICATION BY FILING A PETITION FOR FORMAL PROCEEDING BEFORE A HEARING OFFICER WITHIN THIRTY (30) CALENDAR DAYS AFTER THE DECISION IN QUESTION IS RENDERED. FAILURE TO COMPLETE THE APPLICATION WITHIN THE SPECIFIED THIRTY (30) DAY PERIOD WILL RENDER THE DECISION FINAL. APPEALS ARE HEARD BY A HEARING OFFICER AND

EXHIBIT C

ARE CONDUCTED IN ACCORDANCE WITH THE PROCEDURES OUTLINED IN SECTION 10-7.414 OF THE LEON COUNTY CODE OF ORDINANCES. APPEALS OF THE HEARING OFFICER'S DECISION ARE REVIEWABLE BY THE CIRCUIT COURT.

3. THE PERSON FILING THIS NOTICE IS (CHECK ONE BELOW):

_____The Applicant _____The local government with jurisdiction

__X___A person who will suffer an adverse effect to an interest protected by the Comprehensive Plan

4. STATE THE BASIS FOR SEEKING A FORMAL PROCEEDING Use additional sheets if necessary. You must allege how the proposed project violates the ordinances of Leon County.

The proposed Brookside Village development violates Sec. 10-6.617., the Residential preservation section of the Leon County Code. Specifically, the purpose and intent of that provision is to:

> **protect existing stable and viable residential areas from incompatible land uses and density intrusions.**

The proposed Brookside Village development is incompatible and is a density intrusion into an area with established larger lot developments.

Objective 2.2 of the Comprehensive Plan is to promote compatibility with adjacent existing and future residential land uses. The proposed Brookside Village development violates this objective.

Policy 2.2.2, Residential Preservation, of the Comprehensive Plan indicates that the Residential Preservation is:

> **[c]haracterized by existing homogeneous residential areas within the community . . .**

The proposed Brookside Village Development is not homogenous with existing residential areas due to the substantially smaller lot sizes, building sizes, and lot setbacks. This policy further states that:

> **[t]he primary function is to protect existing stable and viable residential areas from incompatible land use intensities and density intrusions. Future development primarily will consist of infill due to the built out nature of the areas."**

This policy contemplates infill with similarly dense uses, not super dense uses that are incompatible with adjacent existing residential communities. The proposed Brookside Village

development is incompatible and is a density intrusion into an area with established larger lot communities. Lastly, this policy states that:

> **[c]onsistency with surrounding residential type and density shall be a major determinant in granting development approval.**

The DRC errored in granting approval of the Brookside Village development because of its inconsistency and incompatibility with the surrounding residential type and density.

If you are not the applicant, state how you will be affected by the decision. Use additional sheets if necessary. To be entitled to initiate a formal proceeding you must show that you will suffer an adverse effect which exceeds in degree the general interest in community good shared by all persons:

OX BOTTOM MANNER COMMUNITY ASSOCIATION, INC. (hereinafter ("Association") is a "homeowners' association" pursuant to Section 720.301(9), Florida Statutes, that is responsible for the operation of the Ox Bottom Manner community. Section 720.303(1), Florida Statutes, provides that the Association may institute, maintain, settle, or appeal actions or hearings in its name on behalf of all members concerning matters of common interest to its members. The adverse effects of the proposed Brookside Village are a matter of common interest to its members that exceed in degree the general interest in community good shared by <u>all</u> persons. Further, the Directors and Officers of the Association have a fiduciary responsibility under Section 720.303(1), Florida Statutes, which would include opposing development impacts that would decrease property values, increase traffic, or that would otherwise result in the degradation of the quality of life now enjoyed by Association members.

While the Ox Bottom Manner development is approximately 1-2 unit per acre, the 8 acres of proposed unit building area, upon which the Brookside Village units is be constructed, will result in approximately 8 units per acre creating a use that is not compatible with the abutting Ox Bottom Manner and that violates county code and the Leon County Comprehensive Plan. <u>The Brookside Village developed area is 4-7 times denser than Ox Bottom Manner.</u>

The incompatibility is quite evident in the density of the units clustered together, the substantially smaller building and lot sizes, as well as the substantial differences in lot coverage, orientation, scale, height, mass, setbacks and internal traffic circulation. Wendy Grey noted in her presentation to the DRC similar compatibility concerns. Such compatibility concerns are not experienced by other persons and other communities not in close proximity. Thus, the negative impacts of the proposed Brookside Village on Moore Pond Association and its membership exceed in degree the general interest in community good shared by <u>all</u> persons.

Pursuant to Sec.10-7.404 of the Leon County Land Development Code, the Association submitted written comments regarding the Brookside Village Residential application prior to

the adjournment of the DRC meeting at which the written preliminary decision on the development application was made.

I CERTIFY THAT I HAVE READ THE ABOVE INFORMATION AND THAT ALL THE INFORMATION PROVIDED IN THIS NOTICE IS CORRECT.

Dated: 9/1/17

Jeremy Anderson, as authorized agent and attorney for Petitioner

Leon County

Board of County Commissioners

301 South Monroe Street, Tallahassee, Florida 32301
(850) 606-5302 www.leoncountyfl.gov

Commissioners

JOHN E. DAILEY
District 3
Chairman

NICK MADDOX
At-Large
Vice Chairman

BILL PROCTOR
District 1

JIMBO JACKSON
District 2

BRYAN DESLOGE
District 4

KRISTIN DOZIER
District 5

MARY ANN LINDLEY
At-Large

VINCENT S. LONG
County Administrator

HERBERT W.A. THIELE
County Attorney

Department of Development Support &
Environmental Management
Development Services Division
Renaissance Center, 2nd Floor
435 North Macomb Street
Tallahassee, Florida 32301-1019
Phone (850) 606-1300

August 18, 2017

Sean Marston, P.E. (agent)
Urban Catalyst Consultants, Inc.
2851 Remington Green Cir., Suite D
Tallahassee, FL 32308

RE: DRC Preliminary Decision of Conditional Approval
Brookside Village Residential Subdivision, Type "B" Site and Development Plan
Leon County Project ID#: LSP150035
Parcel ID#: 14-19-20-001-0000

Dear Mr. Marston:

This letter shall serve as the written preliminary decision of the DRC in accordance with Section 10-7.404 of the Leon County Land Development Code (LDC).

Leon County has completed the review process for the Brookside Village Residential Subdivision application in accordance with the requirements outlined in the LDC for Type "B" Site and Development Plan Review. This letter is to notify you that on Wednesday, August 16, 2017, the Leon County Development Review Committee (DRC) approved the above-referenced site and development plan subject to the conditions outlined in the Development Services staff report (and included attachments). A copy of this staff report is attached hereto and incorporated herein, and contains the findings in support of the decision of approval with conditions. Additional DRC conditions of approval were clarified on the record at the meeting in response to public comment received on the record and are set forth below.

The DRC approved the applicant's proposed development standards for the subdivision that included front, rear, side and side corner setbacks, as well as maximum building height, as outlined in the Development Services staff report. The DRC also granted a waiver from the requirement to provide vehicular and pedestrian interconnection pursuant to the criteria outlined in Section 10-7.502 (b)(2)(e)(ii) of the LDC.

The DRC made an additional condition of approval on the record, beyond those listed in the Development Services Staff Report, in response to public comment received on the record:

"People Focused. Performance Driven."
Filed September 18, 2017 9:19 AM Division of Administrative Hearings

1. The applicant shall augment the existing natural buffer (proposed as a Type C+ buffer on the site plan) to achieve 90% opacity immediately at the time of planting from the southern property line of Lot 15A to the northern property line of Lot 17A to address visual impacts to a neighboring property in Moore Pond.

In addition to the conditional approval, the DRC strongly encourages the developer to work with the residents of the Rosehill subdivision to further address their concerns regarding car lights from the development being directed towards adjacent homes in their neighborhood.

Subsequent to the action of the DRC to approve a Type "B" site and development plan subject to conditions, the applicant shall furnish for review and verification by the DRC or their designee, a revised site and development plan application demonstrating compliance with all conditions. The revised site and development plan and Environmental Management Permit shall be submitted to the DRC or their designee within 90 days of the date of approval entity's action; however, the applicant may, upon demonstration of good faith effort and hardship that is not self-created, be granted a 90-day extension by the DRC or designee. Subsequent 90-day extensions may be requested and granted based on the same criteria. Failure to comply with these time limits shall render the site and development plan application approval expired.

Please submit one (1) hard copy of the revised site and development plan with signature block and upload a digital set to Project Dox. If you have a question about the information in this letter, please contact our office immediately. After the revised site and development plan has been received by this office, it will be provided to the DRC members for signature. After each DRC member signs the plans, a copy will be digitally uploaded into the Project Dox system for access by all interested parties. Please be advised that the site and development plan should only reflect changes that may be necessary to satisfy the above-referenced conditions. In all other regards, the plan should be identical to the site and development plan originally submitted for review.

AN AGGRIEVED OR ADVERSELY AFFECTED PERSON MAY REQUEST A QUASI-JUDICIAL HEARING PURSUANT TO SECTION 10-7.404 OF THE LDC.
Pursuant to Section 10-7.404 of the Leon County Land Development Code, this written preliminary decision of the DRC shall become the DRC's final decision 15 calendar days after it is rendered unless a person who qualifies as a party, as defined in Section 10-7.414, and who had filed written comments with the Department of Development Support & Environmental Management prior to the adjournment of the DRC meeting at which the decision was rendered, files a Notice of Intent to file an appeal of a decision on a site and development plan application. Subsequent to the filing of a Notice of Intent, a Petition must be filed within 30 calendar days from the date of rendition of the DRC's decision. Petitions shall be made in writing and directed to the Clerk of the DRC, and shall include the project name, application number, a description of the facts upon which the decision is challenged and all allegations of inconsistency with the Comprehensive Plan and land development regulations and any argument in support thereof. Failure to file both a Notice of Intent and a Petition is jurisdictional and will result in a waiver of the hearing. Hearings before a special master will be conducted in accordance with the procedures outlined in Sections 10-7.414 and 10-7.415 of the LDC.

This approval was based on the information presented at the DRC meeting, and is intended to meet the procedural requirements of the Leon County Code of Laws. As such, it does not waive any other applicable local, state, or federal regulations.

If you have any questions, please do not hesitate to contact Shawna Martin of our office at (850) 606-1300 or send email to "MartinS@leoncountyfl.gov".

Sincerely,

DAVID R MCDEVITT

David McDevitt, Development Support & Environmental Management Director
Chairman, Development Review Committee

cc: ProjectDox File LSP150035
Vincent S. Long, County Administrator (email)
Steve Ghazvini, Golden Oak Land Group LLC (email)
Tom Asbury, Golden Oak Land Group LLC (email)
Gary Hunter/David Powell, Hopping Green & Sams, P.O. Box 6526, Tallahassee, FL 32314
Phillip Downs (email: pd@dsg-research.com)
Bob Burton (email: bob.burton@wildwoodchurchonline.org)
Douglas Charity (email: charityda@att.net)
Chris Kise (email: CKise@foley.com)
Daniel Grant (email: danieljgrant@aol.com)
Diane Perkins (email: dedp70@gmail.com)
Gavin Burgess (email: gburgess14@gmail.com)
Jeannette Andrews (email: jandrews@Andrewscrabtree.com)
Moore Pond HOA, 3968 N. Monroe Street, Tallahassee, FL 32303 and 7113 Beech Ridge Tr., Suite #2, Tallahassee, FL 32312
Paul Mitchell (email: PMitchellKWF@aol.com)
Susan Morley (email: sdmorley311@gmail.com)
Susan & Emery Yelton, 232 Rosehill Drive North, Tallahassee, FL 32312 (email: susanwyelton@gmail.com)
Teresa Little, 7305 Heartland Circle, Tallahassee, FL 32312 (email: TELFL@aol.com)
Thomas Watkins, 323 Milestone Drive, Tallahassee, FL 32312
Gene Sherron, 6131 Heartland Circle, Tallahassee, FL 32312
Mallory Harrell, 319 Rosehill Drive E, Tallahassee, FL 32312
John Nowlin (email: johnwnowlin@earthlink.net)
Judy Barrett-Elmer (email: judyelmer@hotmail.com)
Lee Kotick, 6287 Heartland Circle, Tallahassee, FL 32312
Robert Reilly, Sara Lee/Spencer Road HOA (email: marreilly@comcast.net, ROJREILLY@comcast.net)
John Rhea (email: johngrhea@comcast.net)
Wesley White, 317 Thornberg Drive, Tallahassee, FL 32312
Chris Keena, 163 Cotillion Circle, Tallahassee, FL 32312
Rachel Bowden, 6247 Heartland Circle, Tallahassee, FL 32312 (email: yogadog@me.com)
Ox Bottom Manor HOA (Email List Attached)

I hereby certify that this order was rendered ~~unto~~ me this 18th day of Aug., 2017.

Pam Scott

Pam Scott
Clerk of the Development Review Committee

LEON COUNTY
Department of Development Support & Environmental Management

DEVELOPMENT REVIEW COMMITTEE MEETING
AUGUST 16 @ 10:00 a.m.

STAFF RECOMMENDATION: CONDITIONAL APPROVAL

PROJECT COORDINATOR:	Shawna Martin, Principal Planner, DSEM
PROJECT NAME:	Brookside Village Residential Subdivision (LSP150035)
ACREAGE:	35.17 +/- acres
LEVEL OF REVIEW:	Type "B" Site Plan, FDPA Track
APPLICANT/OWNER:	Golden Oak Land Group, LLC
APPLICANT'S AGENT:	Sean Marston, P.E., Urban Catalyst Consultants
CURRENT ZONING:	Residential Preservation (RP)
FUTURE LAND USE:	Residential Preservation (RP)
GROSS DENSITY:	1.73 dwelling units/acre
LOCATION:	550 Ox Bottom Road
ROADWAY ACCESS:	Ox Bottom Road (Major Collector Roadway)
UTILITY PROVIDER:	City of Tallahassee Utilities
APPROVAL BODY:	Leon County Development Review Committee (DRC)

<table>
<tr><th colspan="2">CONDITIONS OF APPROVAL</th></tr>
<tr><td>1</td><td>Development Standards: The proposed development standards shall receive a favorable recommendation from the DRC.
<table>
<tr><th colspan="3">Proposed Development Standards</th></tr>
<tr><td></td><td>Block A, B, C & D (minus Lots 12D, 14D & 15D)</td><td>Lots 12D, 14D & 15D</td></tr>
<tr><td>Front yard setback</td><td>15 feet</td><td>15 feet</td></tr>
<tr><td>Rear yard setback</td><td>15 feet</td><td>10 feet</td></tr>
<tr><td>Side interior yard setback</td><td>5 feet</td><td>5 feet</td></tr>
<tr><td>Side corner yard setback</td><td>15 feet</td><td>15 feet</td></tr>
<tr><td>Height maximum*</td><td>2 story; max of 40 feet</td><td>2 story; max of 40 feet</td></tr>
</table>
*See Finding #4</td></tr>
<tr><td>2</td><td>General Layout & Design Standards: The proposed development shall receive a favorable recommendation from the DRC waiving the code requirement for vehicular and pedestrian interconnection with adjoining residential subdivisions based on the criteria listed in Section 10-7.502(b)(2)(e).</td></tr>
<tr><td>3</td><td>Environmental Management Permit (EMP): The EMP and associated stormwater report and model shall be approved prior to site plan approval.</td></tr>
<tr><td>4</td><td>Land Development Code & Comprehensive Plan: All applicable standards in the Leon County Land Development Code and the Tallahassee-Leon County Comprehensive Plan shall be met, including but not limited to those outlined below and in the attached staff reports.</td></tr>
<tr><th colspan="2">OUTSTANDING DEFICIENCIES</th></tr>
<tr><td>1</td><td>Technical Revisions: Please refer to the attached staff memorandums and markups in ProjectDox for requested revisions to the site plan. All revisions shall be addressed prior to site plan approval.</td></tr>
</table>

PROJECT SUMMARY:

The site is located inside the Urban Services Area, is zoned Residential Preservation and has a Residential Preservation designation on the Future Land Use Map of the Tallahassee-Leon County Comprehensive Plan. The project proposes 61 single-family detached dwelling units at a density of 1.73 dwelling units per acre. Lot sizes range from 0.14 acres to 2.19 acres in size with an average lot size of 0.26 acres. Development is proposed on the upland portions of the property with environmentally sensitive areas being preserved in a conservation easement. Access is provided from Ox Bottom Road, a major collector roadway. This will be a public subdivision with streets and stormwater management facilities to be dedicated to and maintained by Leon County.

ARTICLE VII. Subdivision and Site and Development Plan Regulations; Site and Development Plan Criteria, Section 10-7.407:

The Leon County Land Development Code requires that a site and development plan comply with three general standards (in addition to compliance with Sections 10-7.107 and 10-7.108), which include:

1. Whether the applicable zoning standards and requirements have been met;
2. Whether the applicable provisions of the Environmental Management Act have been met; and
3. Whether the requirements of Chapter 10 and other applicable regulations or ordinances which impose specific requirements on site and development plans and development have been met.

APPLICATION REVIEW COMMITTEE STAFF FINDINGS:

Finding #1 – Tallahassee-Leon County Comprehensive Plan: *The application has been determined consistent with the Tallahassee-Leon County Comprehensive Plan and the Planning Department recommends conditional approval for the site plan pending approval of the Environmental Management Permit and associated stormwater report (Attachment #1).*

Finding #2 – Concurrency (Section 10-3.105a): *Leon County and City of Tallahassee Concurrency Management performed traffic impact analyses for the proposed development and determined that the proposal will not require transportation concurrency mitigation. A traffic study was not required as the project generates less than 100 p.m. peak hour trips. A Preliminary Certificate of Concurrency has been issued for the proposed development.*

A School Impact Analysis (SIA) application was submitted to the Leon County School Board for review and was approved at their board meeting on February 9, 2016. A revised SIA form that provided updated information on home sizes was submitted and approved by the School Board on June 20, 2017.

Finding #3 –Environmental Management (Article IV) and Stormwater Management (Section 10-7.521): *Environmental Services has reviewed the site plan and Environmental Management Permit, including the stormwater report and model, for consistency with the Environmental Management Act. Environmental Services has provided conditional approval of the site plan provided that the deficiencies listed in their staff report and site plan markups in ProjectDox are addressed prior to final site plan approval (Attachment #2).*

Finding #4 – Residential Preservation Zoning District (Section 10-6.617): *The metes-and-bounds property is located inside the Urban Service Area, is not located within a recorded or unrecorded subdivision, and proposes connection to City of Tallahassee central sanitary sewer and potable water. The application requests an overall gross density of 1.73 dwelling units per acre, which falls within the permitted density range of 0 to 6 dwelling units per acre allowed in the RP zoning district and defined by the LDC as low density residential. The proposed development type is detached, single-family dwellings which is consistent with adjacent residential development patterns.*

The applicant submitted a Compatibility Analysis prepared by Wendy Grey addressing common compatibility criteria such as density, building size, lot size, lot coverage and orientation, scale and height, mass and bulk, screening and buffering, architecture, setback and traffic circulation. The analysis compared these criteria with other residential subdivisions within one quarter mile of the subject site which included Moore Pond, Ox Bottom Manor, Ox Bottom Gardens and Rose Hill subdivisions. The analysis noted that there was a potential issue of compatibility related to the visual impact of smaller lot sizes and subsequently higher building mass in Brookside Village where it adjoins Moore Pond and Ox Bottom Manor. To mitigate this potential issue, the applicant has provided buffering and screening which is significantly wider and denser than required by code (see Finding #7 below for specific details).

For new residential development in the RP zoning district not located in a recorded or unrecorded subdivision, the applicable development standards including, but not limited to front, rear, side and side corner yard setbacks shall be established at the time of site and development plan review. A note has been placed on the site plan indicating the homes within the subdivision will be 1 story and 1 ½ stories with the exception of Lots 17A and 2C which may be 2 stories. The habitable area of the homes with 1 ½ stories will be located toward the front of the home and no upper story widows will be facing adjoining subdivisions. The DRC is the entity that shall approve the proposed development standards for new single-family detached developments in the RP zoning district.

> ***Condition of Approval:*** *The proposed development standards shall receive a favorable recommendation from the DRC.*

Finding #5 – General Layout and Design Standards (Section 10-7.502): *The site plan demonstrates that the lots have sufficient buildable area, meets the minimum frontage requirements of 15 feet or more, and provides sufficient off-street parking. A note has been placed on the site plan to avoid double frontage lots for those lots adjacent to Ox Bottom Road and the divided subdivision entrance drive. Public Works has provided comments related to the proposed public street system design as well as providing markups in ProjectDox (Attachment #8). All requested changes shall be reflected in the final site plan submittal.*

Section 10-7.502(b)(2) requires that streets interconnect within a development and with adjoining development, unless physical conditions preclude an interconnection now or in the future. Properties surrounding the subject parcel are fully developed as single-family detached subdivisions. To the east and northeast is Moore Pond Subdivision, a private, gated subdivision, which accesses Ox Bottom Road via Heartland Circle, a privately maintained roadway. To the west and northwest are the Ox Bottom Gardens and Ox Bottom Manor subdivisions. There does not appear to be a feasible location for future interconnection with adjoining developments now or in the foreseeable future. The DRC shall assess feasibility and make the final determination on the requirement for interconnection.

> ***Condition of Approval****: The proposed development shall receive a favorable recommendation from the DRC waiving the code requirement for vehicular and pedestrian interconnection with adjoining residential subdivisions based on the criteria listed in Section 10-7.502(b)(2)(e).*

Finding #6 – General Principals of Design Related to Impacts on Nearby Streets and Property Owners (Section 10-7.505): *The development has been designed to be as compatible as practical with nearby development and characteristics of the land by: preserving environmentally sensitive areas on-site and focusing development outside of these areas; providing recreational opportunities (hiking trails) within the conservation easement; providing boundary buffers including fencing and screening; providing for the ongoing operation and maintenance of supporting infrastructure; and providing stormwater management facilities that minimize adverse environmental impacts both on-site and off-site.*

Finding #7 – Buffer Zone Standards (Section 10-7.522)*: The RP zoning district requires a minimum of a 10 foot, Type A landscape buffer around the entire perimeter of the site adjacent to other residential development. A 10-foot, Type A landscape buffer has been provided along the majority of the northern and northeastern property lines. The applicant has provided 25-foot, Type "C" plus (enhanced) landscape buffers along the west, east and southern property boundaries. Buffer areas adjacent to Moore Pond are further enhanced with a berm and an 8 foot wooden fence interior to the buffer. An additional 8 foot wooden fence has been provided adjacent to Ox Bottom Manor parcels to the north of the cul-de-sac. The proposed boundary buffers will utilize existing vegetation and augment as needed with evergreen species to achieve the buffer standards. The landscape plan indicates that the proposed buffers will achieve approximately 75% opacity at the time of planting and 90% within 5 years.*

A landscape buffer is not required along Ox Bottom Road; however, the developer has provided a 25-foot, Type "C" plus buffer in this area as well. Environmental Services has indicated in their staff report (Attachment #2) that the proposed density and width of buffer plantings to the east of the entrance drive cannot be supported with the existing drainage swale and needs to be addressed prior to site plan approval.

Finding #8 – Water, Sewer and Electric Service (Sections 10-7.523, 10-7.524 and 10-7.526): *The City of Tallahassee Water Resources Engineering Department and the City of Tallahassee Power Engineering Department have provided approval of the concept site utility plan dated 6/30/17 (Attachments #3 and #4). The signed concept utility plan shall be included as a sheet in the final plan set.*

Finding #9 – Fire Protection Services (Section 10-7.527): *The City of Tallahassee Fire Department has provided conditional approval of the proposed development with the requirement that additional notes be placed on the Site Utility Plan (Sheet C-116) as outlined in their staff report (Attachment #5). All Fire Department requirements as set forth on Sheet C-116 and in the attached memorandum shall be met at the applicable stage of development.*

Finding #10 – Sidewalks (Section 10-7.529): *Sidewalks have been provided along one side of the new streets within the proposed residential subdivision and adjacent to Ox Bottom Road as required by code. At staff's recommendation, the applicant has extended the sidewalk along Ox Bottom Road further than required in order to connect to existing sidewalks along Ox Bottom Manor Drive. This helps to eliminate sidewalk gaps and facilitate pedestrian mobility.*

Finding #11: Off-Street Parking Spaces (Sec. 10-7.545): *The site plan indicates that a 5-bedroom home will be the maximum building standard which would require each lot to accommodate 3 parking spaces. The typical section indicates that each lot should be able to accommodate 2 parking spaces within an attached garage and 2 spaces within the driveway without blocking sidewalks or streets.*

Finding #12– Plats (Article XII, Div. 6): *No building permit shall be issued for a project that requires platting until a plat has been accepted and approved by the Board of County Commissioners and recorded in the plat books of the County. The applicant must submit a final plat. No plat shall be approved and accepted by the County unless and until the developer has installed all infrastructure improvements.*

Finding #13 – Articles, Bylaws and Restrictive Covenants (Section 10-7.610): *The County Attorney's Office has reviewed and approved as to form and manner of execution the draft Declarations and Covenants, Conditions and Restrictions, Articles of Incorporation and Bylaws for the proposed subdivision (Attachment #6). These shall be recorded along with the plat.*

Finding #14 – On-Site Signs (Article IX): *A sign easement area has been provided for a future subdivision sign adjacent to the entrance drive; however it appears the proposed easement area conflicts with drainage and underground infrastructure. The applicant shall relocate the sign easement to an appropriate area. A separate sign permit application must be submitted for approval prior to sign placement that demonstrates the sign does not create a physical or visual hazard for motorists entering or leaving the subdivision.*

Finding #15 – Aquifer Protection (Article X, Div. 1): *The Aquifer Protection Division has provided clearance contingent on the action items outlined on Sheet C-107 of the site plan being completed prior to site development.*

Finding #16 – Uniform Street Naming and Property Numbering System (Article XI) (Article XI): *The County's Addressing Unit has approved both the subdivision name and the street names for the proposed development (Attachment #7). The approved street names of Village Ridge Lane and Village Ridge Way shall be reflected on the final site plan.*

PUBLIC NOTIFICATIONS AND RESPONSES:

Agenda posted on County website	8/03/17
Legal advertisement	8/09/17
Sign posted to property (by applicant)	8/04/17
Mail notifications (property owners and HOA's)	8/04/17
Notices Mailed	104
Notices Returned	3
Written public comments submitted by 8/15/17 at 6:00 pm have been uploaded to ProjectDox and provided to the DRC for review. Any subsequent public comments will be provided to the DRC at the meeting and uploaded to ProjectDox after the meeting.	

ATTACHMENTS:

1. Memorandum from the Tallahassee Leon County Planning Department (TLCPD)
2. Memorandum from the Environmental Services Division
3. Memorandum from the City of Tallahassee Water Resources Engineering Department
4. Memorandum from the City of Tallahassee Electric Power Division
5. Memorandum from the City of Tallahassee Fire Department
6. Email from the County Attorney's Office
7. Memorandum from the DSEM Addressing Section
8. Memorandum from Public Works

PLANNING DEPARTMENT
a division of PLACE

MEMORANDUM

Submitted to ProjectDox August 14, 2017

TO: **Leon County DRC Members**

FROM: Susan Poplin, Principal Planner

THROUGH: Russell Snyder, Planning Land Use Administrator

DATE: August 4, 2017

SUBJECT: Brookside Village Residential Subdivision (Type B) FDPA Track LSP 150035
Leon County Development Review Committee Meeting August 16, 2017

APPLICANT: Golden Oak Land Group, LLC
AGENT: Sean Marston, P.E., Urban Catalyst Consultants
PARCEL ID: 14-19-20-001-0000
ZONING: Residential Preservation
FUTURE LAND USE: Residential Preservation

Findings

1. The proposed project is for the development of a 61-unit single-family residential subdivision on 35 acres north of Ox Bottom Road near Heartland Circle road. The project is adjacent to and accessed by Ox Bottom Road, which is a Leon County major collector.

2. The proposed project is consistent with the density and intensity of the Residential Preservation Future Land Use Map Category of the *Tallahassee-Leon County Comprehensive Plan*.

3. Residential Preservation Future Land Use Element Policy 2.2.3 states that its primary function is to protect existing stable and viable residential areas from incompatible land use intensities and density intrusions. The Brookside project's proposed gross density at 1.73 dwelling units per acre is classified as low-density residential in the comprehensive plan. The density of surrounding neighborhoods is also classified as low-density residential, ranging from 2.13 dwelling units/acre (Ox Bottom Gardens) down to .17 dwelling units per acre (Rosehill). The densities are consistent with low-density residential uses identified in the comprehensive plan and the land development code.

   The Leon County Land Use Development Matrix and Conservation Policies 1.3.2.d, 1.3.3., and 2.2.5, indicate density of development will be permitted only to the extent that sufficient stormwater capacity is available. A compatibility analysis dated October 19, 2016 and updated April 26, 2017, provided by the applicant, examines Conservation Policies 1.3.2 and 1.3.3 including provisions for stormwater and conservation. Conservation Policies 1.3.2.d, 1.3.3 and 2.2.5 provide that the areas permitted to develop are dependent on sufficient stormwater capacity within a closed basin (which applies in this case) to ensure maintenance of water quality and flow. The current conditions provide for surface flow of stormwater from ravines, eventually draining to Moore Pond. The application indicates that adequate

stormwater is provided for the project including on-site retention facilities for a 100-year, 24-hour storm event. Additionally, stormwater within the ponds will be recovered via exfiltration trenches, which will be filtered down to the groundwater. The applicant's response to comments dated April 19, 2017 states that the proposed stormwater facilities exceed the required Leon County stormwater standards and meet the closed basin standards for retention. A second response document submitted August 2, 2017 states that the applicant has provided a revised stormwater analysis to Leon County that demonstrates appropriate treatment and retention; and provides for continued groundwater and surface water flow to Moore Pond. Leon County staff are in the process of analyzing the recently submitted stormwater analysis to determine if it meets the local code requirements; until that analysis is completed Planning cannot determine if consistency with the Conservation Element of the comprehensive plan is maintained. It is recommended that the final approval of the site plan be contingent on the County's final approval of the stormwater analysis.

With regard to conservation within the project, the application includes a large conservation area centrally located on the property. The conservation area includes natural features on the site including floodplains, wetlands and steep slopes. The conservation areas are to be dedicated as conservation easements in perpetuity with the Brookside HOA responsible for maintenance.

Land Use Element Policy 2.2.3.e states that a number of factors shall be considered when determining a land use is compatible with the residential preservation land use category. There is no proposal to change the assigned land use in this case. It does not appear the compatibility criteria in section 2.2.3.e are readily applicable to the proposed project given both the existing and proposed uses are both low-density Residential Preservation land uses. Nonetheless, Planning staff have reviewed the criteria as additional information, including intensity, density, scale, building size, mass, bulk, height and orientation, lot coverage, lot size/configuration, architecture, screening, buffers (including vegetative buffers), setbacks, signage, lighting, traffic circulation patterns, loading area location, operating hours, noise and odor. The applicant provided a compatibility analysis dated October 19, 2016 and updated April 26, 2017, conducted by land use consultant Wendy Grey, that examines these factors with regard to the project:

- Density: The density of the proposed development is 1.73 dwelling units per acre, which is comparable with adjacent Ox Bottom Gardens and Ox Bottom Manor, 2.13 and 1.10 dwelling units per acre, respectively. It is also within the allowable range for the Residential Preservation land use category which allows up to 6 dwelling units per acre within the category.

Table 1 Subdivision Density

Subdivision	Density (dwelling units/acre)
Ox Bottom Gardens	2.13
Brookside Village	1.73
Ox Bottom Manor	1.10
Moore Pond	.23
Rose Hill	.17

- Scale: Building scale is usually associated with more urban settings that include multiple stories. The limitation of the dwellings to 2 stories or less in the Brookside development ensures that the scale of the buildings are lower and similar to those in surrounding neighborhoods.

- Building Size, Mass and Bulk: As a measure of mass and bulk, the compatibility analysis examined the ratio of the linear building to linear frontage on the property line. Brookside has a higher ratio at approximately .81 along the Ox Bottom Manor side and .82 along the Moore Pond side. Ox Bottom Manor and Moore pond have ratios of .45 and .29 respectively. There is notable difference in these ratios, but given the separation between the two subdivisions including an intervening conservation area, buffer and larger lots provided in the rear of the proposed subdivision, staff does not believe there is a negative impact based on the measure of mass and bulk. With regard to building size, there is a wide range from 3,400 square feet to 14,929 square feet in surrounding neighborhoods. Brookside dwellings are sized between 2,848 square feet and 3,278 square feet with an average of 3,063 square feet. These dwelling sizes are consistent with those in adjacent subdivisions.

Table 2 Building Size

Subdivision	Building Size Range (Square Feet)	Average Building Size (Square Feet)
Moore Pond	3,485-14,929	6,301
Rose Hill	3,732-10,620	6,143
Ox Bottom Manor	2,329-4,817	3,459
Brookside Village	2,848-3,278	3,063
Ox Bottom Gardens	1,974-3,249	2,389

- Height and Orientation: The surrounding area includes residential uses that are a mix of one-story, 1½ story and 2-story dwellings. Brookside will consist of 1 and 1½-story dwellings. The dwellings are oriented such that upper stories are on the front portion of the homes and no windows face adjacent subdivisions. This height and orientation is consistent with others in the surrounding area, and minimizes view encroachments.

- Lot Coverage, Size/Configuration: Lot coverage is measured by comparing the building size in square feet to the lot size in square feet to derive a percentage. The compatibility analysis examines the lot coverage for Brookside Village and surrounding areas and has identified the average lot coverage as 23%. Comparatively, it is within the range of surrounding subdivisions where lot coverages vary from 5% (Moore Pond) up to 28% (Ox Bottom Gardens).

Table 3 Lot Coverage

Subdivision	Lot Coverage %
Moore Pond	5%
Rose Hill	6%
Ox Bottom Manor	10%

Brookside Village	23%
Ox Bottom Gardens	28%

For lot size, Brookside Village is within the range of surrounding subdivisions, which vary from an average of 3.08 to .19. The larger lots are found in Moore Pond and Rose Hill subdivisions. To better assimilate with these subdivisions, Brookside Village has proposed two larger lots that are more than 2 acres in size in the rear of the project adjacent to Moore Pond. The project also proposes buffers and screens which are described in more detail below.

Table 4 Lot Size

Subdivision	Lot Size (Acres)	Average Lot Size (Acres)	Total # of Dwelling Units
Moore Pond	1.49-12.39	3.08	52
Rose Hill	1.48-6.97	2.53	83
Ox Bottom Manor	.53-.96	.67	623
Brookside Village	.14-2.51	.27	61
Ox Bottom Gardens	.13-.32	.19	67

- Architecture: The compatibility analysis compares the proposed architecture of Brookside Village with those in surrounding neighborhoods. Within the Ox Bottom Manor and Ox Bottom Gardens typical features include peaked roofs, brick or stucco front facades and covered entrances. The analysis provides sample pictures of anticipated Brookside Village architecture which has the same roof and entrance features. Brookside Village appears to be typical suburban development.
- Screening and Buffers: Buffers for the surrounding subdivisions were compared with those proposed for Brookside Village. The buffers are smaller than those in Rose Hill and Ox Bottom Gardens. Moore Pond and Ox Bottom Manor did not provide buffers as part of the subdivision plats.

Table 5 Buffers Provided in Subdivision Plats

Subdivision	Buffer
Rose Hill	Approximately 100 feet (labeled "Common Area"). Additional 100 foot utility easement provided along eastern property line
Ox Bottom Gardens	Approximately 75 feet along boundary with Ox Bottom Manor
Brookside Village	25 feet Type C+ Buffer (east/south/west); some 8 Foot Fence
Moore Pond	None provided in plat
Ox Bottom Manor	None provided in plat

Brookside Village is proposing a 25-foot wide buffer with Type C+ plantings along Ox Bottom Road, adjacent to Ox Bottom Manor and the along the eastern boundary adjacent to Moore Pond. The proposed Type C+ buffer includes plantings of 7 evergreen canopy trees, 6 evergreen understory trees and 24 evergreen shrubs per 100 linear feet of buffer. The buffer along the eastern and northwestern portion of the property also includes an 8-foot fence. Along the northern and northeastern boundaries, the project proposes a 10-foot Type A buffer which includes plantings of 1.2 canopy trees, .4 understory trees and 4 shrubs per 100 linear feet. Staff believes the project has provided satisfactory buffers to adjacent suburban residential development.

- Setbacks: The compatibility analysis states that site visits and aerial images reveal that setbacks appear to be typical for suburban residential development: e.g., buildings are set back from the curb (as opposed to being placed near the front property line) and from adjoining properties (e.g., no zero lot lines). Staff concurs with the analysis. It appears the setbacks for Ox Bottom Manor range from 75 to 100 feet, for Ox Bottom Gardens, from 18 to 30 feet, and for Moore Pond, from 75 to 150 feet. Brookside Village has setbacks of 15 feet from the right-of-way. Brookside Village setbacks are consistent with the pattern in neighboring Ox Bottom Gardens but not Ox Bottom Manor or Moore Pond.

- Traffic Circulation Patterns: The proposed traffic circulation pattern includes an internal road system as well as sidewalks throughout the project, connection to Ox Bottom Road, and a passive recreation path. Staff does not identify any negative issues with the proposed circulation plan.

- Items Not Applicable to the analysis for this development include signage, lighting, loading area locations, operating hours, noise and odor, which are associated with nonresidential development.

4. The Mobility Element of the Tallahassee-Leon County Comprehensive Plan requires development to provide full accommodations for pedestrian access and movement including sidewalks and enhanced crossings (Mobility Element Policies 1.1.8(a-b), 1.2.3 and 1.4.3). The application shows a 6-foot sidewalk along Ox Bottom Road and internal to the project. The sidewalk along Ox Bottom Road connects to the existing facility that runs north along Ox Bottom Manor Road. The application also indicates the intent to place passive trails within the Conservation Area (a recommended design alternative).

5. The Conservation Element of the Tallahassee-Leon County Comprehensive Plan requires that wetlands and floodplains be regulated as conservation or preservation features, and that wetland function be preserved [Conservation Policies 1.3.1, 1.3.2, 1.3.4, 1.3.6, 2.2.1 and 2.2.2]. The application identifies the details of planned wetland, floodplain and significant slope conservation within the proposed project. The features are contained within an 11+ acre conservation easement. The conservation area includes natural features on the site including floodplains, wetlands and steep slopes. Additionally, the application also reflects a passive trail within the Conservation Area which was a recommended design alternative previously. The conservation areas are to be dedicated as conservation easements in perpetuity with the Brookside HOA responsible for maintenance.

Planning Department Recommendation

The Planning Department recommends that the Brookside Village Type B site plan application (LSP1500035) as submitted on August 2, 2017 be approved subject to the condition that the applicant receive final County approval for the stormwater analysis, as discussed in detail on page 2 above.

Board of County Commissioners

Interoffice-Memorandum

DATE: August 15, 2017

TO: Shawna Martin, Principal Planner, Development Services

FROM: Anna Padilla, P.E., CFM, Sr. Environmental Engineer, Environmental Services

SUBJECT: Brookside Village
Project ID: LSP15-0035; Type B – FDPA Track
Tax Identification Number: 14-19-20-001-000-0
Development Review Committee

Environmental Services has reviewed the revised Site Plan (LSP15-0035), received August 2, 2017, and the Environmental Management Permit (LEM15-00072) resubmittal, received July 21, 2017, for the Brookside Village Subdivision. The following are our findings and deficiencies within the Site Plan.

1. The specified minimum finished floor elevations and proposed grading plan do not demonstrate compliance with Leon County's Floodplain Management section of the Land Development Code.
2. A Concept Grading Plan for lots 2D – 14D was received; however, this grading plan does not adequately demonstrate that off-site stormwater runoff from Ox Bottom Manor will not cause adverse impacts to the new residential dwelling units for all lots shown.
3. The proposed sign easement along Ox Bottom Road is also located in the middle of a stormwater swale, and at the entrance to the proposed culvert under Village Ridge Lane.
4. Several areas on the grading plan sheets need refined. Proposed contours do not tie into existing contours, several lots appear to bypass the stormwater management system, and the proposed typical swale on the lot lines cannot be constructed in some areas of proposed mass grading, causing lot-to-lot drainage issues.
5. The area of clearing within the tree line and outside of the conservation easement, as well as the associated tree debits (based on the representative sample area) is not included in the tree debit table.
6. The visual screen (proposed Carolina jasmine) is not provided along lot 1C or along the top of the retaining wall along Village Ridge Lane West.
7. Various other minor deficiencies and corrections were noted in the ProjectDox mark-ups on the Site Plan.

The Environmental Management Permit (EMP) resubmittal contains deficiencies; however, the outstanding items are minor and staff has been in contact with the Engineer regarding our comments. It is not anticipated that any revisions to the stormwater model or EMP will alter the site layout.

The Environmental Services Division does not object to a conditional approval, provided that the deficiencies listed above are addressed to the satisfaction of Environmental Services prior to final Site Plan approval.

City of Tallahassee
UNDERGROUND UTILITIES
"Setting the Standard for Excellence"

MEMORANDUM

TO: Shawna Martin
Senior Planner – Leon County
FROM: Justin Hosey, P.E.
Program Engineer - Water Resources Engineering
DATE: August 15, 2017
SUBJECT: LSP150035 Brookside Village

I. Project Description:

Proposed single-family residential detached subdivision on a 35.18 acre parcel along Ox Bottom Road. The parcel is zoned Residential Preservation (RP).

II. Standards of Review:

1) Water Resources Engineering reviews utility service/concept plans for compliance with, *the Water and Sewer Agreement, The City of Tallahassee Design Specifications for Water and Sewer, Florida Department of Environmental Protection (FDEP) F.A.C. Section 62-555, The American Water Works Associations Manual of Practice "M31", FDEP F.A.C. Section 62-604, and FDEP MOP 9, as well as sound engineering practice.*

III. Findings of Fact:

1) Water and sewer are available to the site.
2) Connection to water and sewer is required.

IV. Condition of Approval:

1) Water Resources Engineering has approved a "Water and Sewer Concept Plan" dated 6/30/17.
2) A Letter of Agreement (LOA) will be required prior construction plan approval.
3) Construction plans must be stamped approved by Water Resources Engineering prior to holding a pre-construction conference.

Water Resources Engineering Contact Information

Justin Hosey, P.E.
justin.hosey@talgov.com
891-6182

Bruce Kessler
bruce.kessler@talgov.com
891-6105

Mailing Address:
300 S. Adams St. B-26
Tallahassee, FL 32301

Office Location
408 N. Adams St. 3rd Floor
Tallahassee, FL 32301

City of Tallahassee
Your Own Utilities℠

Date: August 15, 2017

To: Shawna Martin

From: Tina Drose, COT Electric – Power Engineering
2602 Jackson Bluff Road, Tall, FL 32304
Tina.Drose@Talgov.com

Subject: LSP150035 – Brookside Village Residential

The proposed development is within the City of Tallahassee – Electric Utility's service territory. Electric service is available from an existing overhead power lines along Ox Bottom Road. Easements will be required to serve the development as part of final plat and Letter of Agreement. Developer will be required to provide the Electric Utility with final plans that included the final approved water and sewer layout. Electric has approved the proposed utility placements as indicated in the submitted plan set. Subdivision is located outside the city limits and will pay a fee for underground electric power within the development. Relocation of any existing facilities that must remain in service will be at the property owner's expense. Please contact Houston Whitfield (850-891-5609) to coordinate electric design for the subdivision.

TALLAHASSEE FIRE DEPARTMENT
SITE PLAN REQUIREMENTS

Project Name:	Brookside Village
Parcel ID #	14-19-20-001-0000
	LSP 150035
AGENT:	Urban Catalyst Consultants
PLANNER:	Shawna Martin
MEETING DATE:	August 16, 2017

Listed below are the Tallahassee Fire Department's conditions of approval for the Brookside Village project. Notes shall be placed on the Site Utility Plan (Sheet C-116) that state:

1. "Consistency with applicable provisions of the currently adopted Florida Fire Prevention Code shall be required during the building plan review process for each home built on Lots 17A and 2C."

2. "If unsupervised and isolated above ground fuel storage tanks are to be located on the property during construction, City of Tallahassee Plans Review staff must be contacted prior to tank installation. *NFPA 1, 66.21.7.2.1 and 66.21.7.2.2, Fifth Edition of the Florida Fire Prevention Code."*

3. "The required width of a fire department access road shall not be obstructed in any manner, including the parking of vehicles. *NFPA 1, 18.2.4.1.1, Fifth Edition of the Florida Fire Prevention Code)."*

Gary Donaldson
Tallahassee Fire Department
435 N. Macomb St. – 1st Floor
Tallahassee FL 32301
(850)891-7179
Gary.Donaldson@talgov.com

ATTACHMENT #6

Shawna Martin - Re: Covenants & Restrictions ~ Brookside Village

From: Patti Poppell
To: Martin, Shawna
Date: 08/04/2017 4:24 PM
Subject: Re: Covenants & Restrictions ~ Brookside Village
CC: Icerman, Jessica

Shawna,

Yes, the Covenants & Restrictions are fine as to form.

Thank you,

Patti

Patti L. Poppell
Sr. Paralegal
Leon County Attorney's Office
Suite 202
301 South Monroe Street
Tallahassee, Florida 32301
(850) 606-2500 Phone
(850) 606-2501 Fax

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>>> Shawna Martin 8/4/2017 8:28 AM >>>
Patti,
Can you please take one final look at the revised C&R for Brookside (attached) and let me know if you approve them to form?
Thank you!
Shawna

Shawna Martin, AICP
Principal Planner,
Development Services Division
Department of Development Support & Environmental Management
Renaissance Center, 2nd Floor
435 North Macomb Street
Tallahassee, Florida 32301-1019

LEON COUNTY
DEVELOPMENT SUPPORT AND ENVIRONMENTAL MANAGEMENT
Addressing Unit *Memorandum*

DATE: August 7, 2017

SUBJECT: LSP150035 – Brookside Village Residential Subdivision

Addressing Staff Contact: Lisa Scott, Addressing Program Coordinator

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Finding:

Agreed Upon Suffix Changes from the May 2, 2017 Street Naming Communication.

Suffixes must be changed on the existing site plan to:

A. Village Ridge Lane – starting at the intersection of Ox Bottom Rd continuing west.

B. Village Ridge Way – branching east off Village Ridge Ln.

BOARD OF COUNTY COMMISSIONERS
MEMORANDUM

DATE: August 15, 2017

TO: Shawna Martin, Principal Planner

FROM: Charley M. Schwartz, P.E., Senior Design Engineer

THROUGH: Kimberly A. Wood, P.E., Chief of Engineering Coordination

SUBJECT: Brookside Village Subdivision (LSP150035) : Type B – FDPA Track
Development Review Committee Meeting for August 16, 2017

Public Works recommends approval subject to the following conditions being addressed (A markup layer is also provided on the site plan in Projectdox):

1. The Environmental Management Permit (EMP) and associated stormwater analysis shall be approved.
2. Overall Plan Cleanup: Address minor cleanup issues as identified on the Projectdox markup layer (ex. update engineer address, ensure any referenced details are included (ex. brick pavers), update proposed road names, etc.).
3. Demolition & Erosion Control Plan (Sheets C-107 & C-108): Add a note stating that final sediment and erosion control measures will be depicted within the environmental management permit.
4. Preliminary Plat (Sheets C-109 to C-111): Minor revisions and cleanup are necessary see Projectdox markup.
5. Site Plan (Sheets C112.1 & C-112.2): Expand the off-site sidewalk extension note to indicate that sidewalk shall be approved by Leon County Public Works and Environmental Services. Revise the proposed fencing note for Lot 11B to clarify that fencing within the HOA drainage easement, including the perimeter fence, shall not obstruct stormwater flow. Add a note clarifying that infrastructure shall comply with FDOT standards.
6. Autoturn (Sheet C-114): Restore the grading information around Pond 100 and 200 to demonstrate the path of the vehicle does not conflict with steep slopes.
7. Grading Plan (Sheet C-115 & C-115.1):
    a. Provide additional grading or notes showing runoff from Lots 1D, 2D and Lot 1C being routed to the SWMF drainage system. Add a note that additional information will be provided in the EMP demonstrating that offsite storm water runoff will be routed around proposed residential structures.
    b. Provide additional grading information in the southeast corner of Pond 200 sufficient to demonstrate runoff flow directions.
    c. The sand filter discharge pipe shall be included within the fenced area.
8. Utility Plan (Sheet C-116): Ensure sanitary sewer between Lots 16A and 18A is configured such that Lot 17A is accessible in the event the sewer requires repair or replacement. Remove the extra gas line in the vicinity of Lots 11D through 15D. Beneath the Brookside Utility Placement Guide detail specifically identify the deviations from the typical utility placement guide.
9. Landscape Plan (Sheet C-132): Minor revisions and cleanup are necessary see Projectdox markup.
10. Home Owners Association (HOA) Declaration of Covenants: Minor revisions and cleanup are necessary see Projectdox markup.

Ox Bottom Manor HOA Letters [Email Recipients]:

Aagaard, Harold <Harald.aagaard@gmail.com>,Aagaard, Teresa <Aim4proverbs31@yahoo.com>,Abraham, Sunil <sendsunilmail@yahoo.com>,Allen, Beth <beth@robertjallen.com>,Allen, Robert <rob@robertjallen.com>,Aloi, James <ms1boom@aol.com>,Alsentzer, Francine <alsentzers@gmail.com>,Ault, Jennifer <Jgymfamily@comcast.net>,Avalon HOA <smc1332@comcast.net>,Avellone, Dana <dmavellone@yahoo.com>,Baglione, Frank <fmbaglione@aol.com>,Barch, Douglas <Dougbarch2@comcast.net>,Barch, Rebecca <Btbarch@comcast.net>,Barrett-Elmer, Judy <judyelmer@hotmail.com>,Barry, Debbie <DebbieB543@comcast.net>,Barton, Abby <abarton386@gmail.com>,Bauer, David <Dbauer2335@gmail.com>,Bigley, Mark <Mjbigley@comcast.net>,Bingham, Jerry <Jerry.d.bingham@gmail.com>,Block, Laura <lauramurphy@yahoo.com>,Block, Tom <twblock@yahoo.com>,Bonner, Felicia <feliciabonner@rocketmail.com>,Boor, Joseph <joeboor@comcast.net>,Bowden, Rachel <Yogadog@me.com>,Bowman, Jerry <Threebows@yahoo.com>,Bristow, Jon <jondbristow@gmail.com>,Bristow, Karen <karenlbristow@gmail.com>,Brown, Mary <Brownmaryc@aol.com>,Brownfield, Jared <jaredrbrownfield@gmail.com>,Brownfield, Jennifer <Lanham.jen@gmail.com>,Bryant, David <dc_bryant@yahoo.com>,Bryom, Ron <FL_Broker_1@yahoo.com>,Buck, Anna <annabuck@gmail.com>,Burgess, Betsy <betsybrownburgess@gmail.com>,Burgess, Mary <bquilts@comcast.net>,Burgess, Max <jazzpicker@comcast.net>,Caldwell, Allison <acaldwellslp@gmail.com>,Carlson, Myra <carlsonme@comcast.net>,Castano, David <castanod@yahoo.com>,Caster, Karin <karinc1106@yahoo.com>,Cefola, Rich <Cefolar@embarqmail.com>,Chafin, Mary <pmchafin@gmail.com>,Clay, Lauren <ldc.aug@gmail.com>,Collins, Alyson <BrookeCollins328@yahoo.com>,Conner, Anne <Aconnor13@comcast.net>,Cromartie, Andrea <aeddy0924@yahoo.com>,Donohue, Judy <donohuewha@yahoo.com>,Dowell, Kristin <kristin.dowell@yahoo.com>,Edwards, Gary <gtothree89@comcast.net>,Edwards, Louise <devodoggie@comcast.net>,Elmer, Elbert <gelmer58@icloud.com>,Elsberry, Sharon <sjelsberry@yahoo.com>,Faircloth, Christopher <faircloth_99@yahoo.com>,Falzoi, Angi <Angee72@aol.com>,Feijoo, Pierre <Pierre63rdr@aol.com>,Fennell, Scott <Scottfennell@comcast.net>,Fenniman, Desiree <Dfenniman@gmail.com>,Fisher, March <march.m.fisher@gmail.com>,Fisher, Tiffany <smithtif29@yahoo.com>,Foote, Kristen <fsufoote@aol.com>,Foote, Patrick <patrick.foote@comcast.net>,Friedman, Donn <donnfriedman@embarqmail.com>,Gaddy, Angie <Agaddy98@gmail.com>,Gaddy, Walter <Walter.gaddy@igt.com>,Gaines, Raymond <rgaines@windstream.net>,Giles, James <freefromDC@yahoo.com>,Goggin, Brooke <Brooke.Goggin@gmail.com>,Goggin, Noreen <drnod10@gmail.com>,Gould, Charlotte <charlotte.gould@ahca.myflorida.com>,Granquist, Cindy <cgranquist99@yahoo.com>,Groom, Karen <kwgroom@comcast.net>,Groom, Matthew <kwgroom@comcast.net>,Guemple, Randy <rrguemple@comcast.net>,HONN, KAREN <khonn74@gmail.com>,Hartley, Sonya <Sonyadeen@hotmail.com>,Hatch, Rose <rosemary.hatch@amerisbank.com>,Hawkins, Patty <Tallyhawk5@icloud.com>,Hawkins, Thomas

<Tallyhawk5@outlook.com>,Haynes, Beth <Bethh22361@ail.com>,Haywood, Brian <hayride@rocketmail.com>,Henkel, Kenneth <Kennethhenkel@aol.com>,Henshaw, Hollie <hollie@rbitrucking.com>,Henshaw, Matthew <matthenshaw14@gmail.com>,Hernandez, Denise <Sheguate@aol.com>,Herrington, David <Davidherrington@comcast.net>,Herrington, Michelle <m_east1@hotmail.com>,Hersel, Michelle <mhershel@feca.com>,Holcomb, Marla <marlaholcomb@yahoo.com>,Honn, Darren <skydone7@gmail.com>,Hunt, Christopher <hundboy@gmail.com>,Hunt, Joanna <carter@bio.fsu.edu>,JR Harding <jr@jrharding.com>,Jacobsen, Kathy <kkjacobsen@comcast.net>,Jenkins, Joshua <joshua.jenkins315@gmail.com>,Johnson, James <jjjohnson30@hotmail.com>,Junkins, Sharon <crsmithga@yahoo.com>,Kalinoski, Laura <Lnjester@yahoo.com>,Kallumkal, Harikumar <Sjayanair@yahoo.com>,Kallumkal, Karikumar <Hkallumkal@yahoo.com>,Kamenicky, Randy <Kalico@nettally.com>,Karmanos, Bev <beverleyk@aol.com>,Kelly, Colleen <Ptd2694@comcast.net>,Koul, Pradeep <parsint96@yahoo.com>,Kulkarni, Aniket <aniketkulkarni@gmail.com>,Landis, Ann <annlandis@gmail.com>,Latham, Benjamin <lathamben@yahoo.com>,Lee, Courtney <Clee0805@aol.com>,Lewis, Fran <Franlewis821@yahoo.com>,Line, Nathan <nline@fsu.edu>,Long, Mindi <mindilong@gmail.com>,Long, Nate <natelongpr@gmail.com>,Long, Richard <rslong32@gmail.com>,Lorenzo, Cynthia <crlorenzo1@hotmail.com>,Madigan, Barbara <blmadigan@comcast.net>,Mahdavi, Sam <mahdavis@comcast.net>,Mark, Carrie <ms_coles@hotmail.com>,Mark, Richard <rickrmark@hotmail.com>,Marsh, Julia <jaj7963@yahoo.com>,Mather, Jerry <jmather100@me.com>,McGill, Robert <mcgillfam01@gmail.com>,McGinley, Michael <mcginleymd@gmail.com>,McGinley, Michelle <michelle_mcginley@yahoo.com>,McIver, Mike <Mikemciver8@yahoo.com>,McKissack, Todd <toddemc61@comcast.net>,McLaughlin, John <Rdmclaughlin@comcast.net>,McMullen, Christoper <clmcmullen@yahoo.com>,Miller, Bonnie <Bonniem76@yahoo.com>,Miller, Cynara <cynaramiller@gmail.com>,Miller, Joseph <Jd4fsu73@yahoo.com>,Mountain, Eric <emountin@msn.com>,Mountin, Gina <gmmountin@yahoo.com>,Naff, Jennifer <Janaff78@gmail.com>,Nair, Jaya <Sjayanair@yahoo.com>,Nedd, Kimbara <kimbaraus@yahoo.com>,Newman, Mark <beachman14@gmail.com>,Newman, Michelle <ldsmom02@gmail.com>,Otoole, Holly <Hcotoole@gmail.com>,Otto, Susan <sue_otto@yahoo.com>,Overstreet, Tom <dkoverstreet@aol.com>,Pararo, Kate <kpararo@gmail.com>,Parra, Fernando <ferparrav@hotmail.com>,Paterson, Julie <juliepaterson@comcast.net>,Paterson, Tom <Tpaterson@allstate.com>,Patrenos, Sally <Sallypatrenos@embarqmail.com>,Payne, Tyler <Paynetyler5@yahoo.com>,Pearce, Jennifer <Jenniferpearce@hotmail.com>,Penn, Mikah <queenmikah@gmail.com>,Perkins, Charles <chipperkins20@gmail.com>,Perkins, Diane <dedp70@gmail.com>,Pintacuda, Larry <ljpintacuda@yahoo.com>,Poage, Stuart <jaxpoage@icloud.com>,Price, Christopher <Price229@yahoo.com>,Price, Dawn <dmporter535@yahoo.com>,Price, Kimberly <price.kimberly0@gmail.com>,Rivet, Roland <roland.rivet@basf.com>,Rodrigue, Lindsey <mikeandlindseyrod@gmail.com>,Rogers, Jennifer <jrogers@aggienetwork.com>,Rosen, Carol <carolrosen@comcast.net>,Ruff, Allison <allisoniruff@comcast.net>,Ruff, Michael <mikeruff75@comcast.net>,Scarboro, Susan <sscarboro@comcast.net>,Sharp, Philip

<philipvsharp@gmail.com>,Shores, Cassie <cassiemshores@gmail.com>,Shores, Kevin <kevindshores@gmail.com>,Shreve, Dale <dshreve9754@msn.com>,Simmons, Daniel <dcgsimmons@gmail.com>,Simmons, Dawn <dawnpsimmons@gmail.com>,Smith, Carri <carrismith@comcast.net>,Smith, Jason <Jason.home91@gmail.com>,Smith, Stacey <stacey@smithsmith.net>,Smith, Stacey <stacey@smithsmith.net>,Spook, Dianne <sspook@comcast.net>,Spook, Stephen <Stephen.spook@sbafla.com>,Stauffer, Jason <jasondstauffer@gmail.com>,Stephens, Daniel <drstephens07@hotmail.com>,Stephens, Richard <stephens021@comcast.net>,Stout, Gary <Gpstout_98@yahoo.com>,Strano, Joyce <Jmstrano99@gmail.com>,Tedder, Brandon <brandontedder@gmail.com>,Tharpe, Danielle <Daniflory@aol.com>,Thompson, Carrie <Eqizna@yahoo.com>,Thompson, John <johilli@yahoo.com>,Torres, Clifford <cliffbiongtorres@aol.com>,Townsend, Jeffrey <jeffrey.townsend850@gmail.com>,Tozzi, Casey <Casey.tozzi@gmail.com>,Traft, Brian <Bktraft@gmail.com>,Wagnon, Daniel <daniel.wagnon@icloud.com>,Wang, Yin <ywang183@gmail.com>,Ward, John <wardfarrell694@gmail.com>,Ward, Zachary <zach@cowheyward.com>,White, Wesley <wesleygwhite@gmail.com>,Wiggins, James <Wigginj1@comcast.net>,Wilder, David <Rdwandddw62@yahoo.com>,Wilder, Rhonda <Rdwandddw@aol.com>,Wilkerson, Lisa <lisaandbert@comcast.net>,Williams, Chelsea <Cwilliams2234@gmail.com>,Williams, Jeff <Jgw04e@yahoo.com>,Williams, Lynn <lynn@rose.net>,Williams, Vaughan <vaughanw01@comcast.net>,Wohlrab, Lindsey <Lindseyjo@gmail.com>,Woodward, Tracy <trelyn@rocketmail.com>,Wostel, Zandra <zwostel@yahoo.com>,Wussler, Doug <doug.wussler@comcast.net>,Xanders, Beth <Bethelxanders@yahoo.com>,Xanders, Gregory <Gregxanders57@gmail.com>,Zimmerman, Sarah <Fourzimmers@comcast.net>,Zubaly, Mark <Mzubaly@comcast.net>,ancheta, marcus <mdanch1981@yahoo.com>,ludes, michael <mludes@crowncars.com>,woodward, andrew <andrewjrwoodward@gmail.com>

STATE OF FLORIDA
DIVISION OF ADMINISTRATIVE HEARINGS

MOORE POND HOMEOWNERS
ASSOCIATION, INC., AND OX
BOTTOM MANOR COMMUNITY
ASSOCIATION, INC.,,

Petitioner(s),

vs. Case No. 17-005082

GOLDEN OAK LAND GROUP, LLC, AND
LEON COUNTY, FLORIDA

Respondent(s).
_____/

NOTICE OF APPEARANCE

The undersigned hereby files this Notice of Appearance on behalf of the Respondent, Leon County, Florida.

Copies of all pleadings, notices, and correspondence regarding the above-styled cause are requested to be served on the undersigned.

Respectfully submitted this 18th day of September, 2017.

/S/
Carly Schrader
Attorney
1500 Mahan Drive, Suite 200
Tallahassee FL, 32308
Phone No.: 850-224-4070
EMail Address:
cschrader@ngnlaw.com
Florida Bar No.: 0014675

CERTIFICATE OF SERVICE

I certify that I have served a true and correct copy of this Notice of Appearance to Jeremy Anderson via US Mail to Suite B 1689 Mahan Center Boulevard Tallahassee FL 32309; Jessica Icerman via eMail to IcermanJ@LeonCountyFL.gov;CountyAttorney@LeonCountyFL.gov on this 18th day of September, 2017.

/S/
Carly Schrader

Filed September 18, 2017 11:08 AM Division of Administrative Hearings

STATE OF FLORIDA
DIVISION OF ADMINISTRATIVE HEARINGS

MOORE POND HOMEOWNERS
ASSOCIATION, INC., AND OX
BOTTOM MANOR COMMUNITY
ASSOCIATION, INC.,,

Petitioner(s),

vs. Case No. 17-005082

GOLDEN OAK LAND GROUP, LLC, AND
LEON COUNTY, FLORIDA

Respondent(s).
_____/

NOTICE OF APPEARANCE

The undersigned hereby files this Notice of Appearance on behalf of the Respondent, Leon County, Florida.

Copies of all pleadings, notices, and correspondence regarding the above-styled cause are requested to be served on the undersigned.

Respectfully submitted this 18th day of September, 2017.

/S/
Gregory Stewart
Attorney
1500 Mahan Drive, Suite 200
Tallahassee FL, 32308
Phone No.: 850-224-4070
EMail Address:
gstewart@ngnlaw.com
Florida Bar No.: 0203718

CERTIFICATE OF SERVICE

I certify that I have served a true and correct copy of this Notice of Appearance to Jeremy Anderson via US Mail to Suite B 1689 Mahan Center Boulevard Tallahassee FL 32309; Jessica Icerman via eMail to IcermanJ@LeonCountyFL.gov;CountyAttorney@LeonCountyFL.gov on this 18th day of September, 2017.

/S/
Gregory Stewart

Filed September 18, 2017 11:09 AM Division of Administrative Hearings

STATE OF FLORIDA
DIVISION OF ADMINISTRATIVE HEARINGS

MOORE POND HOMEOWNERS
ASSOCIATION, INC., AND OX
BOTTOM MANOR COMMUNITY
ASSOCIATION, INC.,,

Petitioner(s),

vs. Case No. 17-005082

GOLDEN OAK LAND GROUP, LLC, AND
LEON COUNTY, FLORIDA

Respondent(s).
_____/

NOTICE OF APPEARANCE

The undersigned hereby files this Notice of Appearance on behalf of the Respondent, Leon County, Florida.

Copies of all pleadings, notices, and correspondence regarding the above-styled cause are requested to be served on the undersigned.

Respectfully submitted this 18th day of September, 2017.

/S/
Kerry Parsons
Associate
1500 Mahan Dr. Ste. 200
Tallahassee FL, 32308
Phone No.: 850-224-4070
EMail Address: kparsons@ngn-tally.com
Florida Bar No.: 0091919

CERTIFICATE OF SERVICE

I certify that I have served a true and correct copy of this Notice of Appearance to Jeremy Anderson via US Mail to Suite B 1689 Mahan Center Boulevard Tallahassee FL 32309; Jessica Icerman via eMail to IcermanJ@LeonCountyFL.gov;CountyAttorney@LeonCountyFL.gov on this 18th day of September, 2017.

/S/
Kerry Parsons

Filed September 18, 2017 11:10 AM Division of Administrative Hearings

STATE OF FLORIDA
DIVISION OF ADMINISTRATIVE HEARINGS

MOORE POND HOMEOWNERS ASSOCIATION, INC., AND OX BOTTOM MANOR COMMUNITY ASSOCIATION, INC.

Petitioners, CASE NO. 17-5082

vs.

LEON COUNTY, FLORIDA AND GOLDEN OAK LAND GROUP, LLC

Respondents.
_____/

NOTICE OF APPEARANCE AND DESIGNATION OF ELECTRONIC MAIL ADDRESSES ON BEHALF OF RESPONDENT LEON COUNTY

PLEASE TAKE NOTICE that GREGORY T. STEWART, CARLY J. SCHRADER and KERRY A. PARSONS of the Law Firm of Nabors, Giblin & Nickerson, P.A., hereby file their Notice of Appearance on behalf of Respondent, LEON COUNTY, in connection with any and all proceedings in the above-styled cause.

PLEASE TAKE FURTHER NOTICE that Respondent, LEON COUNTY, hereby designates the undersigned attorneys' electronic mail addresses for this matter as follows:

Gregory T. Stewart -	Primary Electronic Mail Address:	gstewart@ngnlaw.com
	Secondary Electronic Mail Address:	legal-admin@ngnlaw.com
Carly J. Schrader -	Primary Electronic Mail Address:	cschrader@ngnlaw.com
	Secondary Electronic Mail Address:	legal-admin@ngnlaw.com
Kerry A. Parsons -	Primary Electronic Mail Address:	kparsons@ngnlaw.com
	Secondary Electronic Mail Address:	legal-admin@ngnlaw.com

Filed September 18, 2017 12:45 PM Division of Administrative Hearings

Respectfully submitted this 18th day of September, 2017.

/s/ Carly J. Schrader
GREGORY T. STEWART
Florida Bar No. 203718
CARLY J. SCHRADER
Florida Bar No. 14675
KERRY A. PARSONS
Florida Bar No. 91919
Nabors, Giblin & Nickerson, P.A.
1500 Mahan Drive, Suite 200
Tallahassee, Florida 32308
(850) 224-4070
(850) 224-4073 (Facsimile)
gstewart@ngnlaw.com
cschrader@ngnlaw.com
kparsons@ngnlaw.com
legal-admin@ngnlaw.com
COUNSEL FOR RESPONDENT
LEON COUNTY

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing was filed electronically with the State of Florida Division of Administrative Hearings and served to Jeremy V. Anderson, Esquire via U.S. Mail to Anderson & Givens, P.A., 1689 Mahan Center Boulevard, Suite B, Tallahassee, Florida, 32309 and via email to janderson@andersongivens.com; and Gary K. Hunter, Esquire and David L. Powell, Esquire via U.S. Mail to Hopping Green & Sams, P.A., P.O. Box 6526, Tallahassee, Florida, 32314-6526 and via email to garyh@hgslaw.com and dpowell@hgslaw.com on this 18th day of September, 2017.

/s/ Carly J. Schrader_____
CARLY J. SCHRADER

STATE OF FLORIDA
DIVISION OF ADMINISTRATIVE HEARINGS

MOORE POND HOMEOWNERS
ASSOCIATION, INC., AND OX
BOTTOM MANOR COMMUNITY
ASSOCIATION, INC.,,

Petitioner(s),

vs. Case No. 17-005082

GOLDEN OAK LAND GROUP, LLC, AND
LEON COUNTY, FLORIDA

Respondent(s).
_____/

NOTICE OF APPEARANCE

The undersigned hereby files this Notice of Appearance on behalf of the Respondent, Golden Oak Land Group, LLC.

Copies of all pleadings, notices, and correspondence regarding the above-styled cause are requested to be served on the undersigned.

Respectfully submitted this 18th day of September, 2017.

/S/
Gary Hunter, Jr.
Esquire
Post Office Box 6526
Tallahassee FL, 32314
Phone No.: 850-222-7500
EMail Address:
ghunter@hgslaw.com
Florida Bar No.: 0949779

CERTIFICATE OF SERVICE

I certify that I have served a true and correct copy of this Notice of Appearance to Carley Schrader via eMail to cschrader@ngnlaw.com; legal-admin@ngnlaw.com; Gregory Stewart via eMail to gstewart@ngnlaw.com; legal-admin@ngnlaw.com; Jeremy Anderson via US Mail to Suite B 1689 Mahan Center Boulevard Tallahassee FL 32309; Jessica Icerman via eMail to IcermanJ@LeonCountyFL.gov;CountyAttorney@LeonCountyFL.gov; Kerry Parsons via eMail to kparsons@ngn-tally.com; legal-admin@ngnlaw.com on this 18th day of September, 2017.

Filed September 18, 2017 1:57 PM Division of Administrative Hearings

/S/
Gary Hunter, Jr.

STATE OF FLORIDA
DIVISION OF ADMINISTRATIVE HEARINGS

MOORE POND HOMEOWNERS
ASSOCIATION, INC., AND OX
BOTTOM MANOR COMMUNITY
ASSOCIATION, INC.,,

Petitioner(s),

vs. Case No. 17-005082

GOLDEN OAK LAND GROUP, LLC, AND
LEON COUNTY, FLORIDA

Respondent(s).
_____/

NOTICE OF APPEARANCE

The undersigned hereby files this Notice of Appearance on behalf of the Respondent, Golden Oak Land Group, LLC.

Copies of all pleadings, notices, and correspondence regarding the above-styled cause are requested to be served on the undersigned.

Respectfully submitted this 18th day of September, 2017.

/S/
Erin Tilton
Attorney
P.O. Box 6526
Tallahassee FL, 32314
Phone No.: 850-222-7500
EMail Address: erint@hgslaw.com
Florida Bar No.: 0104729

CERTIFICATE OF SERVICE

I certify that I have served a true and correct copy of this Notice of Appearance to Carley Schrader via eMail to cschrader@ngnlaw.com; legal-admin@ngnlaw.com; Gary Hunter, Jr. via eMail to ghunter@hgslaw.com; angelinan@hgslaw.com; Gregory Stewart via eMail to gstewart@ngnlaw.com; legal-admin@ngnlaw.com; Jeremy Anderson via US Mail to Suite B 1689 Mahan Center Boulevard Tallahassee FL 32309; Jessica Icerman via eMail to IcermanJ@LeonCountyFL.gov;CountyAttorney@LeonCountyFL.gov; Kerry Parsons via eMail to kparsons@ngn-tally.com; legal-admin@ngnlaw.com on this 18th day of September, 2017.

Filed September 18, 2017 4:27 PM Division of Administrative Hearings

/S/
Erin Tilton

STATE OF FLORIDA
DIVISION OF ADMINISTRATIVE HEARINGS

MOORE POND HOMEOWNERS ASSOCIATION, INC.,
AND OX BOTTOM MANOR COMMUNITY
ASSOCIATION, INC.,,

Petitioners, Case No. 17-5082

vs.

GOLDEN OAK LAND GROUP, LLC, AND LEON
COUNTY, FLORIDA,

Respondents.
_____/

INITIAL ORDER

1. Any document filed with DOAH by a party represented by an attorney shall be filed by electronic means through eALJ located at www.doah.state.fl.us. Parties not represented by an attorney may file by electronic means through eALJ. Any document filed through eALJ shall include the filing party's e-mail address and be served upon all other parties. All pleadings and motions must contain the DOAH style and case number.
2. THE AGENCY OR, WHERE THE AGENCY IS NOT A PARTY, THE PETITIONER SHALL COORDINATE WITH ALL PARTIES AND PROVIDE THE FOLLOWING INFORMATION WITHIN SEVEN DAYS OF THE DATE OF THIS ORDER. If coordination is not possible, each party shall individually provide the information.
   a. Any related cases before DOAH and, if so, the DOAH case number;
   b. Estimated length of time necessary to conduct the final hearing;
   c. Suggested geographic location for the final hearing. Any of the parties may state a preference for either a hearing conducted in-person or a hearing conducted by video-teleconferencing (VTC). The preference will be given due consideration by the Judge. Additional information about VTC hearings, including VTC locations, is available at www.doah.state.fl.us;
   d. All dates more than 30 and less than 70 days from the date of this Order on which both parties are available for the final hearing.
3. In the event a document is NOT electronically filed in accordance with paragraph 1, PARTIES NOT REPRESENTED BY AN ATTORNEY shall file the document on 8.5" x 11" paper at the address below and a copy served upon all other parties. Parties not represented may file electronically through eALJ, facsimile, or mail. CHOOSE ONE METHOD of filing for each document.
4. EVERY PERSON FILING A DOCUMENT AT DOAH MUST ENSURE THAT NO INFORMATION PROTECTED BY PRIVACY OR CONFIDENTIALITY LAWS IS CONTAINED IN ANY DOCUMENT THAT WOULD BE POSTED TO DOAH'S WEBSITE IN THE REGULAR COURSE OF BUSINESS.
5. FAILURE TO COMPLY WITH THE PROVISIONS OF PARAGRAPH 2 SHALL WAIVE VENUE RIGHTS, AND THE FINAL HEARING WILL BE SET AT A TIME AND PLACE DETERMINED BY THE JUDGE.

DONE AND ORDERED this 19th day of September, 2017, in Tallahassee, Florida.

BRAM D. E. CANTER
Administrative Law Judge
Division of Administrative Hearings
1230 Apalachee Parkway
Tallahassee, Florida 32399-3060
(850) 488-9675
Fax Filing (850) 921-6847
www.doah.state.fl.us

Filed with the Clerk of DOAH this 19th day of September, 2017.

SUMMARY OF PROCEDURES

This case has been filed with the Division of Administrative Hearings to conduct an evidentiary hearing governed by chapter 120, Florida Statutes, and Florida Administrative Code Chapter 28-106, Parts I and II.

THE PARTIES SHALL TAKE NOTICE THAT:

1. Parties that have not previously registered for electronic filing may register through eALJ at www.doah.state.fl.us. Once your registration has been submitted you will receive electronic notification within 24 hours that your account has been activated. YOUR REGISTRATION MUST BE ACTIVATED BEFORE YOU MAY FILE ELECTRONICALLY.
2. Discovery may be undertaken in the manner provided in the Florida Rules of Civil Procedure and, if desired, should be initiated immediately. Subpoenas may be obtained from the Judge by contacting (850) 488-9675, extension 111. Registered e-filers shall obtain subpoenas electronically through the DOAH website under the eALJ link. Discovery must be completed five days before the date of the final hearing unless an extension of time for good cause is granted.
3. The government agency for which a hearing is conducted will make arrangements for preserving the testimony at the final hearing.
4. A party may appear personally or be represented by an attorney or other qualified representative, pursuant to Florida Administrative Code Rule 28-106.106. Self-represented litigants should review "Representing Yourself" located on the Division's website at www.doah.state.fl.us.
5. Florida Administrative Code Rule 28-106.210 provides that requests for continuances must be filed with the Judge at least five days prior to the date of hearing, except in cases of extreme emergency, and will only be granted for good cause shown.
6. Parties will promptly notify the Judge in the event of a settlement or other development which might alter the scheduled hearing.
7. The parties are expected to discuss the possibility of settlement, enter into pre-hearing stipulations of fact and law, identify and limit issues, and exchange exhibit and witness lists prior to the hearing.
8. If all parties agree, this case may proceed as a summary hearing, without discovery, if requested by motion within 15 days from the date of this Order. A Final Order will be entered within 30 days after the hearing.

In accordance with the Americans with Disabilities Act, persons needing a special accommodation to participate in this proceeding should contact the Judge's secretary no later than seven days prior to the hearing. The Judge's secretary may be contacted at the address or telephone numbers on page one, via 1-800-955-8770 (Voice), or 1-800-955-8771 (TDD) Florida Relay Service.

COPIES FURNISHED:

Jeremy V. Anderson Esquire
(850)692-8900

Carley J. Schrader Esquire
(850)224-4070

Kerry Anne Parsons Esquire
(850)224-4070

Erin J. Tilton Esquire
(850)222-7500

Jessica M. Icerman Assistant County Attorney
(850)606-2500

Gregory Thomas Stewart Esquire
(850)224-4070

Gary K. Hunter, Jr. Esquire
(850)222-7500

STATE OF FLORIDA
DIVISION OF ADMINISTRATIVE HEARINGS

MOORE POND HOMEOWNERS ASSOCIATION, INC., AND OX BOTTOM MANOR COMMUNITY ASSOCIATION, INC.

Case No: 17-5082

Petitioners,

vs.

LEON COUNTY, FLORIDA AND GOLDEN OAK LAND GROUP, LLC
Respondents,
_____/

NOTICE OF APPEARANCE AND DESIGNATION OF ELECTRONIC MAIL ADDRESSES ON BEHALF OF PLAINTIFFS MOORE POND HOMEOWNERS, INC. AND OX BOTTOM MANOR COMMUNITY ASSOCIATION, INC.

PLEASE TAKE NOTICE that JEREMY V. ANDERSON and JUSTIN J. GIVENS of the Law Firm of Anderson & Givens, P.A., hereby file their Notice of Appearance on behalf of Petitioners, in connection with any and all proceedings in the above styled cause.

PLEASE TAKE FURTHER NOTICE that Petitioners, hereby designate the undersigned attorneys' electronic mail addresses for this matter as follows:

Jeremy V. Anderson- Primary Electronic Mail Address: janderson@andersongivens.com

Secondary Electronic Mail Address: cbreg@andersongivens.com

Justin J. Givens- Primary Electronic Mail Address: jgivens@andrersongivens.com

Secondary Electronic Mail Address: cbreg@andersongivens.com

Filed September 25, 2017 2:40 PM Division of Administrative Hearings

Respectfully submitted on September 25, 2017.

/s Justin J. Givens
Justin J. Givens, Esquire
Anderson & Givens, P.A.
1689 Mahan Center Blvd
Tallahassee, FL 32308
Phone: (850)339-8049
Email: jgivens@andersongivens.com
Attorneys for Petitioners

CERTIFICATE OF SERVICE

I HEREBY CERTIFY, that a true and correct copy of the foregoing was filed electronically with the State of Florida Division of Administrative Hearings and served to Gary K. Hunter, Esquire and David Powell, Esquire via U.S. Mail to Hopping Green & Sams, P.A., P.O. Box 6526, Tallahassee, FL 32314 and via email to garyh@hgslaw.com and dpowell@hgslaw.com and to Carly J. Schrader, Esquire via US Mail to Nabors, Giblin & Nickerson, P.A., 1500 Mahan Drive, Suite 200 Tallahassee, Florida 32308 and via email to cschrader@ngnlaw.com and gstewart@ngnlaw.com and kparsons@ngnlaw.com and legal-admin@ngnlaw.com on September 25, 2017.

Justin J. Givens, Esquire

STATE OF FLORIDA
DIVISION OF ADMINISTRATIVE HEARINGS

MOORE POND HOMEOWNERS
ASSOCIATION, INC., AND OX
BOTTOM MANOR COMMUNITY
ASSOCIATION, INC.,,

Petitioner(s),

vs. Case No. 17-005082

GOLDEN OAK LAND GROUP, LLC, AND
LEON COUNTY, FLORIDA

Respondent(s).
_____/

JOINT RESPONSE TO INITIAL ORDER

The undersigned hereby files this Joint Response to Initial Order to Paragraph 2 of the Initial Order:

a) No cases are pending before the Division of Administrative Hearings.
b) One (1) day will be needed to conduct the final hearing.
c) Tallahassee, FL is suggested for the final hearing.
d) The dates available for the final hearing are November 9 and 10, 2017

/S/
Jeremy Anderson
Partner/Shareholder
1689 Mahan Center Boulevard
Tallahassee FL, 32308
Phone No.: 850-692-8900
EMail Address:
janderson@andersongivens.com
Florida Bar No.: 0045279

CERTIFICATE OF SERVICE

I certify that I have served a true and correct copy of this Joint Response to Initial Order to Carley Schrader via eMail to cschrader@ngnlaw.com; legal-admin@ngnlaw.com; Erin Tilton via eMail to erint@hgslaw.com;amyc@hgslaw.com; Gary Hunter, Jr. via eMail to ghunter@hgslaw.com; angelinan@hgslaw.com; Gregory Stewart via eMail to gstewart@ngnlaw.com; legal-admin@ngnlaw.com; Jeremy Anderson via eMail to janderson@andersongivens.com;jgivens@andersongivens.com; Jessica Icerman via eMail to

Filed September 26, 2017 9:23 AM Division of Administrative Hearings

IcermanJ@LeonCountyFL.gov;CountyAttorney@LeonCountyFL.gov; Justin Givens via US Mail to 1689 Mahan Center Boulevard Tallahassee FL 32308; Kerry Parsons via eMail to kparsons@ngn-tally.com; legal-admin@ngnlaw.com on this 26th day of September, 2017.

/S/
Jeremy Anderson

STATE OF FLORIDA
DIVISION OF ADMINISTRATIVE HEARINGS

MOORE POND HOMEOWNERS
ASSOCIATION, INC., AND OX BOTTOM
MANOR COMMUNITY ASSOCIATION,
INC.,,

Petitioners,

vs. Case No. 17-5082

GOLDEN OAK LAND GROUP, LLC, AND
LEON COUNTY, FLORIDA,

Respondent.
_____/

NOTICE OF HEARING

A hearing will be held in this case at the Division of Administrative Hearings, Hearing Room 1, the DeSoto Building, 1230 Apalachee Parkway, Tallahassee, Florida, on November 9, 2017, at 9:00 a.m., or as soon thereafter as can be heard. Continuances will be granted only by order of the Administrative Law Judge for good cause shown.

ISSUE: As stated in the request for administrative hearing.

AUTHORITY: Chapter 120, Florida Statutes; and Florida Administrative Code Chapter 28-106, Parts I and II.

The parties shall arrange to have all witnesses and evidence present at the time and place of hearing. Subpoenas will be issued by the Administrative Law Judge upon request of the parties. Registered e-filers shall request subpoenas through eALJ. All parties have the right to present oral argument and to cross-examine opposing witnesses. All parties have the right to be represented by counsel or other qualified representative, in accordance with Florida Administrative Code Rule 28-106.106. Failure to appear at this hearing may be grounds for closure of the file without further proceedings.

The agency shall be responsible for preserving the testimony at the final hearing. Fla. Admin. Code R. 28-106.214.

September 26, 2017

BRAM D. E. CANTER
Administrative Law Judge
Division of Administrative Hearings
The DeSoto Building
1230 Apalachee Parkway
Tallahassee, Florida 32399-3060
(850) 488-9675
Fax Filing (850) 921-6847
www.doah.state.fl.us

COPIES FURNISHED:

Jessica M. Icerman, Assistant County Attorney
Leon County
Room 202
301 South Monroe Street
Tallahassee, Florida 32301
(eServed)

Carley J. Schrader, Esquire
Nabors, Giblin and Nickerson, P.A.
Suite 200
1500 Mahan Drive
Tallahassee, Florida 32308
(eServed)

Gregory Thomas Stewart, Esquire
Nabors, Giblin and Nickerson, P.A.
Suite 200
1500 Mahan Drive
Tallahassee, Florida 32308
(eServed)

Kerry Anne Parsons, Esquire
Nabors, Giblin and Nickerson, PA
Suite 200
1500 Mahan Drive
Tallahassee, Florida 32308
(eServed)

Gary K. Hunter, Jr., Esquire
Hopping, Green & Sams
Suite 300
Post Office Box 6526
Tallahassee, Florida 32314
(eServed)

Erin J. Tilton, Esquire
Hopping Green & Sams, P.A.
Post Office Box 6526
Tallahassee, Florida 32314
(eServed)

Jeremy Vincent Anderson, Esquire
Anderson & Givens, P.A.
Suite B
1689 Mahan Center Boulevard
Tallahassee, Florida 32308
(eServed)

Justin John Givens, Esquire
Anderson & Givens, P.A.
1689 Mahan Center Boulevard
Tallahassee, Florida 32308

In accordance with the Americans with Disabilities Act, persons needing a special accommodation to participate in this proceeding should contact the Judge's secretary no later than seven days prior to the hearing. The Judge's secretary may be contacted at (850) 488-9675, via 1-800-955-8771 (TDD), or 1-800-955-8770 (Voice) Florida Relay Service.

STATE OF FLORIDA
DIVISION OF ADMINISTRATIVE HEARINGS

MOORE POND HOMEOWNERS ASSOCIATION, INC., AND OX BOTTOM MANOR COMMUNITY ASSOCIATION, INC.,,

Petitioners,

vs. Case No. 17-5082

GOLDEN OAK LAND GROUP, LLC, AND LEON COUNTY, FLORIDA,

*AMENDED AS TO FINAL HEARING LOCATION ONLY

Respondent.
_____/

*AMENDED NOTICE OF HEARING

A hearing will be held in this case at the Division of Administrative Hearings, Hearing Room 3, the DeSoto Building, 1230 Apalachee Parkway, Tallahassee, Florida, on November 9, 2017, at 9:00 a.m., or as soon thereafter as can be heard. Continuances will be granted only by order of the Administrative Law Judge for good cause shown.

ISSUE: As stated in the request for administrative hearing.

AUTHORITY: Chapter 120, Florida Statutes; and Florida Administrative Code Chapter 28-106, Parts I and II.

The parties shall arrange to have all witnesses and evidence present at the time and place of hearing. Subpoenas will be issued by the Administrative Law Judge upon request of the parties. Registered e-filers shall request subpoenas through eALJ. All subpoenas previously issued and served shall remain in full force and effect as to any witness who is provided with a copy of this Notice. All parties have the right to present oral argument and to cross-examine opposing witnesses. All parties have the right to be represented by counsel or other qualified representative, in accordance with Florida Administrative Code Rule 28-106.106. Failure to appear

at this hearing may be grounds for closure of the file without further proceedings.

The agency shall be responsible for preserving the testimony at the final hearing. Fla. Admin. Code R. 28-106.214.

September 28, 2017

BRAM D. E. CANTER
Administrative Law Judge
Division of Administrative Hearings
The DeSoto Building
1230 Apalachee Parkway
Tallahassee, Florida 32399-3060
(850) 488-9675
Fax Filing (850) 921-6847
www.doah.state.fl.us

COPIES FURNISHED:

Jessica M. Icerman, Assistant County Attorney
Leon County
Room 202
301 South Monroe Street
Tallahassee, Florida 32301
(eServed)

Carley J. Schrader, Esquire
Nabors, Giblin and Nickerson, P.A.
Suite 200
1500 Mahan Drive
Tallahassee, Florida 32308
(eServed)

Gregory Thomas Stewart, Esquire
Nabors, Giblin and Nickerson, P.A.
Suite 200
1500 Mahan Drive
Tallahassee, Florida 32308
(eServed)

Kerry Anne Parsons, Esquire
Nabors, Giblin and Nickerson, PA
Suite 200
1500 Mahan Drive

Tallahassee, Florida 32308
(eServed)

Gary K. Hunter, Jr., Esquire
Hopping, Green & Sams
Suite 300
Post Office Box 6526
Tallahassee, Florida 32314
(eServed)

Erin J. Tilton, Esquire
Hopping Green & Sams, P.A.
Post Office Box 6526
Tallahassee, Florida 32314
(eServed)

Jeremy Vincent Anderson, Esquire
Anderson & Givens, P.A.
Suite B
1689 Mahan Center Boulevard
Tallahassee, Florida 32308
(eServed)

Justin John Givens, Esquire
Anderson & Givens, P.A.
1689 Mahan Center Boulevard
Tallahassee, Florida 32308

In accordance with the Americans with Disabilities Act, persons needing a special accommodation to participate in this proceeding should contact the Judge's secretary no later than seven days prior to the hearing. The Judge's secretary may be contacted at (850) 488-9675, via 1-800-955-8771 (TDD), or 1-800-955-8770 (Voice) Florida Relay Service.

STATE OF FLORIDA
DIVISION OF ADMINISTRATIVE HEARINGS

Moore Pond Homeowners Association, Inc.,
and Ox Bottom Manor Community
Association, Inc.,

Petitioners,

DOAH Case No. 17-5082

vs.
Golden Oak Land Group, LLC, and
Leon County, Florida,

Respondents.
_____/

GOLDEN OAK LAND GROUP, LLC'S NOTICE OF SERVING ITS FIRST SET OF INTERROGATORIES TO PETITIONERS MOORE POND HOMEOWNERS ASSOCIATION, INC. AND OX BOTTOM MANOR COMMUNITY ASSOCIATION, INC.

Respondent Golden Oak Land Group, LLC ("Golden Oak") by and through undersigned counsel, hereby gives notice that on September 29, 2017, Golden Oak propounded thirteen (13) interrogatories collectively on Petitioners Moore Pond Homeowners Association, Inc. and Ox Bottom Manor Community Association, Inc.

Respectfully submitted this 29th day of September, 2017.

HOPPING GREEN & SAMS

/s/ *Gary K. Hunter, Jr.*
Gary K. Hunter, Jr. (Fla. Bar No. 949779)
Erin J. Tilton (Fla. Bar No. 104729)
119 South Monroe Street, Suite 300
Tallahassee, Florida 32301
Telephone: (850) 222-7500
Facsimile: (850) 224-8551
garyh@hgslaw.com
erint@hgslaw.com

Attorneys for Respondent
Golden Oak Land Group, LLC

Filed September 29, 2017 4:25 PM Division of Administrative Hearings

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing was filed electronically with the State of Florida Division of Administrative Hearings and served to Jeremy V. Anderson via hand delivery at Anderson & Givens, P.A., 1689 Mahan Center Blvd., Suite B, Tallahassee, Florida, 32309 and via e-mail to janderson@andersongivens.com; Justin J. Givens at jgivens@andersongivens.com; Gregory T. Stewart at gstewart@ngnlaw.com; Carly J. Schrader at cshrader@ngnlaw.com; Kerry A. Parsons at kparsons@ngnlaw.com; and Jessica Icerman at IcermanJ@LeonCountyFL.gov, this 29th day of September, 2017.

_*/s/ Gary K. Hunter, Jr.*____
Attorney

STATE OF FLORIDA
DIVISION OF ADMINISTRATIVE HEARINGS

Moore Pond Homeowners Association,
Inc., and Ox Bottom Manor Community
Association, Inc.,

Petitioners, DOAH Case No. 17-5082

vs.

Golden Oak Land Group, LLC, and
Leon County, Florida

Respondents.
_____/

GOLDEN OAK LAND GROUP, LLC'S FIRST REQUEST FOR PRODUCTION OF DOCUMENTS TO PETITIONERS MOORE POND HOMEOWNERS ASSOCIATION, INC. AND OX BOTTOM MANOR COMMUNITY ASSOCIATION, INC.

Respondent Golden Oak Land Group, LLC ("Golden Oak"), by and through undersigned counsel and pursuant to Rule 28-106.206, F.A.C., and Rules 1.280 and 1.350, Fla. R. Civ. P., hereby serves this First Request for Production of Documents to Petitioners Moore Pond Homeowners Association, Inc. ("Moore Pond HOA") and Ox Bottom Manor Community Association, Inc. ("Ox Bottom Manor") (collectively, "Petitioners"). Golden Oak demands that Petitioners produce the requested documents within thirty (30) days of service of this First Request for Production of Documents, at Hopping Green & Sams, P.A., 119 South Monroe Street, Suite 300, Tallahassee, Florida 32301, unless another time and place is mutually agreed upon by the parties.

Definitions and Instructions

1. When used in these requests for production, "Petitioners" "you," "your," or "yours," refers collectively to the Moore Pond Homeowners Association, Inc. and the Ox Bottom

Filed September 29, 2017 4:27 PM Division of Administrative Hearings

Manor Community Association, Inc., and their respective current or former employees, agents, directors, officers, consultants, contractors, experts, or representatives.

2. When used in these requests for production, "Moore Pond HOA" refers to the Moore Pond Homeowners Association, Inc. and its current or former employees, agents, directors, officers, consultants, contractors, experts, or representatives.

3. When used in these requests for production, "Ox Bottom Manor" refers to the Ox Bottom Manor Community Association, Inc. and its current or former employees, agents, directors, officers, consultants, contractors, experts, or representatives.

4. When used in these requests for production, "Leon County" or "County" refers to Leon County, Florida and its current or former employees, agents, directors, officers, consultants, contractors, experts, or representatives.

5. When used in these requests for production, "Golden Oak" refers to Golden Oak Land Group, LLC and its current or former employees, agents, directors, officers, consultants, contractors, experts, or representatives.

6. When used in these requests for production, "Respondents" refers collectively to Leon County and Golden Oak Land Group, LLC and their respective current or former employees, agents, directors, officers, consultants, contractors, experts, or representatives.

7. When used in these requests for production, "Brookside Village" refers to the Brookside Village Residential Subdivision.

8. When used in these requests for production, "Petition" refers to the Appeal and Petition for Quasi-Judicial Hearing Before a Special Master Challenging the Written Preliminary Decision of the DRC Approving Brookside Village Residential Subdivision – ID #LSP150035, filed by Petitioners on September 15, 2017.

9. When used in these requests for production, the words "relating to," "concerning," and "pertaining to" mean comprising, setting forth, identifying, recording, summarizing, supporting, providing basis for, digesting, commenting upon, describing, reporting, listing, analyzing, studying, discussing, mentioning, or in any other way reflecting or having to do with a subject matter identified in the request.

10. When used in these requests for production, the terms "document" or "documents" shall include the original and any copy of and all written, printed, typed, recorded, graphic, computer-generated, or other matter of any kind from which information can be derived, whether produced, reproduced, or stored on paper, cards, tape, film, electronic facsimile, computer storage devices, or any other medium in your possession, custody, or control. It includes, without limitations, electronically stored information, e-mails, letters, memoranda (whether of visits, telephone calls, or otherwise), appointment calendars, schedules, books, indices, printed forms (whether official or unofficial), publications, press releases, notices, brochures, pamphlets, guidelines, manuals, instructions, minutes, summaries or abstracts, reports, files, file jackets, transcripts, data processing cards, computer tapes, printouts, information contained in, on, or retrievable from computer programs, bulletins, written questions and answers, charts, exhibits, blueprints, drawings, diagrams, graphs, tables, photographs, videotapes, DVDs, recordings, speeches, telegrams, cables, telex messages, microfilms, opinions, studies, papers, analyses, evaluations, proposals, budget materials, invoices, financial statements, contracts, specifications, applications, motions, petitions, complaints, answers, responses, replies, protests, verified statements, hearing transcripts, attachments, filings, submissions, and pleadings. The terms "document" or "documents" also shall include each copy that is not identical to the original or to any other produced copy, any preliminary drafts or

executive summaries of any document or working papers related thereto, and any electronic form of information, and any drawings.

11. When used in these requests for production, "person" or "persons" shall include any natural person, corporation, partnership, proprietorship, association, joint venture, governmental or other public entity, or any other form of organization or legal entity, and all their officials, directors, officers, employees, representatives, and agents.

12. In order to bring within the scope of these requests for production all information and documentation that might otherwise be construed to be outside their scope:

a. the singular of each word shall be construed to include its plural and vice versa;

b. "and" as well as "or" shall be construed both conjunctively as well as disjunctively;

c. "each" shall be construed to include "every" and vice versa;

d. "any" shall be construed to include "all" and vice versa;

e. the present tense shall be construed to include the past tense and vice versa; and

f. the masculine shall be construed to include the feminine and vice versa.

13. Where the term "in your possession" is used, such request includes your agents and representative, including your attorneys (unless privileged).

14. If you have no documents responsive to a request, please so indicate.

15. If any request is objected to, please state the basis for the objection.

16. If you believe that any of the following requests call for production of documents that you claim are protected by the attorney-client privilege, the attorney work product doctrine,

or any other privilege, produce so much of the document(s) as is not objected to, and set forth, with respect to each such document as to which claim of privilege is asserted, the nature of the privilege claimed and the basis for your claim. For each document or part of a document as to which you claim privilege, state:

a. the date thereof;

b. the type, title, and subject matter of the document, sufficient to assess whether the assertion of privilege is valid;

c. the name of the person or persons who prepared or signed the document;

d. the name and positions of any intended or actual recipients of the document;

e. each person in possession of the original or a copy of the document;

f. the nature of the privilege being claimed and any facts relevant to the claim; and

g. the paragraph number of the request to which the document is responsive.

17. If, for reasons other than a claim of privilege, you refuse to produce any documents requested herein, please state the grounds upon which the refusal is based with sufficient specificity to permit a determination of the propriety of such refusal.

18. Each of these definitions and instructions shall be fully applicable to each request for production, notwithstanding that a definition or instruction above may, in whole or in part, be reiterated in a particular request for production or that a particular request for production may incorporate supplemental instructions or definitions.

19. Electronic documents shall be produced in their original format (e.g., .doc, .msg., etc.).

Requests for Production of Documents

1. Produce all documents identified in your response to, or used to prepare responses to, Golden Oak Land Group, LLC's First Set of Interrogatories to Petitioners Moore Pond Homeowners Association, Inc. and Ox Bottom Manor Community Association, Inc., which was served contemporaneously herewith, and indicate to which interrogatory each document is responsive.

2. Produce current resumes or *curricula vitae* for expert witnesses identified in response to Golden Oak Land Group, LLC's First Set of Interrogatories to Petitioners Moore Pond Homeowners Association, Inc. and Ox Bottom Manor Community Association, Inc.

3. Produce all documents, whether under development or finalized, that you reasonably anticipate offering or referring to at any hearing in this action.

4. Produce all documents, whether under development or finalized, that each and every person you intend to call or anticipate calling as a witness at any hearing in this proceeding intends to rely upon for purposes of rendering an opinion or testimony or reviewed or prepared as part of their testimony.

5. Produce all documents, whether under development or finalized, including all drafts of such reports, electronic or otherwise, prepared by each and every person you intend to call or anticipate calling as an expert witness at any hearing in this proceeding.

6. Produce all correspondence, including electronic mail, texts, or other correspondence discussing, referencing, or identifying in any way the Brookside Village Residential Development or application for the Brookside Village Residential Development or any other activity or event related to Golden Oak Land Group, LLC.

7. Produce all written comments submitted by Ox Bottom Manor Community Association, Inc. to the Department of Development Support and Environmental Management

prior to the Development Review Committee meeting held to consider the proposed Brookside Village Residential Development, as alleged on page 3 of your Petition.

7. Produce all documents that support, refer, or relate to your allegation on page 3 of your Petition that "substantial difference in lot coverage, bulk, configuration, orientation, scale, height, mass, setbacks, noise and internal traffic circulation **will result** in a use that is wholly incompatible with the existing Moore Pond and Ox Bottom Manor residential communities."

8. Produce all documents that support, refer, or relate to your allegation on page 5 of your Petition that "[b]uffering and setbacks alone do not sufficiently eliminate the negative impacts and incompatibility created by the 'walled effect' of the tightly packed residential dwelling units, both internally and ringing the developed area and abutting Moore Pond and Ox Bottom Manor."

9. Produce all documents that support, refer, or relate to your allegation on page 7 of your Petition that the "walled effect results in an incompatible density and intensity."

10. Produce all documents that support, refer, or relate to your allegations on pages 8 and 11 of your Petition that staff did not conduct an independent compatibility analysis and that the Development Review Committee did not properly consider compatibility.

11. Produce all documents that support, refer, or relate to your allegation on page 11 of your Petition that "the entire design concept of the proposed Brookside Village Residential Development is inconsistent with Moore Pond and Ox Bottom Manor."

12. Produce all documents that support, refer, or relate to your allegation on page 12 of your Petition that the "DRC failed to require [Golden Oak] to provide a plan that was as compatible as practicable."

13. To the extent not covered above, produce all documents, whether under development or finalized, that support, refer, or relate to any and all claims in this proceeding.

Dated this 29th day of September, 2017.

HOPPING GREEN & SAMS

/s/ *Gary K. Hunter, Jr.*

Gary K. Hunter, Jr. (Fla. Bar No. 949779)
Erin J. Tilton (Fla. Bar No. 104729)
119 South Monroe Street, Suite 300
Tallahassee, Florida 32301
Telephone: (850) 222-7500
Facsimile: (850) 224-8551
garyh@hgslaw.com
erint@hgslaw.com

Attorneys for Respondent
Golden Oak Land Group, LLC

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing was filed electronically with the State of Florida Division of Administrative Hearings and served to Jeremy V. Anderson via hand delivery at Anderson & Givens, P.A., 1689 Mahan Center Blvd., Suite B, Tallahassee, Florida, 32309 and via e-mail to janderson@andersongivens.com; Justin J. Givens at jgivens@andersongivens.com; Gregory T. Stewart at gstewart@ngnlaw.com; Carly J. Schrader at cshrader@ngnlaw.com; Kerry A. Parsons at kparsons@ngnlaw.com; and Jessica Icerman at IcermanJ@LeonCountyFL.gov, this 29th day of September, 2017.

__/s/ Gary K. Hunter, Jr.__
Attorney

STATE OF FLORIDA
DIVISION OF ADMINISTRATIVE HEARINGS

Moore Pond Homeowners Association, Inc., and Ox Bottom Manor Community Association, Inc.,

Petitioners, **DOAH Case No. 17-5082**

vs.

Golden Oak Land Group, LLC, and Leon County, Florida

Respondents.
_____/

NOTICE OF TAKING DEPOSITION DUCES TECUM

PLEASE TAKE NOTICE that pursuant to Fla. R. Civ. P. 1.310 the attorneys for Respondent Golden Oak Land Group, LLC ("Golden Oak") will take, by oral examination, the following deposition:

Name	Date & Time	Location
Jan Norsoph	October 23-24, 2017 1:30 p.m.	Nabors Giblin & Nickerson 2502 Rocky Point Drive Suite 1060 Tampa, Florida 33607

Said deposition will be taken upon oral examination before an officer authorized by law to administer oaths at the location specified above. The deposition will be taken for all purposes permitted under the Florida Rules of Civil Procedure including, but not limited to as discovery, for use at trial, or for such other purposes as are permitted by law.

Pursuant to Florida Rules of Civil Procedure 1.310(b), deponent is required to produce at the time and place described above the documents described on attached Exhibit "A".

Filed October 3, 2017 1:35 PM Division of Administrative Hearings

PLEASE GOVERN YOURSELVES ACCORDINGLY.

HOPPING GREEN & SAMS

/s/ *Gary K. Hunter, Jr.*
Gary K. Hunter, Jr. (Fla. Bar No. 949779)
Erin J. Tilton (Fla. Bar No. 104729)
119 South Monroe Street, Suite 300
Tallahassee, Florida 32301
Telephone: (850) 222-7500
Facsimile: (850) 224-8551
garyh@hgslaw.com
erint@hgslaw.com

Attorneys for Respondent
Golden Oak Land Group, LLC

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing was filed electronically with the State of Florida Division of Administrative Hearings and served electronically to Jeremy V. Anderson at janderson@andersongivens.com; Justin J. Givens at jgivens@andersongivens.com; Gregory T. Stewart at gstewart@ngnlaw.com; Carly J. Schrader at cshrader@ngnlaw.com; Kerry A. Parsons at kparsons@ngnlaw.com; and Jessica Icerman at IcermanJ@LeonCountyFL.gov, this 3rd day of October, 2017.

/s/ *Gary K. Hunter, Jr.*
Attorney

Exhibit "A"

DUCES TECUM

DEFINITIONS

1. As used herein, "Petitioners" "you," "your," or "yours," refers collectively to the Moore Pond Homeowners Association, Inc. and the Ox Bottom Manor Community Association, Inc., and their respective current or former employees, agents, directors, officers, consultants, contractors, experts, or representatives.

2. As used herein, "Moore Pond HOA" refers to the Moore Pond Homeowners Association, Inc. and its current or former employees, agents, directors, officers, consultants, contractors, experts, or representatives.

3. As used herein, "Ox Bottom Manor" refers to the Ox Bottom Manor Community Association, Inc. and its current or former employees, agents, directors, officers, consultants, contractors, experts, or representatives.

4. As used herein, "Leon County" or "County" refers to Leon County, Florida and its current or former employees, agents, directors, officers, consultants, contractors, experts, or representatives.

5. As used herein, "Golden Oak" refers to Golden Oak Land Group, LLC and its current or former employees, agents, directors, officers, consultants, contractors, experts, or representatives.

6. As used herein, "Respondents" refers collectively to Leon County and Golden Oak Land Group, LLC and their respective current or former employees, agents, directors, officers, consultants, contractors, experts, or representatives.

7. As used herein, "Brookside Village" refers to the Brookside Village Residential Subdivision.

8. As used herein, "Petition" refers to the Appeal and Petition for Quasi-Judicial Hearing Before a Special Master Challenging the Written Preliminary Decision of the DRC Approving Brookside Village Residential Subdivision – ID #LSP150035, filed by Petitioners on September 15, 2017.

PLEASE PRODUCE THE FOLLOWING:

1. A copy of your most current resume or curriculum vitae.

2. A list of cases in which you have testified as an expert witness over the past five (5) years.

3. All documents mentioning or containing your scope, terms, and rates of services, scope of services, or retention as an expert in the above-styled lawsuit, including but not limited to retainer agreements.

4. All documents containing the opinions and/or conclusions that you will testify to at hearing in the above-styled lawsuit.

5. All documents you relied on to support the opinions and/or conclusions that you will testify to at hearing in the above-styled lawsuit.

6. All summaries, memoranda, and notes you have prepared in conjunction with your review of any document or information related to the above-styled lawsuit.

7. Any and all materials, including but not limited to, books, texts, treatises, articles, monographs, standards, policies, procedures, and rules or regulations that you consulted or reviewed as a result of your involvement in or in the formation of your opinions in the above-styled lawsuit.

8. Any and all billing records regarding work you performed in connection with the above-styled lawsuit.

9. Any and all drafts of any reports you prepared in connection with the above-styled lawsuit.

10. Your entire file for your expert retention and expert opinions in the above-style lawsuit.

STATE OF FLORIDA
DIVISION OF ADMINISTRATIVE HEARINGS

Moore Pond Homeowners Association, Inc., and Ox Bottom Manor Community Association, Inc.,

Petitioners, **DOAH Case No. 17-5082**

vs.

Golden Oak Land Group, LLC, and Leon County, Florida

Respondents.
_____/

AMENDED NOTICE OF TAKING DEPOSITION DUCES TECUM

PLEASE TAKE NOTICE that pursuant to Fla. R. Civ. P. 1.310 the attorneys for Respondent Golden Oak Land Group, LLC ("Golden Oak") will take, by oral examination, the following deposition:

Name	**Date & Time**	**Location**
Jan Norsoph	October 23-24, 2017 2:30 p.m.	Nabors Giblin & Nickerson 2502 Rocky Point Drive Suite 1060 Tampa, Florida 33607

Said deposition will be taken upon oral examination before an officer authorized by law to administer oaths at the location specified above. The deposition will be taken for all purposes permitted under the Florida Rules of Civil Procedure including, but not limited to as discovery, for use at trial, or for such other purposes as are permitted by law.

Pursuant to Florida Rules of Civil Procedure 1.310(b), deponent is required to produce at the time and place described above the documents described on attached Exhibit "A".

Filed October 6, 2017 11:18 AM Division of Administrative Hearings

PLEASE GOVERN YOURSELVES ACCORDINGLY.

HOPPING GREEN & SAMS

/s/ *Gary K. Hunter, Jr.*
Gary K. Hunter, Jr. (Fla. Bar No. 949779)
Erin J. Tilton (Fla. Bar No. 104729)
119 South Monroe Street, Suite 300
Tallahassee, Florida 32301
Telephone: (850) 222-7500
Facsimile: (850) 224-8551
garyh@hgslaw.com
erint@hgslaw.com

Attorneys for Respondent
Golden Oak Land Group, LLC

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing was filed electronically with the State of Florida Division of Administrative Hearings and served electronically to Jeremy V. Anderson at janderson@andersongivens.com; Justin J. Givens at jgivens@andersongivens.com; Gregory T. Stewart at gstewart@ngnlaw.com; Carly J. Schrader at cshrader@ngnlaw.com; Kerry A. Parsons at kparsons@ngnlaw.com; and Jessica Icerman at IcermanJ@LeonCountyFL.gov, this 6th day of October, 2017.

/s/ *Gary K. Hunter, Jr.*
Attorney

Exhibit "A"

DUCES TECUM

DEFINITIONS

1. As used herein, "Petitioners" "you," "your," or "yours," refers collectively to the Moore Pond Homeowners Association, Inc. and the Ox Bottom Manor Community Association, Inc., and their respective current or former employees, agents, directors, officers, consultants, contractors, experts, or representatives.

2. As used herein, "Moore Pond HOA" refers to the Moore Pond Homeowners Association, Inc. and its current or former employees, agents, directors, officers, consultants, contractors, experts, or representatives.

3. As used herein, "Ox Bottom Manor" refers to the Ox Bottom Manor Community Association, Inc. and its current or former employees, agents, directors, officers, consultants, contractors, experts, or representatives.

4. As used herein, "Leon County" or "County" refers to Leon County, Florida and its current or former employees, agents, directors, officers, consultants, contractors, experts, or representatives.

5. As used herein, "Golden Oak" refers to Golden Oak Land Group, LLC and its current or former employees, agents, directors, officers, consultants, contractors, experts, or representatives.

6. As used herein, "Respondents" refers collectively to Leon County and Golden Oak Land Group, LLC and their respective current or former employees, agents, directors, officers, consultants, contractors, experts, or representatives.

7. As used herein, "Brookside Village" refers to the Brookside Village Residential Subdivision.

8. As used herein, "Petition" refers to the Appeal and Petition for Quasi-Judicial Hearing Before a Special Master Challenging the Written Preliminary Decision of the DRC Approving Brookside Village Residential Subdivision – ID #LSP150035, filed by Petitioners on September 15, 2017.

PLEASE PRODUCE THE FOLLOWING:

1. A copy of your most current resume or curriculum vitae.

2. A list of cases in which you have testified as an expert witness over the past five (5) years.

3. All documents mentioning or containing your scope, terms, and rates of services, scope of services, or retention as an expert in the above-styled lawsuit, including but not limited to retainer agreements.

4. All documents containing the opinions and/or conclusions that you will testify to at hearing in the above-styled lawsuit.

5. All documents you relied on to support the opinions and/or conclusions that you will testify to at hearing in the above-styled lawsuit.

6. All summaries, memoranda, and notes you have prepared in conjunction with your review of any document or information related to the above-styled lawsuit.

7. Any and all materials, including but not limited to, books, texts, treatises, articles, monographs, standards, policies, procedures, and rules or regulations that you consulted or reviewed as a result of your involvement in or in the formation of your opinions in the above-styled lawsuit.

8. Any and all billing records regarding work you performed in connection with the above-styled lawsuit.

9. Any and all drafts of any reports you prepared in connection with the above-styled lawsuit.

10. Your entire file for your expert retention and expert opinions in the above-style lawsuit.

STATE OF FLORIDA
DIVISION OF ADMINISTRATIVE HEARINGS

Moore Pond Homeowners Association,
Inc., and Ox Bottom Manor Community
Association, Inc.,

Petitioners, DOAH Case No. 17-5082

vs.

Golden Oak Land Group, LLC, and
Leon County, Florida

Respondents.
_____/

MOORE POND HOMEOWNERS ASSOCIATION, INC. AND OX BOTTOM MANOR COMMUNITY ASSOCIATION, INC. FIRST REQUEST FOR PRODUCTION OF DOCUMENTS TO RESPONDENTS GOLDEN OAK LAND GROUP, LLC AND LEON COUNTY

Petitioners Moore Pond Homeowners Association, Inc. and Ox Bottom Manor Community Association, Inc. (herein "Petitioners"), by and through undersigned counsel and pursuant to Rule 28-106.206, F.A.C., and Rules 1.280 and 1.350, Fla. R. Civ. P., hereby serves this First Request for Production of Documents to Respondent's Golden Oak Land Group, LLC and Leon County (herein "Respondents"). Petitioners demand that Respondents produce the requested documents within thirty (30) days of service of this First Request for Production of Documents, to Anderson & Givens P.A., 1689 Mahan Center Blvd, Suite B, Tallahassee FL 32308 unless another time and place is mutually agreed upon by the parties.

Definitions and Instructions

1. When used in these requests for production, "Respondents" "you," "your," or "yours," refers collectively to the Golden Oak Land Group, LLC and Leon County

Filed October 6, 2017 4:20 PM Division of Administrative Hearings

and their respective current or former employees, agents, directors, officers, consultants, contractors, experts, or representatives.

2. When used in these requests for production, "Moore Pond HOA" refers to the Moore Pond Homeowners Association, Inc. and its current or former employees, agents, directors, officers, consultants, contractors, experts, or representatives.

3. When used in these requests for production, "Ox Bottom Manor" refers to the Ox Bottom Manor Community Association, Inc. and its current or former employees, agents, directors, officers, consultants, contractors, experts, or representatives.

4. When used in these requests for production, "Petitioners" collectively refers to the Moore Pond Homeowners Association, Inc. and Ox Bottom Manor Community Association, Inc., as well as their current or former employees, agents, directors, officers, consultants, contractors, experts, or representatives.

5. When used in these requests for production, "Leon County" or "County" refers to Leon County, Florida and its current or former employees, agents, directors, officers, consultants, contractors, experts, or representatives.

6. When used in these requests for production, "Golden Oak" refers to Golden Oak Land Group, LLC and its current or former employees, agents, directors, officers, consultants, contractors, experts, or representatives.

7. When used in these requests for production, "Respondents" refers collectively to Leon County and Golden Oak Land Group, LLC and their respective current or former employees, agents, directors, officers, consultants, contractors, experts, or representatives.

8. When used in these requests for production, "Brookside Village" refers to the Brookside Village Residential Subdivision.

9. When used in these requests for production, "Petition" refers to the Appeal and

Petition for Quasi-Judicial Hearing Before a Special Master Challenging the Written Preliminary Decision of the DRC Approving Brookside Village Residential Subdivision – ID #LSP150035, filed by Petitioners on September 15, 2017.

10. When used in these requests for production, the words "relating to," "concerning," and "pertaining to" mean comprising, setting forth, identifying, recording, summarizing, supporting, providing basis for, digesting, commenting upon, describing, reporting, listing, analyzing, studying, discussing, mentioning, or in any other way reflecting or having to do with a subject matter identified in the request.

11. When used in these requests for production, the terms "document" or "documents" shall include the original and any copy of and all written, printed, typed, recorded, graphic, computer-generated, or other matter of any kind from which information can be derived, whether produced, reproduced, or stored on paper, cards, tape, film, electronic facsimile, computer storage devices, or any other medium in your possession, custody, or control. It includes, without limitations, electronically stored information, e-mails, letters, memoranda (whether of visits, telephone calls, or otherwise), appointment calendars, schedules, books, indices, printed forms (whether official or unofficial), publications, press releases, notices, brochures, pamphlets, guidelines, manuals, instructions, minutes, summaries or abstracts, reports, files, file jackets, transcripts, data processing cards, computer tapes, printouts, information contained in, on, or retrievable from computer programs, bulletins, written questions and answers, charts, exhibits, blueprints, drawings, diagrams, graphs, tables, photographs, videotapes, DVDs, recordings, speeches, telegrams, cables, telex messages, microfilms, opinions, studies, papers, analyses, evaluations, proposals, budget materials, invoices, financial statements, contracts, specifications, applications, motions, petitions, complaints, answers, responses, replies, protests, verified statements, hearing transcripts, attachments, filings, submissions, and pleadings. The terms

"document" or "documents" also shall include each copy that is not identical to the original or to any other produced copy, any preliminary drafts or

executive summaries of any document or working papers related thereto, and any electronic form of information, and any drawings.

12. When used in these requests for production, "person" or "persons" shall include any natural person, corporation, partnership, proprietorship, association, joint venture, governmental or other public entity, or any other form of organization or legal entity, and all their officials, directors, officers, employees, representatives, and agents.

13. In order to bring within the scope of these requests for production all information and documentation that might otherwise be construed to be outside their scope:

a. the singular of each word shall be construed to include its plural and vice versa;

b. "and" as well as "or" shall be construed both conjunctively as well as disjunctively;

c. "each" shall be construed to include "every" and vice versa;

d. "any" shall be construed to include "all" and vice versa;

e. the present tense shall be construed to include the past tense and vice versa; and

f. the masculine shall be construed to include the feminine and vice versa.

14. Where the term "in your possession" is used, such request includes your agents and representative, including your attorneys (unless privileged).

15. If you have no documents responsive to a request, please so indicate.

16. If any request is objected to, please state the basis for the objection.

17. If you believe that any of the following requests call for production of documents that you claim are protected by the attorney-client privilege, the attorney work product doctrine, or any other privilege, produce so much of the document(s) as is not objected to, and set forth,

with respect to each such document as to which claim of privilege is asserted, the nature of the privilege claimed and the basis for your claim. For each document or part of a document as to which you claim privilege, state:

a. the date thereof;

b. the type, title, and subject matter of the document, sufficient to assess whether the assertion of privilege is valid;

c. the name of the person or persons who prepared or signed the document;

d. the name and positions of any intended or actual recipients of the document;

e. each person in possession of the original or a copy of the document;

f. the nature of the privilege being claimed and any facts relevant to the claim; and

g. the paragraph number of the request to which the document is responsive.

18. If, for reasons other than a claim of privilege, you refuse to produce any documents requested herein, please state the grounds upon which the refusal is based with sufficient specificity to permit a determination of the propriety of such refusal.

19. Each of these definitions and instructions shall be fully applicable to each request for production, notwithstanding that a definition or instruction above may, in whole or in part, be reiterated in a particular request for production or that a particular request for production may incorporate supplemental instructions or definitions.

20. Electronic documents shall be produced in their original format (e.g., .doc, .msg., etc.).

Requests for Production of Documents

1. Produce all documents identified in your response to, or used to prepare responses to, Petitioners' First Set of Interrogatories to Respondents Leon County and Golden Oak Land Group, LLC., which was served contemporaneously herewith, and indicate to which interrogatory each document is responsive.

2. Produce current resumes or *curricula vitae* for expert witnesses identified in response to Petitioners' First Set of Interrogatories to Respondents Leon County and Golden Oak Land Group, LLC., .

3. Produce all documents, whether under development or finalized, that you reasonably anticipate offering or referring to at any hearing in this action.

4. Produce all documents, whether under development or finalized, that each and every person you intend to call or anticipate calling as a witness at any hearing in this proceeding intends to rely upon for purposes of rendering an opinion or testimony or reviewed or prepared as part of their testimony.

5. Produce all documents, whether under development or finalized, including all drafts of such reports, electronic or otherwise, prepared by each and every person you intend to call or anticipate calling as an expert witness at any hearing in this proceeding.

6. Produce all documents, whether under development or finalized, including all drafts of such reports, electronic or otherwise, prepared by each and every Leon County staff person you intend to call or anticipate calling as a witness at any hearing in this proceeding.

7. Produce all correspondence, including electronic mail, texts, or other correspondence discussing, referencing, or identifying in any way the Brookside Village Residential Development or application for the Brookside Village Residential Development.

8. Produce a copy of the full-size site Brookside Village Residential site plan: Sheets

C-102 through C-105; Sheets 110, 112.1 and 112.2.

9. Produce any cross-section diagrams/depictions prepared by respondents showing topographical contours between Brookside Village and the adjacent Moore Pond and Ox Bottom Manor subdivisions.

10. Produce Wendy Gray's notes and any working or final documents related to how she calculated average density and the average lot sizes of the Moore Pond subdivision, Ox Bottom Manor subdivision, the Ox Bottom Gardens subdivision and the proposed Brookside Village development.

11. Produce any notes and any working or final documents related to how Leon County calculated average density and the average lot sizes of the Moore Pond subdivision, Ox Bottom Manor subdivision, the Ox Bottom Gardens subdivision and the proposed Brookside Village development.

12. Produce any Development Review Committee minutes, as well as any video or audio recordings.

13. Produce all documents to be used or referred to by Respondents at any hearing or proceeding that Respondents contend will show that the Brookside Village is compatible with the adjacent Moore Pond and Ox Bottom Manor subdivisions.

14. Produce all documents, including any notes, emails, or reports that indicate any possible concern that there may be compatibility issues between Brookside Village and the adjacent Moore Pond and Ox Bottom Manor subdivisions, including any responses thereto.

15. Produce all documents to be used or referred to by Respondents at any hearing or proceeding that Respondents contend will show that the Brookside Village is consistent with the Leon County Comprehensive Plan and in compliance with all land development ordinances of Leon County.

16. Produce all documents, including any notes, emails, or reports that indicate any possible concern that the Brookside Village is inconsistent with the Leon County Comprehensive Plan and not in compliance with all land development ordinances of Leon County, including any responses thereto.

17. To the extent not covered above, produce all documents, whether under development or finalized, that support, refer, or relate to any and all claims in this proceeding.

Dated this 6th day of October, 2017.

ANDERSON & GIVENS, P.A.

/s/ *Justin J. Givens*

Justin J. Givens (Fla. Bar No. 0052130)
Jeremy V. Anderson (Fla. Bar No. 45279)
1689 Mahan Center Blvd, Suite B
Tallahassee, Florida 32308
Telephone: (850) 692-8900
Facsimile: (850) 224-2440
jgivens@andersongivens.com
janderson@andersongivens.com

Attorneys for Petitioners
Moore Pond Homeowners Association, Inc. and Ox Bottom Manor Community Association, Inc.

I HEREBY CERTIFY, that a true and correct copy of the foregoing was filed electronically with the State of Florida Division of Administrative Hearings and served to Gary K. Hunter, Esquire and David Powell, Esquire via U.S. Mail to Hopping Green & Sams, P.A., P.O. Box 6526, Tallahassee, FL 32314 and via email to garyh@hgslaw.com and dpowell@hgslaw.com and to Carly J. Schrader, Esquire via US Mail to Nabors, Giblin & Nickerson, P.A., 1500 Mahan Drive, Suite 200 Tallahassee, Florida 32308 and via email to cschrader@ngnlaw.com and gstewart@ngnlaw.com and kparsons@ngnlaw.com and legal-admin@ngnlaw.com on October 6, 2017.

_____

Justin J. Givens, Esquire

STATE OF FLORIDA
DIVISION OF ADMINISTRATIVE HEARINGS

Moore Pond Homeowners Association, Inc.,
and Ox Bottom Manor Community
Association, Inc.,

Petitioners,

v.s.

Golden Oak Land Group, LLC, and
Leon County, Florida,

Respondents,

_____/

MOORE POND HOMEOWNERS ASSOCIATION, INC. AND OX BOTTOM MANOR COMMUNITY ASSOCIATION, INC.'S NOTICE OF SERVICE ITS FIRST SET OF INTERROGATORIES TO RESPONDENTS GOLDEN OAK LAND GROUP, LLC AND LEON COUNTY, FLORIDA

Petitioners, Moore Pond Homeowners Association, Inc.,and Ox Bottom Manor Community Association, Inc., (herein "Petitioners") by and through their undersigned counsel, hereby gives notice that on October 6, 2017, Petitioners propounded five (5) interrogatories collectively on Respondents Golden Oak Land Group, LLC and Leon County (herein "Respondents").

Respectfully submitted this 6th day of October 2017.

ANDERSON & GIVENS, P.A.

/s/ Justin J. Givens_____
Justin J. Givens, Esquire
Fla. Bar No. 0052130
1689 Mahan Center Blvd, Suite B
Tallahassee, FL 32308
Telephone: (850) 692-8900
Fax: (850) 224-2440
jgivens@andersongivens.com

Filed October 9, 2017 8:00 AM Division of Administrative Hearings

janderson@andersongivens.com

CERTIFICATE OF SERVICE

I HEREBY CERTIFY, that a true and correct copy of the foregoing was filed electronically with the State of Florida Division of Administrative Hearings and served to Gary K. Hunter, Esquire and David Powell, Esquire via U.S. Mail to Hopping Green & Sams, P.A., P.O. Box 6526, Tallahassee, FL 32314 and via email to garyh@hgslaw.com and dpowell@hgslaw.com and to Carly J. Schrader, Esquire via US Mail to Nabors, Giblin & Nickerson, P.A., 1500 Mahan Drive, Suite 200 Tallahassee, Florida 32308 and via email to cschrader@ngnlaw.com and gstewart@ngnlaw.com and kparsons@ngnlaw.com and legal-admin@ngnlaw.com on September 25, 2017.

/s/ Justin J. Givens_____
Justin J. Givens, Esquire

STATE OF FLORIDA
DIVISION OF ADMINISTRATIVE HEARINGS

Moore Pond Homeowners Association, Inc., and Ox Bottom Manor Community Association, Inc.,

Petitioners, **DOAH Case No. 17-5082**

vs.

Golden Oak Land Group, LLC, and Leon County, Florida

Respondents.
_____/

NOTICE OF TAKING DEPOSITION DUCES TECUM

PLEASE TAKE NOTICE that pursuant to Fla. R. Civ. P. 1.310 the attorneys for Petitioners Moore Pond Homeowner's Association, Inc. (Moore Pond) and Ox Bottom Manor Community Association, Inc. (Ox Bottom) will take, by oral examination, the following deposition:

Name	Date & Time	Location
Wendy Grey	October 26, 2017 2:00p.m.	Hoping Green & Sams P.A. 119 South Monroe Street Suite 300 Tallahassee, Florida 32301

Said deposition will be taken upon oral examination and recorded before Accurate Stenotype, an officer authorized by law to administer oaths at the location specified above. The deposition will be taken for all purposes permitted under the Florida Rules of Civil Procedure including, but not limited to as discovery, for use at trial, or for such other purposes as are permitted by law. Copies of the subpoena duces tecums being served on deponents are attached.

Pursuant to Florida Rules of Civil Procedure 1.310(b), deponent is required to produce at the time and place described above the documents described on attached Exhibit "A".

Filed October 17, 2017 3:25 PM Division of Administrative Hearings

PLEASE GOVERN YOURSELVES ACCORDINGLY.

ANDERSON & GIVENS P.A.

/s/ Justin J. Givens, Esquire
Justin J. Givens (Fla. Bar No. 0052130) Jeremy V. Anderson (Fla. Bar No. 45279)
1689 Mahan Center Blvd, Suite B
Tallahassee, Florida 32308
Telephone: (850) 692-8900
Facsimile: (850) 224-4440
jgivens@andersongivens.com
janderson@andersongivens.com

Attorneys for Petitioners, Moore Pond Homeowners Association, Inc. and Ox Bottom Manor Community Association, Inc.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing was filed electronically with the State of Florida Division of Administrative Hearings and served electronically to Gary K. Hunter, Esquire and David Powell, Esquire via U.S. Mail to Hopping Green & Sams, P.A., P.O. Box 6526, Tallahassee, FL 32314 and via email to garyh@hgslaw.com and dpowell@hgslaw.com and to Carly J. Schrader, Esquire via US Mail to Nabors, Giblin & Nickerson, P.A., 1500 Mahan Drive, Suite 200 Tallahassee, Florida 32308 and via email to cschrader@ngnlaw.com and gstewart@ngnlaw.com and kparsons@ngnlaw.com and legal-admin@ngnlaw.com on October 6, 2017.

Justin J. Givens, Esquire

Exhibit "A"

DUCES TECUM

DEFINITIONS

1. As used herein, "Respondents" "you," "your," or "yours," refers collectively to the Golden Oak Land Group, LLC and Leon County Florida, and their respective current or former employees, agents, directors, officers, consultants, contractors, experts, or representatives.

2. As used herein, "Moore Pond HOA" refers to the Moore Pond Homeowners Association, Inc. and its current or former employees, agents, directors, officers, consultants, contractors, experts, or representatives.

3. As used herein, "Ox Bottom Manor" refers to the Ox Bottom Manor Community Association, Inc. and its current or former employees, agents, directors, officers, consultants, contractors, experts, or representatives.

4. As used herein, "Leon County" or "County" refers to Leon County, Florida and its current or former employees, agents, directors, officers, consultants, contractors, experts, or representatives.

5. As used herein, "Golden Oak" refers to Golden Oak Land Group, LLC and its current or former employees, agents, directors, officers, consultants, contractors, experts, or representatives.

6. As used herein, "Respondents" refers collectively to Leon County and Golden Oak Land Group, LLC and their respective current or former employees, agents, directors, officers, consultants, contractors, experts, or representatives.

7. As used herein, "Brookside Village" refers to the Brookside Village Residential Subdivision.

8. As used herein, "Petition" refers to the Appeal and Petition for Quasi-Judicial Hearing Before a Special Master Challenging the Written Preliminary Decision of the DRC Approving Brookside Village Residential Subdivision – ID #LSP150035, filed by Petitioners on September 15, 2017.

PLEASE PRODUCE THE FOLLOWING:

1. A copy of your most current resume or curriculum vitae.

2. A list of cases in which you have testified as an expert witness over the past five (5) years.

3. All documents mentioning or containing your scope, terms, and rates of services, scope of services, or retention as an expert in the above-styled lawsuit/development project, including but not limited to retainer agreements.

4. All documents containing the opinions and/or conclusions that you will testify to at hearing in the above-styled lawsuit/development project or that were used by you in any capacity related to the approval process of the Brookside Village development project with Leon County.

5. All documents you relied on to support the opinions and/or conclusions that you will testify to at hearing in the above-styled lawsuit/development project or that were used by you in any capacity related to the approval process of the Brookside Village development project with Leon County.

6. All summaries, memoranda, and notes you have prepared in conjunction with your review of any document or information related to the above-styled lawsuit/development project or that were used by you in any capacity related to the approval process of the Brookside Village development project with Leon County.

7. Any and all materials, including but not limited to, books, texts, treatises, articles, monographs, standards, policies, procedures, and rules or regulations that you consulted or reviewed as a result of your involvement in or in the formation of your opinions in the above-

styled lawsuit/development project or that were used by you in any capacity related to the approval process of the Brookside Village development project with Leon County.

8. Any and all billing records regarding work you performed in connection with the above-styled lawsuit/development project or that were used by you in any capacity related to the approval process of the Brookside Village development project with Leon County.

9. Any and all drafts of any reports you prepared in connection with the above- styled lawsuit/development project or that were used by you in any capacity related to the approval process of the Brookside Village development project with Leon County.

10. Your entire file for your expert retention and expert opinions in the above-style lawsuit/development project or that was used by you in any capacity related to the approval process of the Brookside Village development project with Leon County.

STATE OF FLORIDA
DIVISION OF ADMINISTRATIVE HEARINGS

Moore Pond Homeowners Association, Inc., and Ox Bottom Manor Community Association, Inc.,

Petitioners, **DOAH Case No. 17-5082**

vs.

Golden Oak Land Group, LLC, and Leon County, Florida

Respondents.
_____/

ACCEPTANCE OF SERVICE OF PLAINTIFF'S SUBPOENA DUCAS TECUM BY COUNSEL FOR DEFENDANT GOLDEN OAK LAND GROUP, LLC

The Undersigned counsel, of Golden Oak Land Group, LLC , hereby accepts service of any subpoena ducas tecum which may be filed in this matter naming Wendy Grey as the deponent, and by signature hereon accepts service for Wendy Grey of the foregoing subpoena ducas tecum and waives any claim of insufficiency of process and/or insufficiency of service of process.

Dated this ____ day of October, 2017.

_____
Counsel for Golden Oak Land Group LLC,
Fla. Bar No.:

Filed October 17, 2017 3:26 PM Division of Administrative Hearings

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing has been sent by email to The Anderson & Givens law firm this ___ day of October 2017.

_____
(Counsel accepting service)

STATE OF FLORIDA
DIVISION OF ADMINISTRATIVE HEARINGS

Moore Pond Homeowners Association, Inc., and Ox Bottom Manor Community Association, Inc.,

Petitioners, **DOAH Case No. 17-5082**

vs.

Golden Oak Land Group, LLC, and Leon County, Florida

Respondents.
_____/

NOTICE OF TAKING DEPOSITION DUCES TECUM

PLEASE TAKE NOTICE that pursuant to Fla. R. Civ. P. 1.310 the attorneys for Petitioners Moore Pond Homeowner's Association, Inc. (Moore Pond) and Ox Bottom Manor Community Association, Inc. (Ox Bottom) will take, by oral examination, the following deposition:

Name	Date & Time	Location
Sean Marston	October 30, 2017 3:00p.m.	Hoping Green & Sams P.A. 119 South Monroe Street Suite 300 Tallahassee, Florida 32301

Said deposition will be taken upon oral examination and recorded before Accurate Stenotype, an officer authorized by law to administer oaths at the location specified above. The deposition will be taken for all purposes permitted under the Florida Rules of Civil Procedure including, but not limited to as discovery, for use at trial, or for such other purposes as are permitted by law. Copies of the subpoena duces tecums being served on deponents are attached.

Pursuant to Florida Rules of Civil Procedure 1.310(b), deponent is required to produce at the time and place described above the documents described on attached Exhibit "A".

Filed October 20, 2017 3:04 PM Division of Administrative Hearings

PLEASE GOVERN YOURSELVES ACCORDINGLY.

ANDERSON & GIVENS P.A.

/s/ Justin J. Givens, Esquire
Justin J. Givens (Fla. Bar No. 0052130)
Jeremy V. Anderson (Fla. Bar No. 45279)
1689 Mahan Center Blvd, Suite B
Tallahassee, Florida 32308
Telephone: (850) 692-8900
Facsimile: (850) 224-4440
jgivens@andersongivens.com
janderson@andersongivens.com

Attorneys for Petitioners, Moore Pond Homeowners Association, Inc. and Ox Bottom Manor Community Association, Inc.

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Justin J. Givens, Esquire

Exhibit "A"

DUCES TECUM

DEFINITIONS

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PLEASE PRODUCE THE FOLLOWING:

1. A copy of your most current resume or curriculum vitae.

2. A list of cases in which you have testified as an expert witness over the past five (5) years.

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styled lawsuit/development project or that were used by you in any capacity related to the approval process of the Brookside Village development project with Leon County.

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STATE OF FLORIDA
DIVISION OF ADMINISTRATIVE HEARINGS

Moore Pond Homeowners Association, Inc., and Ox Bottom Manor Community Association, Inc.,

Petitioners, **DOAH Case No. 17-5082**

vs.

Golden Oak Land Group, LLC, and Leon County, Florida

Respondents.
_____/

NOTICE OF TAKING DEPOSITION DUCES TECUM

PLEASE TAKE NOTICE that pursuant to Fla. R. Civ. P. 1.310 the attorneys for Petitioners Moore Pond Homeowner's Association, Inc. (Moore Pond) and Ox Bottom Manor Community Association, Inc. (Ox Bottom) will take, by oral examination, the following deposition:

Name	Date & Time	Location
Shawna Martin	October 27, 2017 2:00p.m.	Hoping Green & Sams P.A. 119 South Monroe Street Suite 300 Tallahassee, Florida 32301

Said deposition will be taken upon oral examination and recorded before Accurate Stenotype, an officer authorized by law to administer oaths at the location specified above. The deposition will be taken for all purposes permitted under the Florida Rules of Civil Procedure including, but not limited to as discovery, for use at trial, or for such other purposes as are permitted by law. Copies of the subpoena duces tecums being served on deponents are attached.

Pursuant to Florida Rules of Civil Procedure 1.310(b), deponent is required to produce at the time and place described above the documents described on attached Exhibit "A".

Filed October 20, 2017 3:05 PM Division of Administrative Hearings

PLEASE GOVERN YOURSELVES ACCORDINGLY.

ANDERSON & GIVENS P.A.

/s/ Justin J. Givens, Esquire
Justin J. Givens (Fla. Bar No. 0052130)
Jeremy V. Anderson (Fla. Bar No. 45279)
1689 Mahan Center Blvd, Suite B
Tallahassee, Florida 32308
Telephone: (850) 692-8900
Facsimile: (850) 224-4440
jgivens@andersongivens.com
janderson@andersongivens.co
m

Attorneys for Petitioners, Moore Pond Homeowners Association, Inc. and Ox Bottom Manor Community Association, Inc.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing was filed electronically with the State of Florida Division of Administrative Hearings and served electronically to Gary K. Hunter, Esquire and David Powell, Esquire via U.S. Mail to Hopping Green & Sams, P.A., P.O. Box 6526, Tallahassee, FL 32314 and via email to garyh@hgslaw.com and dpowell@hgslaw.com and to Carly J. Schrader, Esquire via US Mail to Nabors, Giblin & Nickerson, P.A., 1500 Mahan Drive, Suite 200 Tallahassee, Florida 32308 and via email to cschrader@ngnlaw.com and gstewart@ngnlaw.com and kparsons@ngnlaw.com and legal-admin@ngnlaw.com on October 20, 2017.

Justin J. Givens, Esquire

Exhibit "A"

DUCES TECUM

DEFINITIONS

1. As used herein, "Respondents" "you," "your," or "yours," refers collectively to the Golden Oak Land Group, LLC and Leon County Florida, and their respective current or former employees, agents, directors, officers, consultants, contractors, experts, or representatives.

2. As used herein, "Moore Pond HOA" refers to the Moore Pond Homeowners Association, Inc. and its current or former employees, agents, directors, officers, consultants, contractors, experts, or representatives.

3. As used herein, "Ox Bottom Manor" refers to the Ox Bottom Manor Community Association, Inc. and its current or former employees, agents, directors, officers, consultants, contractors, experts, or representatives.

4. As used herein, "Leon County" or "County" refers to Leon County, Florida and its current or former employees, agents, directors, officers, consultants, contractors, experts, or representatives.

5. As used herein, "Golden Oak" refers to Golden Oak Land Group, LLC and its current or former employees, agents, directors, officers, consultants, contractors, experts, or representatives.

6. As used herein, "Respondents" refers collectively to Leon County and Golden Oak Land Group, LLC and their respective current or former employees, agents, directors, officers, consultants, contractors, experts, or representatives.

7. As used herein, "Brookside Village" refers to the Brookside Village Residential Subdivision.

8. As used herein, "Petition" refers to the Appeal and Petition for Quasi-Judicial Hearing Before a Special Master Challenging the Written Preliminary Decision of the DRC Approving Brookside Village Residential Subdivision – ID #LSP150035, filed by Petitioners on September 15, 2017.

PLEASE PRODUCE THE FOLLOWING:

1. A copy of your most current resume or curriculum vitae.

2. A list of cases in which you have testified as an expert witness over the past five (5) years.

3. All documents mentioning or containing your scope, terms, and rates of services, scope of services, or retention as an expert in the above-styled lawsuit/development project, including but not limited to retainer agreements.

4. All documents containing the opinions and/or conclusions that you will testify to at hearing in the above-styled lawsuit/development project or that were used by you in any capacity related to the approval process of the Brookside Village development project with Leon County.

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STATE OF FLORIDA
DIVISION OF ADMINISTRATIVE HEARINGS

Moore Pond Homeowners Association, Inc., and Ox Bottom Manor Community Association, Inc.,

Petitioners, **DOAH Case No. 17-5082**

vs.

Golden Oak Land Group, LLC, and Leon County, Florida

Respondents.
_____/

NOTICE OF TAKING DEPOSITION DUCES TECUM

PLEASE TAKE NOTICE that pursuant to Fla. R. Civ. P. 1.310 the attorneys for Petitioners Moore Pond Homeowner's Association, Inc. (Moore Pond) and Ox Bottom Manor Community Association, Inc. (Ox Bottom) will take, by oral examination, the following deposition:

Name	Date & Time	Location
David McDevitt	October 30, 2017 4:00p.m.	Hoping Green & Sams P.A. 119 South Monroe Street Suite 300 Tallahassee, Florida 32301

Said deposition will be taken upon oral examination and recorded before Accurate Stenotype, an officer authorized by law to administer oaths at the location specified above. The deposition will be taken for all purposes permitted under the Florida Rules of Civil Procedure including, but not limited to as discovery, for use at trial, or for such other purposes as are permitted by law. Copies of the subpoena duces tecums being served on deponents are attached.

Pursuant to Florida Rules of Civil Procedure 1.310(b), deponent is required to produce at the time and place described above the documents described on attached Exhibit "A".

Filed October 20, 2017 3:05 PM Division of Administrative Hearings

PLEASE GOVERN YOURSELVES ACCORDINGLY.

ANDERSON & GIVENS P.A.

/s/ Justin J. Givens, Esquire
Justin J. Givens (Fla. Bar No. 0052130)
Jeremy V. Anderson (Fla. Bar No. 45279)
1689 Mahan Center Blvd, Suite B
Tallahassee, Florida 32308
Telephone: (850) 692-8900
Facsimile: (850) 224-4440
jgivens@andersongivens.com
janderson@andersongivens.co
m

Attorneys for Petitioners, Moore Pond Homeowners Association, Inc. and Ox Bottom Manor Community Association, Inc.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing was filed electronically with the State of Florida Division of Administrative Hearings and served electronically to Gary K. Hunter, Esquire and David Powell, Esquire via U.S. Mail to Hopping Green & Sams, P.A., P.O. Box 6526, Tallahassee, FL 32314 and via email to garyh@hgslaw.com and dpowell@hgslaw.com and to Carly J. Schrader, Esquire via US Mail to Nabors, Giblin & Nickerson, P.A., 1500 Mahan Drive, Suite 200 Tallahassee, Florida 32308 and via email to cschrader@ngnlaw.com and gstewart@ngnlaw.com and kparsons@ngnlaw.com and legal-admin@ngnlaw.com on October 6, 2017.

Justin J. Givens, Esquire

Exhibit "A"

DUCES TECUM

DEFINITIONS

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7. As used herein, "Brookside Village" refers to the Brookside Village Residential Subdivision.

8. As used herein, "Petition" refers to the Appeal and Petition for Quasi-Judicial Hearing Before a Special Master Challenging the Written Preliminary Decision of the DRC Approving Brookside Village Residential Subdivision – ID #LSP150035, filed by Petitioners on September 15, 2017.

PLEASE PRODUCE THE FOLLOWING:

1. A copy of your most current resume or curriculum vitae.

2. A list of cases in which you have testified as an expert witness over the past five (5) years.

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STATE OF FLORIDA
DIVISION OF ADMINISTRATIVE HEARINGS

Moore Pond Homeowners Association, Inc., and Ox Bottom Manor Community Association, Inc.,

Petitioners, **DOAH Case No. 17-5082**

vs.

Golden Oak Land Group, LLC, and Leon County, Florida

Respondents.
_____/

NOTICE OF TAKING DEPOSITION DUCES TECUM

PLEASE TAKE NOTICE that pursuant to Fla. R. Civ. P. 1.310 the attorneys for Petitioners Moore Pond Homeowner's Association, Inc. (Moore Pond) and Ox Bottom Manor Community Association, Inc. (Ox Bottom) will take, by oral examination, the following deposition:

Name	Date & Time	Location
Susan Poplin	October 27, 2017 3:30p.m.	Hoping Green & Sams P.A. 119 South Monroe Street Suite 300 Tallahassee, Florida 32301

Said deposition will be taken upon oral examination and recorded before Accurate Stenotype, an officer authorized by law to administer oaths at the location specified above. The deposition will be taken for all purposes permitted under the Florida Rules of Civil Procedure including, but not limited to as discovery, for use at trial, or for such other purposes as are permitted by law. Copies of the subpoena duces tecums being served on deponents are attached.

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Filed October 20, 2017 3:06 PM Division of Administrative Hearings

PLEASE GOVERN YOURSELVES ACCORDINGLY.

ANDERSON & GIVENS P.A.

/s/ Justin J. Givens, Esquire
Justin J. Givens (Fla. Bar No. 0052130)
Jeremy V. Anderson (Fla. Bar No. 45279)
1689 Mahan Center Blvd, Suite B
Tallahassee, Florida 32308
Telephone: (850) 692-8900
Facsimile: (850) 224-4440
jgivens@andersongivens.com
janderson@andersongivens.co
m

Attorneys for Petitioners, Moore Pond Homeowners Association, Inc. and Ox Bottom Manor Community Association, Inc.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing was filed electronically with the State of Florida Division of Administrative Hearings and served electronically to Gary K. Hunter, Esquire and David Powell, Esquire via U.S. Mail to Hopping Green & Sams, P.A., P.O. Box 6526, Tallahassee, FL 32314 and via email to garyh@hgslaw.com and dpowell@hgslaw.com and to Carly J. Schrader, Esquire via US Mail to Nabors, Giblin & Nickerson, P.A., 1500 Mahan Drive, Suite 200 Tallahassee, Florida 32308 and via email to cschrader@ngnlaw.com and gstewart@ngnlaw.com and kparsons@ngnlaw.com and legal-admin@ngnlaw.com on October 20, 2017.

Justin J. Givens, Esquire

Exhibit "A"

DUCES TECUM

DEFINITIONS

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STATE OF FLORIDA
DIVISION OF ADMINISTRATIVE HEARINGS

Moore Pond Homeowners Association, Inc., and Ox Bottom Manor Community Association, Inc.,

Petitioners, DOAH Case No. 17-5082

vs.

Golden Oak Land Group, LLC, and Leon County, Florida,

Respondents.

_____/

GOLDEN OAK LAND GROUP, LLC'S WITNESS LIST

Pursuant to section 10-7.414(I) of the Leon County Land Development Code, Respondent Golden Oak Land Group, LLC, by and through undersigned counsel, hereby gives Notice of Serving its Witness List.

Respectfully submitted this 2nd of November, 2017.

HOPPING GREEN & SAMS

/s/ Gary K. Hunter, Jr.
Gary K. Hunter, Jr. (Fla. Bar No. 949779)
Erin J. Tilton (Fla. Bar No. 104729)
119 South Monroe Street, Suite 300
Tallahassee, Florida 32301
Telephone: (850) 222-7500
Facsimile: (850) 224-8551
garyh@hgslaw.com
erint@hgslaw.com

Attorneys for Respondent
Golden Oak Land Group, LLC

Filed November 2, 2017 4:18 PM Division of Administrative Hearings

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing was filed electronically with the State of Florida Division of Administrative Hearings and served to Jeremy V. Anderson at janderson@andersongivens.com; Justin J. Givens at jgivens@andersongivens.com; Gregory T. Stewart at gstewart@ngnlaw.com; Carly J. Schrader at cshrader@ngnlaw.com; Kerry A. Parsons at kparsons@ngnlaw.com; and Jessica Icerman at IcermanJ@LeonCountyFL.gov, this 2nd day of November, 2017.

__*/s/ Gary K. Hunter, Jr.*_____
Attorney

RESPONDENT GOLDEN OAK LAND GROUP, LLC'S
WITNESS LIST
NOVEMBER 2, 2017

1. **Sean Marston, P.E.**
   Urban Catalyst Consultants
   2851 Remington Green Circle, Suite D
   Tallahassee, Florida 32308

   Mr. Marston is expected to provide an overview of the Brookside Village Residential Subdivision project, including the history and design of the project. He is also expected to testify as to the various application materials that were submitted to Leon County.

2. **Wendy Grey, AICP**
   Wendy Grey Land Use Planning, LLC
   P.O. Box 6574
   Tallahassee, Florida 32314

   Ms. Grey is expected to testify regarding compliance and consistency with both the Tallahassee-Leon County Comprehensive Plan and the Leon County Land Development Code. She is also expected to testify regarding compatibility of the Brookside Village Residential Subdivision project with the surrounding area.

STATE OF FLORIDA
DIVISION OF ADMINISTRATIVE HEARINGS

Moore Pond Homeowners Association, Inc., and Ox Bottom Manor Community Association, Inc.,

Petitioners, **DOAH Case No. 17-5082**

vs.

Golden Oak Land Group, LLC, and Leon County, Florida

Respondents.
_____/

PETITIONERS EXHIBIT LIST

Petitioner's Exhibit 1:	Analysis of Proposed Brookside Village Development prepared by Plaintiff's Expert Jan Norsoph dated 11/1/17.
Petitioner's Exhibit 2:	Aerial Exhibit prepared by Wendy Grey.
Petitioner's Exhibit 3:	Compatibility Exhibit prepared by Jan Norsoph.
Petitioner's Exhibit 4:	Compatibility Exhibit prepared by Jan Norsoph.
Petitioner's Exhibit 5:	Leon County's Resident's Perception of Compatible Residential Density, prepared by Down's and St. Germain Research, June 2017 and Google Map.
Petitioner's Exhibit 6:	Moore Pond Compatibility Exhibit prepared by Jan Norsoph.
Petitioner's Exhibit 7:	Ox Bottom Compatibility Exhibit prepared by Jan Norsoph.
Petitioner's Exhibit 8:	Ox Bottom Compatibility Exhibit prepared by Jan Norsoph.
Petitioner's Exhibit 9:	Moore Pond Compatibility Exhibit Prepared by Jan Norsoph.
Petitioner's Exhibit 10:	Leon County Resident's Perceptions of Compatible Residential Denisty dated June 2017.

Filed November 2, 2017 4:42 PM Division of Administrative Hearings

Petitioner's Exhibit 11:	Ox Bottom Gardens Plat:
Petitioner's Exhibit 12:	Neighborhood Character assessment under CEQR
Petitioner's Exhibit 13:	City of Modesto Community & Economic Development Department Planning Division dated April 2009.
Petitioner's Exhibit 14:	Santa Barbara Architectual Board of Review General Design Guidelines & Meeting Procedures.
Petitioner's Exhibit 15:	Tallahassee Urban Design Guidelines for the Gaines Street Design Review Districts.

/s/ Justin J. Givens_____
Justin J. Givens, Esquire
Fl. Bar No. 0052130
1689 Mahan Center Blvd Suite B
Tallahassee, FL 32309
(850)692-8900
jgivens@andersongivens.com

/s/ Jeremy V. Anderson
Jeremy V. Anderson, Esquire
Fl Bar No. 45279
1689 Mahan Center Blvd Suite B
Tallahassee, FL 32309
(850)692-8900
janderson@andersongivens.com

CERTIFICATE OF SERVICE

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cschrader@ngnlaw.com and gstewart@ngnlaw.com and kparsons@ngnlaw.com and legal-admin@ngnlaw.com on November 2, 2017.

STATE OF FLORIDA
DIVISION OF ADMINISTRATIVE HEARINGS

Moore Pond Homeowners Association, Inc., and Ox Bottom Manor Community Association, Inc.,

Petitioners, **DOAH Case No. 17-5082**

vs.

Golden Oak Land Group, LLC, and Leon County, Florida

Respondents.
_____/

PETITIONERS WITNESS LIST

Pursuant to section 10-7.414(I) of the Leon County Land Development Code, Petitioners, Moore Pond Homeowners Association, Inc. and Ox Bottom Manor Association, Inc. ("Petitioners") by and through undersigned counsel, hereby gives Notice of Serving its Witness List. Respectfully submitted this 2nd of November, 2017.

/s/ Justin J. Givens
Justin J. Givens, Esquire
Fl. Bar No. 0052130
1689 Mahan Center Blvd Suite B
Tallahassee, FL 32309
(850)692-8900
jgivens@andersongivens.com

Filed November 2, 2017 4:43 PM Division of Administrative Hearings

CERTIFICATE OF SERVICE

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PETITIONER'S WITNESS LIST
NOVEMBER 2, 2017

1. Jan Norsoph, AICP,
   6201 Bahama Shores Dr. So.
   St. Petersburg, Florida 33705

   Mr. Norsoph is expected to testify regarding the Brookside Village Residential Subdivision's deficiencies in compliance and its consistency with both the Tallahassee-Leon County Comprehensive Plan and the Leon County Land Development Code. He is also expected to testify regarding the incompatibility of the Brookside Village Residential Subdivision project with the surrounding area.

STATE OF FLORIDA
DIVISION OF ADMINISTRATIVE HEARINGS

MOORE POND HOMEOWNERS
ASSOCIATION, INC., AND OX
BOTTOM MANOR COMMUNITY
ASSOCIATION, INC.

Petitioners, CASE NO. 17-5082

vs.

LEON COUNTY, FLORIDA AND
GOLDEN OAK LAND GROUP, LLC

Respondents.
_____/

EXHIBIT LIST OF RESPONDENTS

Respondent, LEON COUNTY, FLORIDA (the "County"), and Respondent, GOLDEN OAK LAND GROUP, LLC, by and through their respective undersigned counsel, and pursuant to Section 10-7.414, Leon County Land Development Code, provide the following list of exhibits they will or may use at the final hearing in this matter:

Proposed Joint Exhibit of the Parties

The following documents are proposed to be made a Joint Exhibit of the Parties, subject to stipulation of the parties, prior to the final hearing in this matter:

1. Permitted Use Verification (6/17/2015)
2. Permitted Use Verification Revision (1/14/2016)
3. Site and Development Plan Application and Site Plan (11/18/15)
4. Application Review Meeting Staff Report (12/2/2015)
5. Application Review Meeting Staff Report (2/3/2016)

Filed November 2, 2017 4:45 PM Division of Administrative Hearings

6. Abeyance Request (2/29/2016)

7. Correspondence Requesting Rescheduled ARM (Composite)

8. Application Review Meeting Staff Report (5/03/2017)

9. Development Review Committee ("DRC") Application

10. Site Plan Narrative (8/02/17)

11. Brookside Village Permitting Summary (8/02/17)

12. Response to ARM Comments (dated 8/02/17)

13. Site Plan (8/02/17)

14. Retaining Wall Design Plan

15. Compatibility Study (dated 08/22/2017)

16. Stormwater Analysis Report

17. Conservation Management Plan

18. Covenants and Restrictions

19. Engineer's Opinion of Cost

20. Homeowners Association Bylaws

21. Homeowners Association Incorporation Documents

22. Leon County Preliminary Certificate of Concurrency (8/15/2017)

23. Public Comments

    a. ARM Public Comment[1] (composite)

    b. DRC Public Comment (composite)

24. 8.9.17 Letter from Gary Hunter

[1] Public Comment attached to the various ARM Staff Reports was not included to avoid duplication.

25. Mail Notification

26. Notified Homeowners Associations

27. Notified Parcels

28. DRC Sign Affidavit

29. DRC Staff Report (August 16, 2017)

30. DRC Agenda

31. DRC Written Preliminary Decision of Conditional Approval (with attached staff report)

32. DRC Minutes

33. Excerpts of the Leon County Comprehensive Plan

34. Excerpts of the Leon County Land Development Code

35. Deposition Transcripts of Testifying Witnesses, with exhibits

Respondents' Joint Exhibits

1. Ordinance No. 05-05

2. Memo Re: Interpretation of the Residential Preservation permitted zoning density for metes and bounds parcels (12/16/2015)

3. Aerials (Composite)

4. Synopsis of Site Plan Changes

5. Summary Table of Findings

6. Residential Preservation Flow Chart

7. Affidavit of Publication (10/23/2017)

8. Demonstrative Story Map, available at: http://tlcgis.maps.arcgis.com/apps/MapJournal/index.html?appid=e9e81c5c251840ef91cd6bf8dde5a136#

9. Resume of Susan Poplin

10. Resume of Shawna Martin

11. Resume of Wendy Grey

12. Resume of Sean Marston

13. Jackson's Gap Subdivision (Composite)

14. Cavendish Cove Subdivision (Composite)

15. Enclave Subdivision (Composite)

16. Moore Pond and Ox Bottom Manor Subdivisions (Composite)

17. Norsoph Draft Report (dated Oct. 22, 2017)

18. Norsoph Draft Report (dated Sept. 10, 2017)

19. Norsoph Research File (Composite)

20. Rebuttal, impeachment exhibits as necessary

21. All Exhibits listed by any other party, without waiving objections thereto

22. The Respondents reserve the right to amend their joint exhibit list upon receipt of required disclosures of the exhibit list by Petitioners.

23. The Respondents reserves the right to use demonstrative exhibits to facilitate the presentation of evidence.

24. The Respondents reserve the right to amend their joint exhibit list to add documents and materials produced through discovery received subsequent to the service of this Exhibit List.

/s/ Carly J. Schrader
GREGORY T. STEWART
Florida Bar No. 203718
CARLY J. SCHRADER
Florida Bar No. 14675
KERRY A. PARSONS
Florida Bar No. 91919
Nabors, Giblin & Nickerson, P.A.
1500 Mahan Drive, Suite 200
Tallahassee, Florida 32308
(850) 224-4070
(850) 224-4073 (Facsimile)
gstewart@ngnlaw.com
cschrader@ngnlaw.com
kparsons@ngnlaw.com
legal-admin@ngnlaw.com

ATTORNEYS FOR RESPONDENT LEON COUNTY

and

/s/ Gary K. Hunter, Jr.
Gary K. Hunter, Jr. (Fla. Bar No. 949779)
Erin J. Tilton (Fla. Bar No. 104729)
HOPPING GREEN & SAMS
119 South Monroe Street, Suite 300
Tallahassee, Florida 32301
Telephone: (850) 222-7500
Facsimile: (850) 224-8551
garyh@hgslaw.com
erint@hgslaw.com

ATTORNEYS FOR RESPONDENT GOLDEN OAK LAND GROUP, LLC

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing was filed electronically with the State of Florida Division of Administrative Hearings and served by Electronic Mail and Hand Delivery to the following parties, this 2nd day of November, 2017:

Justin J. Givens, Esquire
Jeremy V. Anderson, Esquire
Anderson & Givens, P.A.
1689 Mahan Center Boulevard, Suite B
Tallahassee, Florida 32308
jgivens@andersongivens.com
janderson@andersongivens.com
cbreg@andersongivens.com
Attorneys for Petitioners, Moore Pond Homeowners Association, Inc. and Ox Bottom Manor Community Association, Inc.

Gary K. Hunter, Jr., Esquire
Erin J. Tilton, Esquire
Hopping Green & Sams, P.A.
119 South Monroe Street, Suite 300
Tallahassee, Florida 32301
garyh@hgslaw.com
erint@hgslaw.com
Attorneys for Respondent Golden Oak Land Group, LLC

/s/ Carly J. Schrader
CARLY J. SCHRADER

STATE OF FLORIDA
DIVISION OF ADMINISTRATIVE HEARINGS

MOORE POND HOMEOWNERS
ASSOCIATION, INC., AND OX
BOTTOM MANOR COMMUNITY
ASSOCIATION, INC.

Petitioners, CASE NO. 17-5082

vs.

LEON COUNTY, FLORIDA AND
GOLDEN OAK LAND GROUP, LLC

Respondents.
_____/

WITNESS LIST OF RESPONDENT, LEON COUNTY, FLORIDA

Respondent, Leon County, Florida, by and through its undersigned counsel, provides the following list of witnesses that will or may be called at final hearing in this matter:

1. Shawna Martin (expert)
   Principal Planner, Leon County Development Services
   Renaissance Center, 2nd Floor
   435 N. Macomb Street
   Tallahassee, FL 32301

2. Susan Poplin (expert)
   Principal Planner, Tallahassee-Leon County Planning Department
   Frenchtown Renaissance Center, 3rd Floor
   435 N. Macomb Street
   Tallahassee, FL 32301

3. Records Custodian
   Leon County

   As needed for authentication of documents and records to be introduced into evidence.

4. Rebuttal and Impeachment Witnesses, as needed.

5. Witnesses listed by any other party, without waiving objections thereto.

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6. Discovery in this matter is ongoing and the Respondent reserves the right to supplement or amend this Witness List as required.

/s/ Carly J. Schrader
GREGORY T. STEWART
Florida Bar No. 203718
CARLY J. SCHRADER
Florida Bar No. 14675
KERRY A. PARSONS
Florida Bar No. 91919
Nabors, Giblin & Nickerson, P.A.
1500 Mahan Drive, Suite 200
Tallahassee, Florida 32308
(850) 224-4070
(850) 224-4073 (Facsimile)
gstewart@ngnlaw.com
cschrader@ngnlaw.com
kparsons@ngnlaw.com
legal-admin@ngnlaw.com

ATTORNEYS FOR RESPONDENT LEON COUNTY

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Jeremy V. Anderson, Esquire
Anderson & Givens, P.A.
1689 Mahan Center Boulevard, Suite B
Tallahassee, Florida 32308
jgivens@andersongivens.com
janderson@andersongivens.com
cbreg@andersongivens.com
Attorneys for Petitioners, Moore Pond Homeowners Association, Inc. and Ox Bottom Manor Community Association, Inc.

Gary K. Hunter, Jr., Esquire
Erin J. Tilton, Esquire
Hopping Green & Sams, P.A.
119 South Monroe Street, Suite 300
Tallahassee, Florida 32301
garyh@hgslaw.com
erint@hgslaw.com
Attorneys for Respondent Golden Oak Land Group, LLC

/s/ Carly J. Schrader
CARLY J. SCHRADER

STATE OF FLORIDA
DIVISION OF ADMINISTRATIVE HEARINGS

Moore Pond Homeowners Association, Inc., and Ox Bottom Manor Community Association, Inc.,

Petitioners, **DOAH Case No. 17-5082**

vs.

Golden Oak Land Group, LLC, and Leon County, Florida

Respondents.
_____/

PETITIONERS FIRST AMENDED EXHIBIT LIST

Petitioner's Exhibit 1:	Analysis of Proposed Brookside Village Development prepared by Plaintiff's Expert Jan Norsoph dated 11/1/17.
Petitioner's Exhibit 2:	Aerial Exhibit prepared by Wendy Grey.
Petitioner's Exhibit 3:	Compatibility Exhibit prepared by Jan Norsoph.
Petitioner's Exhibit 4:	Compatibility Exhibit prepared by Jan Norsoph.
Petitioner's Exhibit 5:	Leon County's Resident's Perception of Compatible Residential Density, prepared by Down's and St. Germain Research, June 2017 and Google Map.
Petitioner's Exhibit 6:	Moore Pond Compatibility Exhibit prepared by Jan Norsoph.
Petitioner's Exhibit 7:	Ox Bottom Compatibility Exhibit prepared by Jan Norsoph.
Petitioner's Exhibit 8:	Ox Bottom Compatibility Exhibit prepared by Jan Norsoph.
Petitioner's Exhibit 9:	Moore Pond Compatibility Exhibit Prepared by Jan Norsoph.
Petitioner's Exhibit 10:	Leon County Resident's Perceptions of Compatible Residential Denisty dated June 2017.

Filed November 3, 2017 8:00 AM Division of Administrative Hearings

Petitioner's Exhibit 11:	Ox Bottom Gardens Plat:
Petitioner's Exhibit 12:	Neighborhood Character assessment under CEQR
Petitioner's Exhibit 13:	City of Modesto Community & Economic Development Department Planning Division dated April 2009.
Petitioner's Exhibit 14:	Santa Barbara Architectual Board of Review General Design Guidelines & Meeting Procedures.
Petitioner's Exhibit 15:	Tallahassee Urban Design Guidelines for the Gaines Street Design Review Districts.
Petitioner's Exhibit 16:	Brookside Village Subdivision, Compatibility Analysis and Analysis Comprehensive of Plan Policies Affecting Density Revised August 2, 2017.
Petitioner's Exhibit 17:	Susan Poplin Memorandum dated August 14, 2017.
Petitioner's Exhibit 18:	DRC Staff Recommendation dated August 16, 2017.

/s/ Justin J. Givens_____
Justin J. Givens, Esquire
Fl. Bar No. 0052130
1689 Mahan Center Blvd Suite B
Tallahassee, FL 32309
(850)692-8900
jgivens@andersongivens.com

/s/ Jeremy V. Anderson
Jeremy V. Anderson, Esquire
Fl Bar No. 45279
1689 Mahan Center Blvd Suite B
Tallahassee, FL 32309
(850)692-8900
janderson@andersongivens.com

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing was filed electronically with the State of Florida Division of Administrative Hearings and served electronically to Gary K. Hunter, Esquire

and David Powell, Esquire via U.S. Mail to Hopping Green & Sams, P.A., P.O. Box 6526, Tallahassee, FL 32314 and via email to garyh@hgslaw.com and ErinT@hgslaw.com, and dpowell@hgslaw.com and to Carly J. Schrader, Esquire via US Mail to Nabors, Giblin & Nickerson, P.A., 1500 Mahan Drive, Suite 200 Tallahassee, Florida 32308 and via email to cschrader@ngnlaw.com and gstewart@ngnlaw.com and kparsons@ngnlaw.com and legal-admin@ngnlaw.com on November 2, 2017.

/s/ Justin J. Givens_____
Justin J. Givens, Esquire

STATE OF FLORIDA
DIVISION OF ADMINISTRATIVE HEARINGS

Moore Pond Homeowners Association, Inc., and Ox Bottom Manor Community Association, Inc.,

Petitioners, **DOAH Case No. 17-5082**

vs.

Golden Oak Land Group, LLC, and Leon County, Florida,

Respondents.

_____/

JOINT STIPULATION REGARDING ISSUE TO BE LITIGATED

Petitioners MOORE POND HOMEOWNERS ASSOCIATION, INC. and OX BOTTOM MANOR COMMUNITY ASSOCIATION, INC., and Respondents GOLDEN OAK LAND GROUP, LLC and LEON COUNTY, FLORIDA, hereby stipulate to the following matters relevant to the final hearing in the instant cause:

1. The Petitioners Moore Pond Homeowners Association, Inc. and Ox Bottom Manor Community Association, Inc. have each timely filed a notice of appeal and a petition for quasi-judicial hearing, and have alleged sufficient facts for participation in these proceedings.

2. A notice of final hearing fulfilling the requirements of Leon County Land Development Code Section 10-7.414(J)(ii) was published on October 23, 2017.

3. In lieu of opening statements, the parties will submit written pretrial statements to the Special Master on or before November 6, 2017. The Petitioners will jointly file one pretrial statement, and the Respondents will jointly file one pretrial statement. Each pretrial statement will be limited to no more than five (5) pages.

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4. The order of presentation of testimony and evidence will begin with Golden Oak Land Group, LLC presenting the project design and permitting engineer, Mr. Sean Marston. Thereafter, the order of presentation will be as described in Leon County Land Development Code Section 10-7.414(J)(v).

5. Petitioners' expert witness, Mr. Jan Norsoph, is qualified to testify as an expert in the areas of land use planning, comprehensive planning, site planning, urban planning and design, zoning, land development code development and administration, and development review compliance and compatibility.

6. Golden Oak Land Group, LLC's expert witness, Mr. Sean Marston, is qualified to testify as an expert in the areas of civil engineering, site plan design, land development code compliance, and concurrency.

7. Golden Oak Land Group, LLC's expert witness, Ms. Wendy Grey, is qualified to testify as an expert in the areas of land use planning, comprehensive planning, zoning, and compatibility.

8. Leon County's expert witness, Ms. Shawna Martin, is qualified to testify as an expert in the areas of land use planning and zoning.

9. Leon County's expert witness, Ms. Susan Poplin, is qualified to testify as an expert in the areas of comprehensive planning and urban planning.

Counsel for Petitioners and counsels for Respondents have reviewed this document and hereby stipulate as provided herein.

Respectfully submitted this 3rd day of November, 2017.

/s/ Gary K. Hunter, Jr.
Gary K. Hunter, Jr. (Fla. Bar No. 949779)
Erin J. Tilton (Fla. Bar No. 104729)
HOPPING GREEN & SAMS, P.A.
119 South Monroe Street, Suite 300
Tallahassee, Florida 32301
Telephone: (850) 222-7500
Facsimile: (850) 224-8551
garyh@hgslaw.com
erint@hgslaw.com

ATTORNEYS FOR RESPONDENT
GOLDEN OAK LAND GROUP, LLC

/s/ Justin J. Givens
Justin J. Givens, Esquire
Fl. Bar No. 0052130
Jeremy V. Anderson, Esquire
Fl Bar No. 45279
1689 Mahan Center Blvd Suite B
Tallahassee, FL 32309
(850)692-8900
jgivens@andersongivens.com
janderson@andersongivens.com

ATTORNEYS FOR PETITIONERS

/s/ Carly J. Schrader
GREGORY T. STEWART
Florida Bar No. 203718
CARLY J. SCHRADER
Florida Bar No. 14675
KERRY A. PARSONS
Florida Bar No. 91919
Nabors, Giblin & Nickerson, P.A.
1500 Mahan Drive, Suite 200
Tallahassee, Florida 32308
(850) 224-4070
(850) 224-4073 (Facsimile)
gstewart@ngnlaw.com
cschrader@ngnlaw.com
kparsons@ngnlaw.com
legal-admin@ngnlaw.com

ATTORNEYS FOR RESPONDENT
LEON COUNTY

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing was filed electronically with the State of Florida Division of Administrative Hearings and served to Jeremy V. Anderson at janderson@andersongivens.com; Justin J. Givens at jgivens@andersongivens.com; Gregory T. Stewart at gstewart@ngnlaw.com; Carly J. Schrader at cshrader@ngnlaw.com; Kerry A. Parsons at kparsons@ngnlaw.com; and Jessica Icerman at IcermanJ@LeonCountyFL.gov, this 3rd day of November, 2017.

/s/ Gary K. Hunter, Jr.
Attorney

STATE OF FLORIDA
DIVISION OF ADMINISTRATIVE HEARINGS

MOORE POND HOMEOWNERS
ASSOCIATION, INC., AND OX
BOTTOM MANOR COMMUNITY
ASSOCIATION, INC.

Petitioners, CASE NO. 17-5082

vs.

LEON COUNTY, FLORIDA AND
GOLDEN OAK LAND GROUP, LLC

Respondents.
_____/

RESPONDENT, LEON COUNTY, FLORIDA'S, NOTICE OF SERVICE OF RESPONSE TO PETITIONERS' FIRST SET OF INTERROGATORIES

Respondent, Leon County, Florida (hereinafter the "County"), by and through its undersigned counsel, and pursuant to Rule 28-106.206, F.A.C., and Fla. R. Civ. P. 1.340, hereby gives notice that its response to Petitioners' First Set of Interrogatories to Respondents Golden Oak Land Group, LLC. and Leon County have been furnished by Electronic Mail and Hand Delivery to Justin J. Givens, Esquire, and Jeremy V. Anderson, Esquire, Anderson & Givens, P.A., 1689 Mahan Center Boulevard, Suite B, Tallahassee, Florida 32308, Attorneys for Petitioners, this 6th day of November, 2017,

Filed November 6, 2017 2:17 PM Division of Administrative Hearings

/s/ Kerry A. Parsons
GREGORY T. STEWART
Florida Bar No. 203718
CARLY J. SCHRADER
Florida Bar No. 14675
KERRY A. PARSONS
Florida Bar No. 91919
Nabors, Giblin & Nickerson, P.A.
1500 Mahan Drive, Suite 200
Tallahassee, Florida 32308
(850) 224-4070
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gstewart@ngnlaw.com
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legal-admin@ngnlaw.com

ATTORNEYS FOR RESPONDENT LEON COUNTY

CERTIFICATE OF SERVICE

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Justin J. Givens, Esquire
Jeremy V. Anderson, Esquire
Anderson & Givens, P.A.
1689 Mahan Center Boulevard, Suite B
Tallahassee, Florida 32308
jgivens@andersongivens.com
janderson@andersongivens.com
cbreg@andersongivens.com
Attorneys for Petitioners, Moore Pond Homeowners Association, Inc. and Ox Bottom Manor Community Association, Inc.

Gary K. Hunter, Jr., Esquire
Erin J. Tilton, Esquire
Hopping Green & Sams, P.A.
119 South Monroe Street, Suite 300
Tallahassee, Florida 32301
garyh@hgslaw.com
erint@hgslaw.com
Attorneys for Respondent Golden Oak Land Group, LLC

/s/ Kerry A. Parsons
KERRY A. PARSONS

STATE OF FLORIDA
DIVISION OF ADMINISTRATIVE HEARINGS

MOORE POND HOMEOWNERS
ASSOCIATION, INC., AND OX
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ASSOCIATION, INC.

Petitioners, CASE NO. 17-5082

vs.

LEON COUNTY, FLORIDA AND
GOLDEN OAK LAND GROUP, LLC

Respondents.
_____/

RESPONDENT LEON COUNTY, FLORID'S RESPONSE TO PETITIONERS' FIRST REQUEST FOR PRODUCTION OF DOCUMENTS

Respondent, LEON COUNTY, FLORIDA (hereinafter the "County"), by and through its undersigned counsel, and pursuant to Rule 28-106.206, F.A.C., and Rule 1.280 and 1.350, Fla. R. Civ. P., hereby responds to Petitioners' Request to Produce to Respondents Golden Oak Land Group, LLC. and Leon County served on October 6, 2017, by Petitioners, as follows:

GENERAL OBJECTION

Respondent, the County, objects to the definitions and instructions to the extent such items expand the scope and reach of discovery imposed by the Florida Rules of Administrative Procedure and the Florida Rules of Civil Procedure. Additionally, Respondent asserts a general objection regarding any request for production of materials that seeks information protected by and subject to attorney client and/or work product privileges.

Petitioners' First Request for Production of Documents is addressed to Respondents, Leon County and Golden Oak Land Group, LLC. Each Respondent is a completely separate and

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distinct party, represented by separate counsel. As such, this response only includes the responses on behalf of Respondent Leon County, Florida. Any documents produced will solely be those within Respondent Leon County, Florida's possession, custody or control.

RESPONSE TO REQUEST FOR PRODUCTION

1. Objection to Request No. 1 to the extent the request calls for production of documents protected by attorney-client or work product privileges. The County further objects to Request No. 1 to the extent that that the request purports to expand the County's obligations beyond those imposed by applicable rule or law, including but not limited to, the Florida Rules of Civil Procedure. Without waiving the foregoing objections, the County has previously produced the majority of documents in response to Request No. 1 either on November 2, 2017 via a flash drive containing all exhibits for hearing or via electronic access to the County's Project File (ProjectDox). Any remaining documents in the County's possession, custody or control, will be produced on a flash drive to be hand delivered on November 6, 2017.

2. The County has produced all documents responsive to Request No. 2 on November 2, 2017 via a flash drive containing all exhibits for hearing which contained the resumes or curricula vitae for expert witnesses.

3. Objection as to Request No. 3 to the extent the request seeks work product through the mental thoughts and impressions and categorization of documents by the County's counsel. Without waiving the objections, the County states that all documents it expects to introduce at any hearing in this action were timely disclosed via the Exhibit List and provided on November 2, 2017.

4. Objection as to Request No. 4 to the extent the request calls for production of documents protected by attorney-client or work product privileges. Without waiving the

foregoing objection, the County states that all documents it expects to introduce at any hearing in this action were timely disclosed via the Exhibit List and provided on November 2, 2017.

5. Objection as to Request No. 5 to the extent the request calls for production of documents protected by attorney-client or work product privileges. The County additionally objects to Request No. 5 as the request is overbroad, vague and ambiguous and unduly burdensome in that the request asks for "all documents" prepared by each and every person the County intends to call as an expert witness, without mention as to in what context the documents were to be prepared for, such as being relied upon for purposes of rendering a decision. Without waiving the foregoing objections, the County states that all documents relevant to Request No. 5 were provided on November 2, 2017.

6. Objection as to Request No. 6 to the extent the request calls for production of documents protected by attorney-client or work product privileges. The County additionally objects to Request No. 6 as the request is overbroad, vague and ambiguous and unduly burdensome in that the request asks for "all documents" prepared by each and every person the County intends to call as a witness, without mention as to in what context the documents were to be prepared for. Without waiving the foregoing objections, the County states that all documents relevant to Request No. 6 were provided on November 2, 2017.

7. Objection to the extent the request calls for production of documents protected by attorney-client or work product privileges. Without waiving the foregoing objections, to the extent not already produced via the Exhibit List on November 2, 2017 as well as via the access provided to Petitioners via the County's electronic Project Documents, the County will produce all remaining documents responsive to Request No. 7 on a flash drive to be hand delivered on November 6, 2017. However, any documents which fall under attorney-client or work product

privilege will not be produced. A log of those documents excluded for privilege purposes will be provided contemporaneously with this Response.

8. Objection as to Request No. 8, as the document request is vague and ambiguous, with no context as to what "full size" site plan means. Without waiving the objection, the County has previously produced all documents responsive to Request No. 8.

9. The County has previously produced any documents responsive to Request No. 9.

10. To the extent the County has possession of any such documents responsive to Request No. 10, the County has provided or will produce via a flash drive, hand delivered, on November 6, 2017 those documents.

11. The County has previously produced any documents responsive to Request No. 11.

12. The County has previously produced the minutes of any meeting Responsive to Request No. 12. All audio recordings responsive to Request No. 12 will produce on a flash drive hand delivered on November 6, 2017.

13. Objection as to Request No. 13 to the extent the request seeks work product through the mental thoughts and impressions and categorization of documents by the County's counsel. Without waiving the objections, the County states that all documents it expects to introduce at any hearing in this action have been timely disclosed on the Exhibit List and delivered to Petitioners on November 2, 2017.

14. Objection to request No. 14 the extent the request calls for production of documents protected by attorney-client or work product privileges. Without waiving the objection, any documents responsive to request No. 14 have been previously provided to Petitioners.

15. Objection as to Request No. 15 to the extent the request seeks work product through the mental thoughts and impressions and categorization of documents by the County's counsel. Without waiving the objections, the County states that all documents it expects to introduce at any hearing in this action have been timely disclosed on the Exhibit List and delivered to Petitioners on November 2, 2017.

16. To the extent the County has possession of any such documents responsive to Request No. 16, the County has provided or will produce via a flash drive, hand delivered, on November 6, 2017 those documents.

17. Objection as to Request No. 17 to the extent the request calls for production of documents protected by attorney-client or work product privileges. Further, objection to this Request as duplicative, overly broad and unduly burdensome, nonspecific catchall request that essentially seeks any and all documentation pertaining to the development without categorization or limitation, thus making it prohibitively difficult for Respondent to respond. Without waiving the foregoing objections, the County has or will produce via a flash drive, hand delivered, on November 6, 2017 documents responsive to Request No. 17 within its possession, custody or control.

/s/ Kerry A. Parsons
GREGORY T. STEWART
Florida Bar No. 203718
CARLY J. SCHRADER
Florida Bar No. 14675
KERRY A. PARSONS
Florida Bar No. 91919
Nabors, Giblin & Nickerson, P.A.
1500 Mahan Drive, Suite 200
Tallahassee, Florida 32308
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(850) 224-4073 (Facsimile)
gstewart@ngnlaw.com
cschrader@ngnlaw.com
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legal-admin@ngnlaw.com

ATTORNEYS FOR RESPONDENT LEON COUNTY

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Anderson & Givens, P.A.
1689 Mahan Center Boulevard, Suite B
Tallahassee, Florida 32308
jgivens@andersongivens.com
janderson@andersongivens.com
cbreg@andersongivens.com
Attorneys for Petitioners, Moore Pond Homeowners Association, Inc. and Ox Bottom Manor Community Association, Inc.

Gary K. Hunter, Jr., Esquire
Erin J. Tilton, Esquire
Hopping Green & Sams, P.A.
119 South Monroe Street, Suite 300
Tallahassee, Florida 32301
garyh@hgslaw.com
erint@hgslaw.com
Attorneys for Respondent Golden Oak Land Group, LLC

/s/ Kerry A. Parsons
KERRY A. PARSONS

STATE OF FLORIDA
DIVISION OF ADMINISTRATIVE HEARINGS

Moore Pond Homeowners Association, Inc., and Ox Bottom Manor Community Association, Inc.,

Petitioners, **DOAH Case No. 17-5082**

vs.

Golden Oak Land Group, LLC, and Leon County, Florida

Respondents.
_____/

PRE-TRIAL STATEMENT

Come now, Petitioners, Moore Pond Homeowners Association, Inc., and Ox Bottom Manor Community Association, Inc., through their undersigned counsel, and pursuant to a Joint Stipulation by all parties to this action, hereby file this written pre-trial statement in lieu of an opening statement related to their petition for a quasi-judicial hearing before a Special Master.

The Leon County Development Review Committee (herein "DRC") incorrectly voted to provide preliminary approval of Brookside Village. Various provisions of the Leon County Land Development Code (herein "LDC") prohibit development approval and/or the development of land which is inconsistent with Leon County's Comprehensive Plan. *See Sections 10-6.104(a), 10-7.103(c), and 10-7.108(a) and (g) of the LDC*. A proposed development can only be consistent if it is also compatible. Petitioners will show that substantial differences between Brookside Village and the adjacent subdivisions, Moore Pond and Ox Bottom Manor, exist that make them incompatible. Specifically, there are significant differences in lot size, lot coverage, mass, bulk, side setbacks, density and intensity which should preclude approval of Brookside Village as proposed. These differences, which are readily identifiable from a simple review the plat or aerial

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maps, will create unduly negative impacts on both Moore Pond and Ox Bottom Manor.

Respondents, Golden Oak Land Group, LLC (herein "Golden Oak") and Leon County (herein "County") are likely to assert that the County's compatibility analysis under the Comprehensive Plan for the Brookside Village is limited to a determination that the Brookside Development is: 1) the same land use as the Ox Bottom Manor and Moore Pond Subdivisions; and 2) within allowable density range for the Residential Preservation land use. This position is incorrect as it is contrary to: 1) the statutory provisions defining "consistency" and "compatibility", and 2) the "compatibility" review factors explicitly stated in the Comprehensive Plan.

CONSISTENCY

Section 163.3194(3)(a), Florida Statutes, describes the term consistency as follows:

> A development order or land development regulation shall be consistent with the comprehensive plan **if** the **land uses**, **densities** or **intensities**, **and other aspects of development permitted by such order** or regulation **are compatible with and further the objectives, policies, land uses, and densities or intensities in the comprehensive plan** and if it meets all other criteria enumerated by the local government. [Emphasis Added].

Based upon the above statutory provision, the approval of the Brookside Development is inconsistent with the Comprehensive Plan **unless** the land uses, densities, intensities and all other aspects of Brookside Village are all "compatible" with **and** further the objectives, policies, land uses, densities and intensities in the Comprehensive Plan.

COMPATIBILITY

All parties seem to agree that since neither the County's Comprehensive Plan nor the provisions of the LDC define "compatibility," it is proper to use the statutory definition as a guide. *See Katherine's Bay, LLC v. Fagan,* 52 So. 3d 19 (Fl. 1st DCA, 2010). Specifically, Section 163.3164(9), Florida Statutes defines "compatibility" as meaning:

> a condition in which land uses **or** conditions can coexist in relative proximity to

> each other in a stable fashion over time such that no use **or** condition is unduly negatively impacted directly or indirectly by another use **or** condition. [Emphasis Added].

It is Petitioner's understanding that Respondents contend that the compatibility analysis essentially ends under the Section 163.3164,(9), F.S, once the County concludes that at Brookside Village is a permitted residential land use and that it is within the allowable density stated in the Comprehensive Plan. Petitioners disagree. Section 163.3164(27), F.S., which defines "land use" provides a more expansive definition of "land use", which includes what is built or to be built on the development parcel and adjacent lands and not simply the actual use, such as residential. Further, the statutory definition of compatibility also requires an examination of "conditions" on both the parcel to be developed and the adjacent subdivisions, which is necessary to determine potential negative impacts. This requires a much broader and more detailed analysis.

Similar to the City of Destin in *Windward Marina, L.L.C. v. City of Destin*, 743 So. 2d 635 (Fl 1st DCA 1999), the County's Comprehensive Plan requires a review of numerous conditions or characteristics that may impact adjacent uses. Petitioners contend that Policy 2.2.3 of the Residential Preservation section of the Comprehensive Plan provides further guidance to the County as to determining the compatibility of conditions on the parcel to be developed with the uses and conditions of adjacent subdivisions.

Policy 2.2.3 provides that a "primary function" of the County is to "***protect existing stable and viable residential areas from incompatible land use intensities[1] and density intrusions."*** In furtherance of that "primary function" Policy 2.2.3 e) sets forth the factors that the County **shall**

[1] The glossary of the Comprehensive Plan states as follows: INTENSITY: (EFF. 12/7/99) A measurement of the extent of land development, including the consumption or use of the space above, on, or below ground; **examples of intensity measurement may include**: the measurement of the use of or demand on facilities or services, allowed square footage or a floor area ratio of non-residential development, or the number of dwelling units per acre of **residential development**.

consider:

> In order to preserve existing stable and viable residential neighborhoods within the Residential Preservation land use category, **development** and redevelopment **activities in** and adjoining Residential Preservation areas **shall be guided by the following principles**:
>
> e) Land use compatibility with low density residential preservation neighborhoods.
> A number of factors shall be considered when determining a land use compatible with the residential preservation land use category. At a minimum, the following factors shall be considered to determine whether a proposed development is compatible with existing or proposed low density residential uses and with the intensity, density, and scale of surrounding development within residential preservation areas: proposed use(s); intensity; density; scale; building size, mass, bulk, height and orientation; lot coverage; lot size/ configuration; architecture; screening; buffers, including vegetative buffers; setbacks; signage; lighting; traffic circulation patterns; loading area locations; operating hours; noise; and odor. These factors shall also be used to determine the size of transitional development areas.

Petitioners contend that the County's review for compatibility under its adopted Comprehensive Plan is expansive and requires that **all** factors stated in Policy 2.2.3 e) shall be considered by the County through its own compatibility analysis. In fact, Section 10-6.617 of the LDC reiterates that the County's protection of "existing stable and viable residential areas from incompatible land uses" is a "primary function." It further states that "[c]ompatibility with surrounding residential type . . . shall be a major factor in the authorization of development approval . . ."

It is Petitioners' contention that even if the County did conduct a review of the factors in Policy 2.2.3 e), the County: 1) did not sufficiently conduct its own independent compatibility analysis; 2) failed to review **all** required factors; and 3) issued preliminary approval based in part upon a recommendation/report provided by its Principal Planner, Susan Poplin, which was riddled with errors and which did not accurately reflect what was actually being proposed.

Petitioners contend that it is evident that Susan Poplin did not apply the correct weight to the compatibility analysis requirements under Policy 2.2.3 e). First, she incorrectly concludes that

the factors listed in Policy 2.2.3 e) do not apply because both the existing and proposed uses are low-density Residential Preservation Land Uses. Second, she did not conduct an independent compatibility analysis. She admittedly relied upon information provided by Golden Oak's planning consultant. However, the information upon which she relied to prepare her August 4, 2017, report to the DRC was incorrect on a number of major factors (building size, mass, bulk, lot size, and lot coverage) required to be considered by Policy 2.2.3 e). She used an old and out of date report prepared by Golden Oak prior to numerous changes to the development.

It is also important to note that Golden Oak's planning consultant specifically excluded any analysis of "intensity,"[2] which is a required factor under Policy 2.2.3 e). Although intensity is generally used in commercial developments, the Comprehensive Plan specifically provides its applicability to Leon County residential development. Further, Policy 2.2.3 e) specifically requires a review of intensity. While Ms. Poplin makes a finding that the "intensity" of Brookside Village is consistent with Comprehensive Plan in her August 4, 2017, report to the DRC, her report and the entirety of the development file considered by the DRC is void of any intensity analysis between Brookside Village and Ox Bottom Manor and Moore Pond. Accordingly, this finding is erroneous and unsupported.

Wherefore, Petitioners will provide expert testimony supporting the conclusion that the Brookside Village is incompatible and that it should not have been granted preliminary approval. Brookside Village is inconsistent with the Comprehensive Plan and not in compliance with all LRCs. Petitioners will also provide expert testimony that the review and approval by the DRC was flawed because its decision was based in part by a inaccurate report prepared by the County's Principal Planner and that the required review factors were not meaningfully considered.

---

[2] See page 11 of Wendy Grey's Report dated August 2, 2017.

/s/ Justin J. Givens_____
Justin J. Givens, Esquire
Fl. Bar No. 0052130
1689 Mahan Center Blvd Suite B
Tallahassee, FL 32309
(850)692-8900
jgivens@andersongivens.com

/s/ Jeremy V. Anderson
Jeremy V. Anderson, Esquire
Fl Bar No. 45279
1689 Mahan Center Blvd Suite B
Tallahassee, FL 32309
(850)692-8900
janderson@andersongivens.com

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing was filed electronically with the State of Florida Division of Administrative Hearings and served electronically to Gary K. Hunter, Esquire and David Powell, Esquire via U.S. Mail to Hopping Green & Sams, P.A., P.O. Box 6526, Tallahassee, FL 32314 and via email to garyh@hgslaw.com and ErinT@hgslaw.com, and dpowell@hgslaw.com and to Carly J. Schrader, Esquire via US Mail to Nabors, Giblin & Nickerson, P.A., 1500 Mahan Drive, Suite 200 Tallahassee, Florida 32308 and via email to cschrader@ngnlaw.com and gstewart@ngnlaw.com and kparsons@ngnlaw.com and legal-admin@ngnlaw.com on November 6, 2017.

/s/ Justin J. Givens_____
Justin J. Givens, Esquire

STATE OF FLORIDA
DIVISION OF ADMINISTRATIVE HEARINGS

Moore Pond Homeowners Association, Inc., and Ox Bottom Manor Community Association, Inc.,

Petitioners, DOAH Case No. 17-5082

vs.

Golden Oak Land Group, LLC, and Leon County, Florida,

Respondents.

_____/

GOLDEN OAK LAND GROUP, LLC'S NOTICE OF SERVING UNVERIFIED RESPONSES TO INTERROGATORIES

Respondent Golden Oak Land Group, LLC ("Golden Oak"), by and through undersigned counsel, hereby files its Notice of Serving Unverified Responses to Interrogatories dated October 6, 2017.

Respectfully submitted this 6th day of November, 2017.

HOPPING GREEN & SAMS

/s/ *Gary K. Hunter, Jr.*
Gary K. Hunter, Jr. (Fla. Bar No. 949779)
Erin J. Tilton (Fla. Bar No. 104729)
119 South Monroe Street, Suite 300
Tallahassee, Florida 32301
Telephone: (850) 222-7500
Facsimile: (850) 224-8551
garyh@hgslaw.com
erint@hgslaw.com

Attorneys for Respondent
Golden Oak Land Group, LLC

Filed November 6, 2017 4:26 PM Division of Administrative Hearings

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing was filed electronically with the State of Florida Division of Administrative Hearings and served via email to Jeremy V. Anderson at janderson@andersongivens.com; Justin J. Givens at jgivens@andersongivens.com; Gregory T. Stewart at gstewart@ngnlaw.com; Carly J. Schrader at cshrader@ngnlaw.com; Kerry A. Parsons at kparsons@ngnlaw.com; and Jessica Icerman at IcermanJ@LeonCountyFL.gov, this 6th day of November, 2017.

/s/ Gary K. Hunter, Jr.
Attorney

STATE OF FLORIDA
DIVISION OF ADMINISTRATIVE HEARINGS

Moore Pond Homeowners Association,
Inc., and Ox Bottom Manor Community
Association, Inc.,

Petitioners, DOAH Case No. 17-5082

vs.

Golden Oak Land Group, LLC, and
Leon County, Florida,

Respondents.

_____/

GOLDEN OAK LAND GROUP, LLC'S RESPONSES AND OBJECTIONS
TO PETITIONERS' FIRST REQUEST FOR PRODUCTION OF DOCUMENTS

Respondent Golden Oak Land Group, LLC ("Golden Oak"), by and through undersigned its undersigned counsel, provides the following responses and objections to Petitioners' First Request for Production of Documents dated October 6, 2017:

GENERAL STATEMENT OF OBJECTIONS

Golden Oak makes the following general objections, whether or not separately set forth in response to each request, to each and every request made in propounding Moore Pond Homeowners Association, Inc. and Ox Bottom Manor Community Association, Inc.'s (collectively, "Petitioners") request for production of documents, all as set forth herein and incorporated into each of the responses below:

1. Privilege Objection. Golden Oak objects to any request to produce attorney-client privileged information or information subject to the work-product exemption, collectively referred to as the "privilege" or "privileged". Golden Oak contends that all communications exchanged between itself and its counsel are privileged. Golden Oak objects to identifying or

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producing any and all products of investigations or inquiry conducted by, or pursuant to direction of, counsel, based on attorney-client privilege and the work-product exemption. A privilege log identifying documents not produced on the basis that they are protected by the attorney-client privilege, work product doctrine, or on any other ground will be made available to counsel for Petitioners upon production of the responsive unprivileged documents.

2. Scope of Discovery Objection. Golden Oak objects to each request to the extent that it purports to impose any requirement or discovery obligation on Golden Oak other than as set forth in the Florida Rules of Civil Procedure or the applicable rules of this Court.

3. Continuing Discovery. Golden Oak has not completed its own discovery in this matter and has not yet reviewed all records of the other parties in this case or records in the care, custody or control of third parties. This response is served without prejudice to Golden Oak's introduction of evidence at trial consisting of information or documents discovered subsequent to the service of these responses in as much as discovery and investigation are continuing. No response, objection, or agreement to produce shall imply that any document does or does not exist with respect to any of the requests.

4. No Waiver. No response to any request for production shall be deemed a waiver of any objection not set forth which could be made to any such request, including, but not limited to, the relevancy of the request and/or any other issue affecting the potential admissibility of such information at the trial of this action

REQUESTS FOR PRODUCTION

REQUEST NO. 1: Produce all documents identified in your response to, or used to prepare responses to, Petitioners' First Set of Interrogatories to Respondents Leon County and Golden Oak Land Group, LLC, which was served contemporaneously herewith, and indicate to which interrogatory each document is responsive.

RESPONSE: All responsive documents have been produced or otherwise been made available in response to a subpoena duces tecum.

REQUEST NO. 2: Produce current resumes or *curricula vitae* for expert witnesses identified in response to Petitioners' First Set of Interrogatories to Respondents Leon County and Golden Oak Land Group, LLC.

RESPONSE: All responsive documents have been produced or otherwise been made available in response to a subpoena duces tecum.

REQUEST NO. 3: Produce all documents, whether under development or finalized, that you reasonably anticipate offering or referring to at any hearing in this action.

RESPONSE: All responsive documents have been produced or otherwise been made available in response to a subpoena duces tecum.

REQUEST NO. 4: Produce all documents, whether under development or finalized, that each and every person you intend to call or anticipate calling as a witness at any hearing in this proceeding intends to rely upon for purposes of rendering an opinion or testimony or reviewed or prepared as part of their testimony.

RESPONSE: All responsive documents have been produced or otherwise been made available in response to a subpoena duces tecum.

REQUEST NO. 5: Produce all documents, whether under development or finalized, including all drafts of such reports, electronic or otherwise, prepared by each and every person you intend to call or anticipate calling as an expert witness at any hearing in this proceeding.

RESPONSE: All responsive documents have been produced or otherwise been made available in response to a subpoena duces tecum.

REQUEST NO. 6: Produce all documents, whether under development or finalized, including all drafts of such reports, electronic or otherwise, prepared by each and every Leon County staff person you intend to call or anticipate calling as a witness at any hearing in this proceeding.

RESPONSE: Golden Oak is unaware of the existence of any documents in its care, custody, or control responsive to this request.

REQUEST NO. 7: Produce all correspondence, including electronic mail, texts, or other correspondence discussing, referencing, or identifying in any way the Brookside Village Residential Development or application for the Brookside Village Residential Development.

RESPONSE: Golden Oak incorporates by reference the General Objections set forth above. Golden Oak further objects on the basis that this request is overly broad, unduly burdensome, and not reasonably calculated to lead to the discovery of admissible evidence. Subject to and without waiving these objections, Golden Oak agrees to produce non-privileged, non-confidential documents within its care, custody, or control responsive to this request (if any) at a mutually agreeable time and place, to the extent such documents have not already been made available in response to a subpoena duces tecum.

REQUEST NO. 8: Produce a copy of the full-size site Brookside Village Residential site plan: Sheets C-102 through C-105; Sheets 110, 112.1 and 112.2.

RESPONSE: Golden Oak objects to this request on the basis that the requested documents are publicly available and therefore accessible by the Petitioners.

REQUEST NO. 9: Produce any cross-section diagrams/depictions prepared by respondents showing topographical contours between Brookside Village and the adjacent Moore Pond and Ox Bottom Manor subdivisions.

RESPONSE: Golden Oak is unaware of the existence of any documents in its care, custody, or control responsive to this request.

REQUEST NO. 10: Produce Wendy Gray's notes and any working or final documents related to how she calculated average density and the average lot sizes of the Moore Pond subdivision, Ox Bottom Manor subdivision, the Ox Bottom Gardens subdivision and the proposed Brookside Village development.

RESPONSE: All responsive documents have been produced or otherwise been made available in response to a subpoena duces tecum.

REQUEST NO. 11: Produce any notes and any working or final documents related to how Leon County calculated average density and the average lot sizes of the Moore Pond subdivision, Ox Bottom Manor subdivision, the Ox Bottom Gardens subdivision and the proposed Brookside Village development.

RESPONSE: Golden Oak is unaware of the existence of any documents in its care, custody, or control responsive to this request.

REQUEST NO. 12: Produce any Development Review Committee minutes, as well as any video or audio recordings.

RESPONSE: Golden Oak objects to this request on the basis that the requested documents are publicly available and therefore accessible by the Petitioners.

REQUEST NO. 13: Produce all documents to be used or referred to by Respondents at any hearing or proceeding that Respondents contend will show that the Brookside Village is compatible with the adjacent Moore Pond and Ox Bottom Manor subdivisions.

RESPONSE: All responsive documents have been produced or otherwise been made available in response to a subpoena duces tecum.

REQUEST NO. 14: Produce all documents, including any notes, emails, or reports that indicate any possible concern that there may be compatibility issues between Brookside Village and the adjacent Moore Pond and Ox Bottom Manor subdivisions, including any responses thereto.

RESPONSE: All responsive documents have been produced or otherwise been made available in response to a subpoena duces tecum.

REQUEST NO. 15: Produce all documents to be used or referred to by Respondents at any hearing or proceeding that Respondents contend will show that the Brookside Village is consistent with the Leon County Comprehensive Plan and in compliance with all land development ordinances of Leon County.

RESPONSE: All responsive documents have been produced or otherwise been made available in response to a subpoena duces tecum.

REQUEST NO. 16: Produce all documents, including any notes, emails, or reports that indicate any possible concern that the Brookside Village is inconsistent with the Leon County Comprehensive Plan and not in compliance with all land development ordinances of Leon County, including any responses thereto.

RESPONSE: All responsive documents have been produced or otherwise been made available in response to a subpoena duces tecum.

REQUEST NO. 17: To the extent not covered above, produce all documents, whether under development or finalized, that support, refer, or relate to any and all claims in this proceeding.

RESPONSE: Golden Oak incorporates by reference the General Objections set forth above. Golden Oak further objects on the basis that the request is overly broad, unduly burdensome, and not reasonably calculated to lead to the discovery of admissible evidence.

Subject to and without waiving these objections, Golden Oak agrees to produce non-privileged, non-confidential documents within its care, custody, or control responsive to this request (if any) at a mutually agreeable time and place.

Dated this 6th day of November, 2017.

HOPPING GREEN & SAMS

/s/ *Gary K. Hunter, Jr.*
Gary K. Hunter, Jr. (Fla. Bar No. 949779)
Erin J. Tilton (Fla. Bar No. 104729)
119 South Monroe Street, Suite 300
Tallahassee, Florida 32301
Telephone: (850) 222-7500
Facsimile: (850) 224-8551
garyh@hgslaw.com
erint@hgslaw.com

Attorneys for Respondent
Golden Oak Land Group, LLC

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing was filed electronically with the State of Florida Division of Administrative Hearings and served to Jeremy V. Anderson at janderson@andersongivens.com; Justin J. Givens at jgivens@andersongivens.com; Gregory T. Stewart at gstewart@ngnlaw.com; Carly J. Schrader at cshrader@ngnlaw.com; Kerry A. Parsons at kparsons@ngnlaw.com; and Jessica Icerman at IcermanJ@LeonCountyFL.gov, this 6th day of November, 2017.

/s/ Gary K. Hunter, Jr.
Attorney

STATE OF FLORIDA
DIVISION OF ADMINISTRATIVE HEARINGS

Moore Pond Homeowners Association, Inc., and Ox Bottom Manor Community Association, Inc.,

Petitioners, **DOAH Case No. 17-5082**

vs.

Golden Oak Land Group, LLC, and Leon County, Florida,

Respondents.
_____/

RESPONDENTS' JOINT PREHEARING STATEMENT

Respondents GOLDEN OAK LAND GROUP, LLC ("Golden Oak") and LEON COUNTY, FLORIDA (the "County") (collectively, "Respondents"), hereby submit the following Joint Prehearing Statement pursuant to Paragraph 3 of the Joint Stipulation Regarding Issues to be Litigated filed by the parties on November 3, 2017:

STATEMENT OF THE FACTS

The issues in this case can be summarized in one straightforward question: whether single-family, low-density, residential development is compatible with single-family, low-density residential development. The Respondents will demonstrate that it is.

The proposed Brookside Village Residential Subdivision ("Brookside Village" or "Project") is a 61-lot single-family detached residential subdivision located on 35.17 acres on the north side of Ox Bottom Road in Northeast Leon County. The entire property is located within the Urban Service Area established by the Tallahassee-Leon County Comprehensive Plan (the "Plan"), which is the area identified by the City and County as desirable for new development based on the availability of existing infrastructure and services. *See* FLUE Objective 1.1. The property is designated as Residential Preservation on the Plan's Future Land Use Map, and also falls within the Residential

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Preservation zoning district described in Leon County's Land Development Code (the "Code"). Residential Preservation is "characterized by existing homogeneous residential areas," with the expectation that "future development primarily will consist of infill due to the built out nature of the areas." *See* FLUE Policy 2.2.3. Single-family, townhouse, and cluster housing are permitted "within a range of up to six units per acre." *Id.*

In order to avoid environmentally sensitive areas in the center of the property, which will be maintained in an approximately 11.8-acre conservation easement, the Project was designed to include a horseshoe-shaped road developed with single-family homes on lots ranging in size from .14 acres to 2.19 acres. The density for the Project is 1.73 units per acre, which is well within the permitted gross density range for Residential Preservation (up to six units per acre) and is classified by definition as "low density residential" under the Plan. The Project also includes extensive buffers, which meet and, in most cases, exceed Code requirements.

The final version of the Brookside Village Site Plan that was submitted to the County for approval is the product of nearly two years of negotiations with neighboring residents, including principally the Moore Pond Homeowners Association ("Moore Pond") and the Ox Bottom Manor Community Association ("Ox Bottom Manor") (collectively, "Petitioners"). These existing neighborhoods abut the proposed Project to the east and west, and are also designated as Residential Preservation. Both Moore Pond and Ox Bottom Manor have been developed as single-family, low-density, residential subdivisions.

As a result of those negotiations, Golden Oak committed to significant changes to the Project as originally proposed, none of which were required to achieve compliance with the Plan or Code. Included in those changes were an increase in lot sizes abutting the existing lots within Moore Pond and Ox Bottom Manor; an overall reduction in the number of lots originally proposed; expansion and enhancement of the proposed buffers, including the addition of a berm and privacy

fencing; and extension of the sidewalk along Ox Bottom Road past the property boundaries to connect to the existing sidewalks along Ox Bottom Manor Drive. Despite these gratuitous efforts by the developer, the Petitioners have challenged the Development Review Committee's ("DRC") conditional preliminary approval of the Project on the basis that it is incompatible with the existing Moore Pond and Ox Bottom Manor communities, and therefore inconsistent with the Plan.

In arguing that the Project is incompatible with Moore Pond and Ox Bottom Manor, Petitioners focus on the Project's higher density and smaller lot size when compared to Moore Pond and Ox Bottom Manor, arguing that this distinction makes the Project incompatible. In so doing, Petitioners ignore the proper reading and application of the relevant provisions of the Plan and Code, which define both the Project and the adjacent subdivisions as low-density, residential developments, all containing single-family detached homes, designated as Residential Preservation. As Respondents will demonstrate through the testimony of Planning Department Staff and Former Planning Department Director, Ms. Wendy Grey, under the applicable provisions of the Plan, single-family, low-density, residential development is compatible with single-family, low-density residential development.

In addition, and while such an analysis is not required for low-density residential adjoining low-density residential within Residential Preservation, a compatibility analysis performed by Ms. Grey reviewing several factors set forth in the Plan—including density, scale, building size, height and orientation, lot size/configuration, architecture, screening and buffers, setbacks, and traffic circulation patterns—along with County Staff's own analysis of compatibility, confirm that the Project is compatible with the surrounding area. Petitioners have not demonstrated that the Project will unduly negatively impact the use of their low-density residential property, and therefore, have failed to establish incompatibility. *See* Fla. Stat. § 163.3164(9). The Project strictly complies with all applicable provisions of the Plan and meets all Code criteria for site plan approval.

STANDARDS AND SCOPE OF REVIEW

Two separate standards of review apply in this case. First, pursuant to the County's Land Development Code, "[t]he standard of review applied by the special master in determining whether a proposed development order is consistent with the Comprehensive Plan shall be strict scrutiny in accordance with Florida law." Leon County Land Development Code § 10-7.414(J)(vii). Under Florida law, "strict scrutiny" in the review of land use decisions is not the same type of strict scrutiny review that is applied in constitutional cases. *Bd. of Co. Commrs v. Snyder*, 627 So.2d 469, 475 (Fla. 1993). In practical effect, strict scrutiny arises from the necessity of strict compliance with the comprehensive plan, and requires the court to review and interpret the applicable provisions of the comprehensive plan as a whole, based on both the text and the synthesis of the document. *Id.*; *Arbor Props. v. Lake Jackson Prot. Alliance*, 51 So.3d 502, 505 (Fla. 1st DCA 2010) (citing Fla. Stat. § 163.3194(4)(a)).

Second, "the standard of review to determine whether the proposed development order is consistent with applicable Land Development Regulations shall be in accordance with Florida law." Leon County Land Development Code § 10-7.414(J)(vii). Under Florida law:

> The administrative procedure for site plan approval is quasi-judicial in nature, and conducted to factually determine if a proposed site plan submitted by the property owner conforms to the specific requirements set out in the administrative regulations governing the erection of improvements on the property. Property owners are entitled to notice of the conditions they must meet in order to improve their property in accord with the existing zoning and other development regulations of the government. Those conditions should be set out in clearly stated regulations. Compliance with those regulations should be capable of objective determination in an administrative proceeding. While the burden may be on the property owner to demonstrate compliance, no legislative discretion is involved in resolving the issue of compliance.

Park of Commerce Assocs. v. Delray Beach, 606 So.2d 633, 635 (Fla. 4th DCA 1992). Accordingly, the County may not unreasonably withhold approval if the site plan meets the legislatively adopted legal requirements. *Id.*

The administrative procedure for site plan approval is conducted to factually determine if a proposed site plan conforms to the specific requirements of the County's regulations. *Id.* For the action to be sustained, it must be based on competent substantial evidence. *See Premier Dev. v. City of Fort Lauderdale*, 920 So.2d 852, 853 (Fla. 4th DCA 2006) ("Although there was conflicting evidence presented, the function of the circuit court sitting in its review capacity is to determine whether there is competent substantial evidence to support the decision of the commission."). Competent substantial evidence includes the testimony and reports of professional staff, as well as the application materials and the site plan itself. *Payne v. City of Miami*, 53 So. 3d 258, 312 n. 19 (Fla. 3d DCA 2010).

Finally, local governments are entitled to broad deference in interpreting their land development regulations. *Pruitt v. Sands*, 84 So.3d 1267, 1268 (Fla. 4th DCA 2012). Unless the local government's interpretation is clearly erroneous, it should be affirmed. *Id.* at 1268-1269.

CONCLUSION

The Respondents will present evidence demonstrating that: (i) the Project is compatible with the Moore Pond and Ox Bottom Manor subdivisions; (ii) the Project strictly complies with all applicable provisions of the Plan; and (iii) that the DRC's preliminary decision to conditionally approve the Project is supported by competent substantial evidence demonstrating that the Project meets all Code criteria for site plan approval. Upon such a showing, the Special Master should render a Recommended Order to the Board of County Commissioners recommending approval of the Project subject to the conditions outlined by the DRC.

Respectfully submitted this 6th day of November, 2017.

/s/ Gary K. Hunter, Jr.
Gary K. Hunter, Jr. (Fla. Bar No. 949779)
Erin J. Tilton (Fla. Bar No. 104729)
HOPPING GREEN & SAMS, P.A.
119 South Monroe Street, Suite 300
Tallahassee, Florida 32301
Telephone: (850) 222-7500
Facsimile: (850) 224-8551
garyh@hgslaw.com
erint@hgslaw.com

ATTORNEYS FOR RESPONDENT
GOLDEN OAK LAND GROUP, LLC

/s/ Carly J. Schrader
GREGORY T. STEWART
Florida Bar No. 203718
CARLY J. SCHRADER
Florida Bar No. 14675
KERRY A. PARSONS
Florida Bar No. 91919
Nabors, Giblin & Nickerson, P.A.
1500 Mahan Drive, Suite 200
Tallahassee, Florida 32308
(850) 224-4070
(850) 224-4073 (Facsimile)
gstewart@ngnlaw.com
cschrader@ngnlaw.com
kparsons@ngnlaw.com
legal-admin@ngnlaw.com

ATTORNEYS FOR RESPONDENT LEON COUNTY

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing was filed electronically with the State of Florida Division of Administrative Hearings and served to Jeremy V. Anderson at janderson@andersongivens.com; Justin J. Givens at jgivens@andersongivens.com; Gregory T. Stewart at gstewart@ngnlaw.com; Carly J. Schrader at cshrader@ngnlaw.com; Kerry A. Parsons at kparsons@ngnlaw.com; and Jessica Icerman at IcermanJ@LeonCountyFL.gov, this 6th day of November, 2017.

/s/ Gary K. Hunter, Jr.
Attorney

STATE OF FLORIDA
DIVISION OF ADMINISTRATIVE HEARINGS

MOORE POND HOMEOWNERS ASSOCIATION, INC., AND OX BOTTOM MANOR COMMUNITY ASSOCIATION, INC.

Petitioners, **CASE NO. 17-5082**

vs.

LEON COUNTY, FLORIDA AND GOLDEN OAK LAND GROUP, LLC

Respondents.

_____/

RESPONDENTS' PROPOSED RECOMMENDED ORDER

The quasi-judicial hearing in this case was held on November 9, 2017, in Tallahassee, Florida, before Bram D.E. Canter, Administrative Law Judge of the Division of Administrative Hearings ("DOAH"), sitting as Special Master pursuant to Leon County Land Development Code Section 10-7.414.

APPEARANCES

For Petitioners: Jeremy V. Anderson, Esquire
Justin J. Givens, Esquire
Anderson & Givens, P.A.
1699 Mahan Center Boulevard
Tallahassee, Florida 32308

For Respondent Leon County:

Gregory T. Stewart, Esquire
Carly J. Schrader, Esquire
Kerry A. Parsons, Esquire
Nabors, Giblin & Nickerson, P.A.
1500 Mahan Drive
Tallahassee, Florida 32308

Filed December 4, 2017 4:31 PM Division of Administrative Hearings

For Respondent Golden Oak Land Group, LLC:

Gary K. Hunter, Jr., Esquire
Erin J. Tilton, Esquire
Hopping Green & Sams, P.A.
119 South Monroe Street, Suite 300
Tallahassee, Florida 32301

STATEMENT OF THE ISSUE

The issue to be determined in this case is whether the Leon County Development Review Committee's ("DRC") preliminary conditional approval of a site and development plan for the Brookside Village Residential Subdivision, Leon County Project ID No. LSP150035, is consistent with the Tallahassee-Leon County 2030 Comprehensive Plan ("Plan") and Leon County Land Development Code ("Code").

PRELIMINARY STATEMENT

On August 18, 2017, the DRC issued a letter conditionally approving the site and development plan submitted by Golden Oak Land Group, LLC ("Golden Oak") for the Brookside Village Residential Subdivision. The proposed project is a 61-lot single-family detached residential subdivision to be constructed on the upland portion of a 35.17-acre property located on the north side of Ox Bottom Road, east of the existing Ox Bottom Manor Subdivision and west of the existing Moore Pond subdivision, in Leon County, Florida ("Project").

Moore Pond Homeowners Association, Inc., Ox Bottom Manor Community Association, Inc., and Rosehill Property Owners' Association, Inc., each timely filed notices of intent to petition for formal proceedings. Moore Pond Homeowners Association, Inc. and Ox Bottom Manor Community Association, Inc. (collectively, "Petitioners") timely filed a joint petition challenging the DRC's preliminary conditional approval as inconsistent with certain provisions of the Plan and Code ("Petition"). Rosehill Property Owners' Association, Inc. did not file a

petition and is not a party to this proceeding. Pursuant to contract, Leon County transmitted the matter to DOAH to appoint a special master to conduct a quasi-judicial hearing. A notice of the quasi-judicial hearing was timely published, fulfilling the requirements of section 10-7.414(J)(ii) of the Code.

At the quasi-judicial hearing, Petitioners presented the testimony of Jan Norsoph, accepted by stipulation as an expert in the areas of land use planning, comprehensive planning, site planning, urban planning and design, zoning, land development code development and administration, and development review compliance and compatibility.

Respondent Golden Oak presented the testimony of: Sean Marston, accepted by stipulation as an expert in the areas of civil engineering, site plan design, land development code compliance, and concurrency; and Wendy Grey, accepted by stipulation as an expert to testify in the areas of land use planning, comprehensive planning, zoning, and compatibility.

Respondent Leon County presented the testimony of: Shawna Martin (Principal Planner, Leon County Department of Development Support and Environmental Management), accepted by stipulation as an expert in the areas of land use planning and zoning; and Susan Poplin (Principal Planner, Tallahassee-Leon County Planning Department), accepted by stipulation as an expert in the areas of comprehensive planning and urban planning.

Pursuant to section 10-7.414(J)(v)d. of the Code, three individuals offered public comments in opposition to the Project: Alex Nakis and Gene Sherron, residents of Moore Pond; and Mark Newman, a resident of Ox Bottom Manor.

The parties' Joint Exhibits 1 through 35, Petitioners' Amended Exhibit 1, and Respondents' Exhibits 1-5, 7-12, and 16 were admitted into evidence without objection.

The two-volume transcript of the quasi-judicial hearing was filed with DOAH on November 17, 2017. The parties submitted proposed recommended orders that were carefully considered in the preparation of this Recommended Order. As required by section 10-7.414(J)(viii) of the Code, a copy of this Recommended Order is being sent to all members of the public who participated at the hearing.

References herein to the Code are designated with the citation "*§* _____." References herein to the Plan are designated with the citation "*Objective/Policy* _____." References herein to the admitted exhibits are as follows: Joint Exhibits are designated with the citation "*Ex. J*_____"; Petitioners' Exhibit is designated with the citation "*Ex. P1*"; and Respondents' Exhibits are designated with the citation "*Ex. R*_____." References herein to the Transcript of the Quasi-Judicial Hearing are designated with the citation "*Transcript,* _____." Issues stipulated to by the parties in the Joint Stipulation of Issues to be Litigated are designated with the citation "*Stipulation* ¶ _____." References to the Petition are designated with the citation "*Petition, p.* ____."

PROPOSED FINDINGS OF FACT

A. The Parties

1. Petitioner Moore Pond Homeowners Association, Inc. is a Florida not-for-profit corporation whose members are residents of Moore Pond, an existing single-family, low-density residential subdivision bordering the Project to the east. Moore Pond Homeowners Association, Inc. timely filed a notice of appeal and a petition for quasi-judicial hearing, and has alleged sufficient facts for participation in this proceeding. *Stipulation ¶ 1.*

2. Petitioner Ox Bottom Manor Community Association, Inc. is a Florida not-for-profit corporation whose members are residents of Ox Bottom Manor, an existing single-family,

low-density residential subdivision bordering the Project to the west. Ox Bottom Manor Community Association, Inc. timely filed a notice of appeal and a petition for quasi-judicial hearing, and has alleged sufficient facts for participation in this proceeding. *Stipulation ¶ 1.*

3. Respondent Golden Oak is a Florida limited liability company. Golden Oak is the applicant for the Project and the owner of the 35.17-acre property on which the Project will be developed. *Ex. J9, 000001.*

4. Respondent Leon County is a political subdivision of the State of Florida and has adopted a comprehensive plan that it amends from time to time pursuant to chapter 163, Florida Statutes. The County is responsible for enacting and applying relevant Plan and Code provisions to property located within its political boundaries.

B. <u>The Site and Development Plan</u>

5. On December 2, 2015, Golden Oak filed a site and development plan application for the Project. *Ex. J3A.* The application consisted of a completed site and development plan application; an applicant's affidavit of ownership and designation of agent; a permitted use verification; a completed application for concurrency determination; a completed school impact analysis form; an approved natural features inventory; a site plan narrative; and a site and development plan. Golden Oak also concurrently submitted an environmental management permit application. *Exs. J1, J2, J3A, J3B.*

6. As a result of a series of meetings with County staff and with neighboring residents, Golden Oak made significant changes to the site and development plan, none of which were required to achieve compliance with the Plan or Code. *Ex. J11, 000001; Transcript 34:5-35:18.* Those changes included an increase in lot sizes abutting existing lots within Moore Pond and Ox Bottom Manor; an overall reduction in the number of lots originally proposed; expansion

and enhancement of the proposed buffers, including the addition of a berm and privacy fencing; and extension of the sidewalk along Ox Bottom Road past the property boundaries to connect to the existing sidewalks along Ox Bottom Manor Drive. *Exs. J11, 000007-00008; R4; Transcript 32:13-34:4, 35:23-37:12, 218:22-219:16.*

7. Golden Oak also voluntarily made revisions to the proposed covenants and restrictions for the Project to incorporate minimum square footage requirements and to prohibit second-story, rear-facing windows on homes abutting Moore Pond or Ox Bottom Manor lots. *Ex. J18, 000008; Transcript, 37:13-21.*

8. The final site and development plan application was submitted to the County on August 2, 2017. *Exs. J9, J10, J11, J12, J13.* Golden Oak also submitted a compatibility analysis prepared by its planning consultant, Ms. Grey. *Ex. J15.* The compatibility analysis reviews the Project in context with the surrounding development within a one-quarter mile radius. *Ex. J15, 000003.* This includes portions of the Rosehill, Moore Pond, Ox Bottom Manor, and Ox Bottom Gardens subdivisions. *Id.*

9. As presented in the final site and development plan submitted on August 2, 2017, the Project proposes a 61-lot single-family detached residential subdivision on the upland portion of a 35.17-acre parcel. *Exs. J10, 000001; J13, 000012.* In order to avoid environmentally sensitive areas in the center of the property, which will be maintained in an approximately 11.8-acre conservation easement, the Project proposes to include a horseshoe-shaped road that will connect to the existing Ox Bottom Road. *Id.; Transcript, 29:2-25.* The Project is self-contained and does not connect to the Petitioners' neighboring subdivisions. *Transcript, 170:23-171:14.* Single-family homes on lots ranging in size from .14 acres to 2.19 acres will be constructed adjacent to the horseshoe road. *Exs. J10, 000001; J13, 000013.* The Project also proposes to

include a 25-foot enhanced vegetative buffer around most of the perimeter of the property. *Exs. J10, 000001, J13, 000020; Transcript, 30:10-25.* These proposed buffers exceed Code standards for a Type C buffer, and are designed to achieve 75% opacity at the time of planting and 90% opacity within five years. *§ 10-7.552; Exs. J10, 000001, J13, 000020; Transcript, 35:23-37:6.* This is far above and beyond the Type A buffer that the Code requires between single-family detached residential uses within Residential Preservation zoning district. *§ 10-7.552(a)(5).*

10. The Project received a Preliminary Certificate of Concurrency certifying that the land use densities and intensities specified will have adequate infrastructure capacity tentatively reserved for water, wastewater, solid waste, recreation, mass transit, stormwater, and transportation to serve the needs of the development. *Ex. J22; Transcript, 25:13-25.* The City of Tallahassee has approved a concept water and sewer plan. *Ex. J29, 000004; Transcript, 23:15-21.* A School Impact Analysis has also been approved by the Leon County School Board. *Exs. J29, 000002; Transcript, 26:1-17.*

11. The Project is located within the Urban Services Area established by the Future Land Use Element ("FLUE") of the Plan, which is the area identified by the County as desirable for new development based on the availability of existing infrastructure and services. *FLUE Objective 1.1; Transcript, 137:6-20, 220:12-13, 245:14-25.* The Plan further encourages infill and compact development to protect environmentally sensitive features within the Urban Services Area. *FLUE Policy 1.1.1, FLUE Policy 1.4.12, Section IV. "Conservation Element" of the Plan; Transcript 247:1-13.*

12. The Project is located on a parcel that is designated as Residential Preservation on the Plan's Future Land Use Map, and also falls within the Residential Preservation zoning district described in the Code. *Transcript, 137:21-138:6.* Residential Preservation ("RP") is

"characterized by existing homogeneous residential areas" with the expectation that "future development primarily will consist of infill due to the built out nature of the areas." Residential densities are permitted "within a range of up to six units per acre." *FLUE Policy 2.2.3, Transcript 138:13-139:3.*

13. Because the Project is located on a parcel zoned RP and consists of 61 units, it qualifies for Type "B" review. *§ 10-7.402(4); Transcript, 215:4-14.* Under Type B review, an applicant can select from two development review tracks. *§ 10-7.402(5).* The Project was reviewed under the final design plan approval ("FDPA") review track, which is intended to expedite the review process by providing concurrent review of a project's site and development plan and associated environmental permit. *§ 10-7.402(5)(b).* Under the FDPA review track, subsequent to completion of the associated review process, the applicant receives land use and environmental permitting approval concurrently. *Id.*

14. Under Type B review, each member of the DRC is responsible for reviewing the site and development plan application and providing proposed written findings identifying whether the development complies with the applicable regulations. *§ 10-7.404(f).* Those proposed findings are transmitted to other members of the DRC, the applicant, and made available for public inspection prior to the DRC's consideration of the application at a noticed public meeting. *Id.* At its public meeting, the DRC reviews the application and submits a written preliminary decision recommending approval, approval with conditions, or denial of the application. *§ 10-7.404(g).* Within five calendar days, notice of the written preliminary decision shall be provided to the applicant and to members of the public who submitted written comments. *Id.* The DRC's written preliminary decision becomes final fifteen calendar days after it is rendered unless an appeal is timely filed. *§ 10-7.404(i).*

15. On August 16, 2017, the County held a noticed DRC Meeting, whereby the DRC convened to review the application for the Project. *Ex. J30.* Pursuant to section 10-7.404(e) of the Code, notice of the public hearing was published at least seven calendar days prior to the meeting, and was also mailed to all property owners within 800 feet of the Project at least 5 days prior to the meeting. *Exs. J25, J26, J27, J28; Stipulation ¶ 2.*

16. At the meeting, the County presented a staff report, which recommended conditional approval of the Project and included memoranda from the Tallahassee-Leon County Planning Department, Leon County Environmental Services Division, City of Tallahassee Water Resources Engineering Department, City of Tallahassee Electric Power Division, City of Tallahassee Fire Department, Leon County Development Support and Environmental Management Addressing Unit, and Leon County Public Works Department. *Ex. J29; J32, 000002.*

17. On August 18, 2017, the DRC issued a written preliminary decision approving the Project subject to the conditions outlined in the staff report, and one additional condition involving augmentation of certain existing natural buffers. *Ex. J31.* The written preliminary decision attached and incorporated a copy of the staff report therein, including the findings in support of the decision. *Ex. J31, 000001, 000004.* The approval directed Golden Oak to submit a revised site and development plan demonstrating compliance with all conditions within 90 days. *Ex. J31, 000002.*

18. On September 1, 2017, the Petitioners timely filed Notices of Intent to File a Petition for Formal Proceedings before a Hearing Officer. *Stipulation ¶ 1.* On September 15, 2017, the Petitioners jointly filed their Petition. *Id.* The Petition alleges that the Project as

conditionally approved is incompatible with the existing Moore Pond and Ox Bottom Manor subdivisions, and therefore inconsistent with various provisions of the Plan and Code.

C. <u>Compatibility</u>

19. The Petitioners allege that the Project is incompatible with the surrounding residential uses. This claim is based primarily on variations in lot size, lot coverage, mass, bulk, density, and intensity between the Project and the adjacent Moore Pond and Ox Bottom Manor subdivisions, and is also based on what the Petitioners claim is exclusive reliance on landscape and setback buffering to mitigate negative impacts created by the "walled effect" of the Project. *Transcript, 62:25-63:8, 73:16-18; Petition, p. 5.*

20. Moore Pond subdivision, which consists of approximately 58 single-family lots averaging 3.09 acres, directly abuts a portion of the Project to the north and northeast. *Ex. J15, 000003-000004.* Ox Bottom Manor subdivision, which consists of approximately 600 single-family lots averaging .67 acres, directly abuts a portion of the Project to the north and northwest. *Ex. J15, 000003.* Similar to the property proposed for the Project, Moore Pond and Ox Bottom Manor are also designated RP on the Future Land Use Map and are also zoned RP. Moore Pond, Ox Bottom Manor, and the Project all qualify as low-density residential, which in RP is defined as zero to six dwelling units per acre. *Ex. J15, 000006; Transcript, 220:16-23.*

21. The County's Land Use Development Matrix measures a parcel's development potential based on certain land use principles contained in the FLUE, including the parcel's potential compatibility with surrounding existing land uses. *FLUE Policy 2.2.26; Transcript, 249:24-250:12.* An assessment as to the residential density of development allowed for an individual site is determined by the degree of compliance with the goals, objectives, and policies of the Plan as well as the Land Use Development Matrix. *See FLUE Policy 1.3.2* (requiring

County staff to review the Land Use Development Matrix for an individual site). This Matrix contains an inherent policy that proposed low-density residential development adjoining existing low-density residential development is compatible and allowable. *FLUE Table 6, Transcript, 250:8-251:4.*

22. Florida Statutes define "compatibility" as "a condition in which land uses or conditions can coexist in relative proximity to each other in a stable fashion over time such that no use or condition is unduly negatively impacted directly or indirectly by another use or condition." *§ 163.3164(9), Fla. Stat.* By using the adverb "unduly," the definition indicates that the creation of some negative impacts does not necessarily make a use or condition incompatible. *See Volusia Co. v. Dept. of Comm. Aff.*, 2009 ENV LEXIS 213 at *29, DOAH Case No. 07-5107GM (R.O. Sept. 22, 2009).

23. As part of their argument on compatibility, the Petitioners have also alleged that the Project is inconsistent with Policy 2.2.3(e), which states in part:

> e.) Land use compatibility with low density residential preservation neighborhoods
>
> A number of factors shall be considered when determining a land use compatible with the residential preservation land use category. At a minimum, the following factors shall be considered to determine whether a proposed development is compatible with existing or proposed low density residential uses and with the intensity, density, and scale of surrounding development within residential preservation areas: proposed use(s); intensity; density; scale; building size, mass, bulk, height and orientation; lot coverage; lot size/ configuration; architecture; screening; buffers, including vegetative buffers; setbacks; signage; lighting; traffic circulation patterns; loading area locations; operating hours; noise; and odor. These factors shall also be used to determine the size of transitional development areas.

Petitioners allege that the County did not consider all of the listed factors in making its determination that the Project is compatible, and also allege that consideration of these factors

demonstrates that the Project is incompatible with the existing Moore Pond and Ox Bottom Manor subdivisions. *Petition, p. 8.*

24. In furtherance of the goal of protecting existing stable and viable residential neighborhoods within the RP land use category, Policy 2.2.3(a)-(d) enumerate guiding principles for development activities in and adjoining RP areas.[1] Those guiding principles address situations where: higher density residential developments (*i.e.*, greater than 6 dwelling units per acre) are proposed for areas adjoining established low density RP neighborhoods (*FLUE Policy 2.2.3(a)*); new or redeveloped commercial uses are proposed adjoining low density residential areas within RP (*FLUE Policy 2.2.3(b)*); new, expanding, or redeveloped light industrial uses are proposed adjoining low density residential areas within RP (*FLUE Policy 2.2.3(c)*); and community facilities are proposed adjoining low density residential areas within RP (*FLUE Policy 2.2.3(d)*). *Transcript, 153:10-154:20.* Policy 2.2.3(e) provides guidance as to the factors that should be considered in determining whether those proposed developments enumerated in (a)-(d) are compatible with existing or proposed low density residential uses. *Transcript, 154:21-155:6.* None of the situations addressed in Policy 2.2.3(a)-(d) describe a scenario where, as is the case with this Project, a low density residential use is proposed adjoining existing low density residential uses. *Transcript, 154:5-20.* Where low density residential is proposed adjoining existing low density residential, the factors listed in Policy 2.2.3(e) do not apply. *FLUE Policy 2.2.3; Transcript, 155:19-20, 251:8-252:4.*

25. This is consistent with how the County has historically applied Policy 2.2.3. At hearing, Ms. Poplin testified that the factors listed in Policy 2.2.3(e) are taken into account where either a higher density residential use or a non-residential use is proposed next to existing low

[1] Policy 2.2.3(f)-(g) provide guiding principles for development and redevelopment activities within established recorded or unrecorded subdivisions within RP. These principles categorically do not apply to the Project.

density residential within RP. *Transcript, 251:8-252:4.* The County has not historically applied Policy 2.2.3(e) when evaluating low density residential uses adjoining low density residential uses. *Transcript, 252:13-253:9.*

26. However, in response to concerns from neighboring residents, Golden Oak submitted a compatibility analysis as part of its application materials. *Ex. J15.* While Ms. Grey testified that it was her opinion that Policy 2.2.3(e) was not applicable to the Project, her compatibility analysis nonetheless reviews all of the factors in this Policy that are applicable to residential development. *Transcript, 155:1-20.* Because Golden Oak submitted a compatibility analysis and because of heightened interest from neighboring residents, the County also analyzed certain factors listed in Policy 2.2.3(e) using Ms. Grey's report, including density, scale, building size, height and orientation, lot coverage, architecture, buffers, setbacks, and traffic mobility. *Ex. J29, 000007-000010; Transcript, 253:11-254:20, 256:15-257:4, 259:19-267:19.*

27. The Petitioners' expert, Mr. Norsoph, also conducted an independent compatibility analysis by reviewing intensity, density, scale, mass, lot coverage, lot size, and buffers. *Transcript, 62:25-63:15, Ex. P1.* Mr. Norsoph pointed out the differences in density between the Project (1.73 units per acre) and Moore Pond (.23 units per acre) and stated that the densities are not compatible "because it is such a huge difference." *Transcript, 64:2-14.* Relying upon Ms. Grey's report, he conducted a similar comparison for lot size and lot coverage, whereby he concluded that the Project is not compatible simply because its average lot size is smaller and average lot coverage is higher as compared to Moore Pond and Ox Bottom Manor.[2] *Transcript, 66:23-67:25, 70:5-71:17.* At no point did Mr. Norsoph evaluate the potential impacts

[2] Mr. Norsoph's analysis appears to be based in part on a mistaken belief that in order to be truly compatible, developments must be identical. *Transcript, 114:16-115:10.*

of variations in density, lot size, or lot coverage on the neighboring subdivisions. *Transcript, 106:10-107:9.*

28. Mr. Norsoph also testified regarding the "walled effect" that the Petitioners allege is created by the concentration of lots along Moore Pond and Ox Bottom Manor, in combination with the Project's smaller lot sizes, greater lot coverage,[3] and side setbacks as compared to Moore Pond and Ox Bottom Manor. *Transcript, 72:20-73:8.* However, Mr. Norsoph failed to conclude that the Petitioners would be unduly negatively impacted by this perceived effect. *Transcript, 106:10-107:9.*

29. Although such an analysis was not required, evaluation of the factors in Policy 2.2.3(e) demonstrates that the Project is compatible with the surrounding development within the meaning of section 163.3164(9), Florida Statutes, and consistent with Policy 2.2.3(e).

D. <u>Consistency</u>

30. Petitioners contend that the Project as conditionally approved is inconsistent with certain provisions of the Plan and Code. Each of these provisions is identified and discussed below.

i. <u>FLUE Policy 2.2.3</u>

31. Petitioners contend that the Project as conditionally approved is inconsistent with FLUE Policy 2.2.3, which describes the RP land use category.[4] *Petition, pp. 7-8.* Policy 2.2.3 provides in part:

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[3] It is worth noting that this greater lot coverage is in part due to Petitioners' request that Golden Oak increase the size of the homes it planned to develop. In a good faith effort to accommodate this request, Golden Oak imposed minimum square footage requirements through the proposed covenants and restrictions for the Project. *Ex. J18, 000008; Transcript, 37:13-21, 104:23-105:24.*

[4] Petitioners also contend that the Project as conditionally approved is inconsistent with section 10-6.617 of the Code, which describes the RP zoning district. While the consistency analyses for FLUE Policy 2.2.3 and section 10-6.617 of the Code are similar, for purposes of this Order they will be addressed separately.

RESIDENTIAL PRESERVATION

Characterized by existing homogeneous residential areas within the community which are predominantly accessible by local streets. The primary function is to protect existing stable and viable residential areas from incompatible land use intensities and density intrusions. Future development primarily will consist of infill due to the built out nature of the areas. Commercial, including office as well as any industrial land uses, are prohibited. Future arterial and/or expressways should be planned to minimize impacts within this category. Single family, townhouse and cluster housing may be permitted within a range of up to six units per acre. Consistency with surrounding residential type and density shall be a major determinant in granting development approval.

. . . . .

In order to preserve existing stable and viable residential neighborhoods within the Residential Preservation land use category, development and redevelopment activities in and adjoining Residential Preservation areas shall be guided by the following principles:

. . . . .

e) Land use compatibility with low density residential preservation neighborhoods

A number of factors shall be considered when determining a land use compatible with the residential preservation land use category. At a minimum, the following factors shall be considered to determine whether a proposed development is compatible with existing or proposed low density residential uses and with the intensity, density, and scale of surrounding development within residential preservation areas: proposed use(s); intensity; density; scale; building size, mass, bulk, height and orientation; lot coverage; lot size/ configuration; architecture; screening; buffers, including vegetative buffers; setbacks; signage; lighting; traffic circulation patterns; loading area locations; operating hours; noise; and odor. These factors shall also be used to determine the size of transitional development areas.

32. Petitioners broadly allege that the Project is inconsistent with Policy 2.2.3 because the Project is incompatible with the adjacent Moore Pond and Ox Bottom Manor subdivisions, and the primary function of the RP land use category is to protect existing stable and viable residential areas from incompatible land use intensities and density intrusions. As discussed in Findings of Fact 19-29 above, the Project is compatible.

33. Petitioners also allege that the Project is inconsistent with Policy 2.2.3 because the Project is not consistent with the surrounding residential type and density, which is to be a major determinant in granting development approval. Petitioners allege that the Project's residential type is "cluster housing," while the surrounding subdivisions are single-family homes.

34. However, "cluster housing" as that term is used in the applicable provisions of the Plan and Code is not a residential type. *Transcript, 226:12-14.*

35. The Plan defines "clustering" as the grouping together of structures and infrastructure on a portion of a development site with the balance remaining undeveloped or reserved as green space, which may or may not be used for development at a later date. *Plan Glossary, p. 301.* Under the Code, "cluster development" is defined as a development design technique that concentrates buildings in specific areas on a site to allow the remaining land to be used for recreation, common open space, and preservation of environmentally sensitive or other portions of the site having existing characteristics worthy or preservation or conservation. *§ 10-1.101; 227:2-228:11.* The Plan encourages compact development to protect environmental features, such as those found within the Project. *Transcript, 246:1-13.* Clustering is simply a mechanism by which the land is divided into lots and developable portions, and reserves or preserves open space areas and on-site features. *Transcript, 198:11-13.* Generally, as a planning concept, a density bonus may be given to incentivize using that type of development pattern, but no such density bonus is given in RP within the Urban Services Area under the County's Code.[5] *Transcript: 228- 229: 10- 11.*

36. The residential **type** refers to structures or buildings, and not how these structures or buildings are placed as part of the design of the development. For example, the Code provides

[5] Outside of the Urban Services Area, RP acts as an overlay district, and for certain areas does incentivize clustering so to protect environmentally sensitive features such as those in the Lake Jackson area. *Transcript: 227:25-228:7.*

a list of residential types in its definition of "dwelling unit." *§ 10-1.101.* These types include condominium or cooperative units, mobile homes, manufactured housing, individual attached or detached apartments, and individual houses. *Id.* This is distinct from how these types of structures or buildings are placed as part of the design of the development. In this case, the residential type of the Project is single-family detached dwelling units. *Transcript, 228:12-14.* Moore Pond and Ox Bottom Manor also contain single-family detached dwelling units as the residential type developed in both adjacent neighborhoods. *Transcript, 228:15-21.*It is difficult to conclude the residential type is not "consistent," as alleged, given that it is identical.

37. Petitioners contend that the Project's density is not consistent with the surrounding development because the Project's gross density is 1.73 dwelling units per acre, while the gross density of Moore Pond and Ox Bottom Manor are .23 and 1.10 dwelling units per acre, respectively.[6] The Plan defines residential density as low, medium, high, or urban. *Plan Glossary, p. 311.* Low density residential is defined as 0-8 dwelling units per acre. *Id.* In the RP land use category, density is further limited to 0-6 dwelling units per acre. *FLUE Policy 2.2.3.* The Project, Moore Pond, and Ox Bottom Manor are all classified as low density residential, and fall within the low end of the low-density range (*i.e.*, less than 2 dwelling units per acre). *Transcript, 225:11-226:1, 248:10-19.* Under the Code and the County's official interpretation of permitted density within RP, low density residential surrounded by low density residential is consistent. *Transcript, 226:2-4; Ex. R2.*

[6] Although throughout the Petition, and in the testimony of Mr. Norsoph, it is alleged that the density of the Project is 14 times higher as compared to the Moore Pond lots and 3.3 times higher as compared to the Ox Bottom Manor lots, these calculations are not accurate. As Mr. Norsoph admitted in his testimony, the Petitioners' calculations consider only the abutting lots as opposed to the subdivisions as a whole. *Transcript,65:6-66:13.* The Plan and Code calculate density based on gross density. *Plan Glossary, p. 305; § 10-1.101.* Further, Mr. Norsoph's calculations apply a "gross density" standard to Moore Pond and Ox Bottom Manor while calculating density for the Project based upon only the developable portion; the result is a misleading density comparison. *Ex. P1.*

ii. Section 10-6.617

38. Petitioners contend that the Project as conditionally approved is inconsistent with section 10-6.617 of the Code, which describes the RP zoning category. *Petition, pp. 10-11.* Section 10-6.617 provides in relevant part:

> **Residential preservation.**
>
> (a) *Purpose and intent.* The residential preservation district is characterized by existing homogeneous residential areas within the community predominantly accessible by local streets. The primary function is to protect existing stable and viable residential areas from incompatible land uses and density intrusions. Commercial, retail, office, and industrial activities are prohibited. Certain nonresidential activities may be permitted, such as home occupations consistent with the applicable provisions of section 10-6.803; community services and facilities/institutional uses consistent with the applicable provisions of section 10-6.806; and churches, religious organizations, and houses of worship. Single-family, duplex residences, manufactured homes, and cluster housing may be permitted within a range of zero to six units per acre. Compatibility with surrounding residential type and density shall be a major factor in the authorization of development approval and in the determination of the permissible density.
>
> . . . . .
>
> (3) When new residential development inside the urban services area is proposed for an area not located within a recorded or unrecorded subdivision, densities shall be permitted in the range of zero to six dwelling units per acre consistent with the availability of central water and sewer service to accommodate the proposed development. If central water and sewer service is not available, density shall be limited to a maximum of two dwelling units per acre consistent with all applicable provisions of the Environmental Management Act.
>
> . . . . .
>
> (5) Allowable development type shall be construed to mean the following:
>
> a. Parcels proposed for residential which are located in a recorded or unrecorded subdivision shall develop consistent with the type of residential development pattern located inside the recorded or unrecorded subdivision.
>
> b. Parcels proposed for residential which are located inside the urban service area and not in a recorded or unrecorded

> subdivision shall develop consistent with the type of residential development pattern located adjacent to the vacant parcel.

39. Specifically, Petitioners allege that the Project is inconsistent with section 10-6.617 because the Project is not compatible with the surrounding residential type and density, which is to be a major factor in granting development approval and determining permissible density.

40. Petitioners allege that the Project's residential type is "cluster housing," while the surrounding subdivisions are single-family homes. As discussed in Findings of Fact 33-36 above, under the Code, "cluster development" is defined as a development design technique. *§ 10-1.101; 227:2-228:11.* The residential **type** is single-family detached dwelling units. *Transcript 226:5-10.* This is compatible and consistent with the residential type of Moore Pond and Ox Bottom Manor, as both adjacent neighborhoods contain single-family detached dwelling units.

41. For purposes of section 10-6.617, further guidance as to the meaning of residential type is provided in paragraph (5), which describes allowable development types within the RP zoning district. Allowable development types do not include cluster housing, because this is a design technique. *Transcript, 227:2-228:11.* The subparagraph that applies to the Project is (5)b., which requires parcels proposed for residential development located inside the Urban Services Area and not in a recorded or unrecorded subdivision to develop consistent with the type of residential development pattern located adjacent to the parcel. *Transcript, 176: 10-15.* The remaining subparagraphs specifically reference conventional single-family homes, manufactured homes, duplex development, and mobile homes as types of residential development. *§ 10-6.617(5)(a)-(e); Transcript, 176:16-177:7.* Here, the residential type of the Project is single-family detached dwelling units, which is consistent with the adjacent residential development patterns in Moore Pond and Ox Bottom Manor. *Transcript, 177:8-22, 228:12-21.*

42. Petitioners also contend that the Project's density is not compatible with the surrounding development because the Project's gross density is 1.73 dwelling units per acre, while the gross density of Moore Pond and Ox Bottom Manor are .23 and 1.10 dwelling units per acre, respectively. As discussed in Finding of Fact 37 above, the Project, Moore Pond, and Ox Bottom Manor are all classified as low density residential, and fall within the low end of the low-density range (*i.e.*, less than 2 dwelling units per acre). *Transcript, 225:11-226:1, 248:10-19.* Low density residential surrounded by low density residential is consistent. *Transcript, 225:20-226:4; Ex. R2.*

43. Section 10-6.617(a)(3) provides further guidance on permissible density within the RP zoning district. This section states that where a new project is located inside the Urban Services Area and utilizes central water and sewer, densities **shall be allowed** up to six dwelling units per acre. *Ex. R2, 000002; Transcript, 224:11-225-9.* The Project is within the Urban Services Area and is certified for water and sewer services. *Transcript, 220:12-15.* The Project as conditionally approved is 1.73 dwelling units per acre, which is within the low end of the allowable density range. *Transcript, 225:11-19.* In fact, there are numerous examples of existing permitted residential developments within the County's RP zoning district that have a higher density than the Project and that abut low density residential property. These examples are all within the allowable density range for low density residential development. *Transcript, 229:16-234:6.*

44. Notably, where the County wanted to further restrict density and lot size within RP, it explicitly did so. For example, this is the case with new residential densities within existing established subdivisions. *Transcript, 103:25-104:5.* Section 10-6.617(a)(2) states:

> In residential preservation areas inside the urban services area, new residential development densities shall be consistent with those within the developed

> portions of the recorded or unrecorded subdivisions in which they are located. Consistency for the purposes of this paragraph shall mean that proposed lots shall not be smaller than the smallest lot that was created by the original subdivision plat or any subsequent replat that may have occurred consistent with county land development regulations in effect at that time.

Transcript, 102:21-103:8. It is undisputed that section 10-6.617(a)(2) does not apply to the Project. *Transcript, 102:21-103:14.* Section 10-6.616(a)(3), which does apply to the Project, does not contain similar limitations on density or lot size. *Transcript, 103:18-22.*

iii. Section 10-7.505

45. Petitioners contend that the Project as conditionally approved is inconsistent with the compatibility requirements of Section 10-7.505 of the Code, which provides a list of general design principles relating to impacts on nearby streets and property owners. *Transcript, 87:19-88:12.* Section 10-7.505 provides in relevant part that each development shall be designed to "be as compatible as practical with nearby development and characteristics of land". *§ 10-7.505(1).* This is an overarching performance goal, and the more prescriptive standards can be found throughout the Code, such as within section 10-6.617 in the case of the RP zoning district. *Transcript, 235:11-236:11.*

46. The Project was designed to be as compatible as practical. The Project is a detached single family development surrounded by detached single family development, and has a gross density that is less than one-third of the permitted maximum density for RP. *Ex. J11, 000006.* The subdivisions within one quarter mile of the Project have a range of densities and lot sizes, included one subdivision with a higher density and smaller lot size. *Id.* The Project includes enhanced Type C+ buffers between the lots that adjoin Moore Pond and Ox Bottom Manor and along Ox Bottom Road, which exceed the Type A buffer required by the Code. *Id; § 10-7.521.* These buffers are expected to be 75% opaque at the time of planting and 90% opaque

within 5 years.[7] *Transcript, 35:23-37:12; Ex. J11, 000006.* Further, there is no interconnection between the Project and the adjoining subdivisions, as this requirement was waived based on the criteria set forth in section 10-7.502 of the Code. *Id.* The Project preserves environmentally sensitive areas on-site and focuses development outside of those areas. *Transcript, 29:6-13; Ex. J29, 000003.* It provides for the ongoing operation and maintenance of supporting infrastructure, including stormwater management facilities that minimize adverse environmental impacts both on-site and off-site. *Transcript, 32:22-33:17; Ex. J29, 000003.*

47. As discussed in Findings of Fact 19-29 above, the Project is compatible with the surrounding development within the meaning of section 163.3164(9), Florida Statutes. Both the Project and the neighboring subdivisions of Moore Pond and Ox Bottom Manor are low density, single family residential, and are compatible. *Transcript, 236:12-16.*

PROPOSED CONCLUSIONS OF LAW

A. Jurisdiction and Venue

48. DOAH has jurisdiction over the parties to and the subject matter of this proceeding pursuant to section 10-7.414 of the Code.

49. Section 10-7.404 governs Type "B" site and development plan reviews and provides that a Written Preliminary Decision becomes final 15 calendar days after it is rendered unless an applicant or a qualified party files a Notice of Intent to file an appeal. *§ 10-7.404(i).* After the filing of the Notice of Intent, a Petition must be filed within 30 calendar days from the date of rendition of the decision. *Id.*

[7] As a condition of approval, the DRC has required Golden Oak to further augment the existing natural buffer proposed as a Type C+ buffer on the site plan to achieve 90% opacity immediately at the time of planting from the southern property line of Lot 15A to the northern property line of Lot 17A to address visual impacts to a neighboring property in Moore Pond. *Ex. J31, 000002.*

50. The Petitioners timely filed Notices of Intent and a joint Petition. *Stipulation ¶ 1.* Respondents have not disputed that the Petitioners have standing to file this appeal.

B. <u>Applicable Criteria & Burden of Proof</u>

51. Section 10-7.407 of the Code provides that the County shall determine the following in deciding whether to approve, approve with conditions, or deny a site and development plan application:

a. Whether the applicable zoning standards and requirements in Article VI of the Code have been met;

b. Whether the applicable provisions of the Environmental Management Act in Article IV of the Code have been met; and

c. Whether the requirements of chapter 10 of the Code and other applicable regulations or ordinances which impose specific requirements on site and development plans and development have been met.

52. The burden is on the landowner who is seeking site plan approval to demonstrate that the application complies with the reasonable procedural requirements of the applicable ordinance and that the use sought is consistent with the applicable Plan and Code requirements. *See, e.g., Alvey v. City of North Miami Bch.*, 41 Fla. L. Weekly D1028 (Fla. 3d DCA 2016), citing *Bd. of Cnty. Commr's of Brevard Cnty v. Snyder*, 27 So. 2d 469, 472 (Fla. 1993).

53. While the burden is on the landowner to demonstrate compliance, there is no legislative discretion involved on the part of the local government. If the site plan meets the legislatively adopted legal requirements set forth in section 10-7.407 of the Code, the County may not unreasonably withhold approval. *Park of Commerce Assocs. v. Delray Beach*, 606 So. 2d 633, 635 (Fla. 4th DCA 1992).

54. The standard of proof to establish a finding of fact is preponderance of the evidence. *§ 120.57(1)(j), Fla. Stat.*

C. <u>Standard of Review</u>

55. The Code provides that "the standard of review applied by the special master in determining whether a proposed development order is consistent with the Comprehensive Plan shall be strict scrutiny in accordance with Florida law." *§ 10-7.414(J)(vii).* Strict scrutiny in the review of land use decisions arises from the necessity of strict compliance with the comprehensive plan, and requires courts to review and interpret the applicable provisions as a whole, based on both the text and the synthesis of the document. *Snyder*, 627 So. 2d at 475; *Arbor Props v. Lake Jackson Prot. Alliance*, 51 So. 3d 502, 505 (Fla. 1st DCA 2010), citing § 163.3194(4)(a).

56. Section 10-7.414(J)(vii) of the Code also provides: "the standard of review to determine whether the proposed development order is consistent with applicable Land Development Regulations shall be in accordance with Florida law." For the County's determination that the Project is consistent with the relevant Code provisions to be upheld, it must be based on competent substantial evidence. *See Premier Dev. v. City of Fort Lauderdale*, 920 So. 2d 852, 853 (Fla. 4th DCA 2006). Competent substantial evidence includes the testimony and reports of professional staff, as well as the application materials and the site plan itself. *Payne v. City of Miami*, 53 So. 3d 258, 312 n. 9 (Fla. 3d DCA 2010).

57. Local governments are entitled to broad deference in interpreting their land development regulations. Unless the local government's interpretation is clearly erroneous, it should be affirmed. *Pruitt v. Sands*, 84 So. 3d 1267, 1268 (Fla. 4th DCA 2012).

D. <u>Ultimate Issues</u>

58. The Petitioners allege that the Project is inconsistent with Policy 2.2.3, which requires consistency with surrounding residential type and density to be a major determinant in

granting development approval. For the reasons noted in Findings of Fact 33-37, the residential type and density of the Project is consistent with the surrounding development.

59. It is significant that the Plan and the Code define low density residential for purposes of the RP land use category and zoning district as a range of zero to six dwelling units per acre. Although other communities may define low density differently, what is relevant is how the County defines it in this case.

60. *Colonial Apartments, L.P. v Deland*, 577 So. 2d 593 (Fla. 5th DCA 1991) is instructive. In that case, the property owner sought approval of a site plan from the City of Deland for construction of an apartment at a density of thirteen units per acre. The zoning for the property allowed for sixteen units per acre. The city's planning staff recommended to the city commission that the site plan be approved with certain changes unrelated to density. 577 So. 2d at 595. The city approved the site plan with a single condition that the density not exceed six units per acre, reasoning in part that the proposed development did not achieve an aesthetic and compatible relationship with the adjacent properties. The landowner petitioned the circuit court for review, but was denied. The circuit court reasoned in part that the closest existing multi-family development had a density of 4.25 to 4.5 units per acre and that the generally accepted planning standard for low density residential developments is five to eight units per acre. *Id.* The circuit court concluded that the city's determination regarding density was supported by competent substantial evidence that six dwelling units per acre would be more compatible with the surrounding properties.

61. On appeal, the Fifth District Court of Appeal quashed the circuit court's order imposing the condition that the density of the development not exceed six dwelling units per acre. In rendering its decision, the Fifth District discussed the "intent" statement in the city's

ordinance for the applicable zoning district, which required an "esthetic and compatible relationship" with adjacent properties, but determined that the "compatibility" requirement was not meant to allow adjustment of the cap of sixteen units per acre.[8] Although other communities may define "low density" differently, for purposes of the city's code, sixteen units per acre was considered low density. In ruling against the city, the Court specifically provided:

> We agree with the city that the project density is a legitimate concern and go further in stating that it is a most important concern. But it is a concern that must be addressed and expressed in appropriate ordinances. A community should be developed in accordance with planned action. Development decisions should not be made in reaction to application that relies on an ordinance establishing a density no longer acceptable to the majority of the current members of the governing body. Owners are entitled to fair play; the lands which may represent their life fortunes should not be subjected to *ad hoc* legislation. Density is one of the most important elements in the marketplace today in determining land value. When a law establishes a specific allowable density, its clear terms cannot be varied by a forced interpretation of intent. Such an ordinance should be interpreted in accordance with its plain meaning.

Id. at 597-598. The Court concluded that the circuit court could not rely on "undefined and uncertain standards contained in the statement of intent when clear and specific numbers of units are expressed in that same ordinance." *Id.* at 598; *see also Parker v. Leon County*, 1992 U.S. Dist. LEXIS 20723 (N.D. Fla. 1992) (applying *Colonial Apartments* and determining that the specific density provisions in the Leon County Code take precedence over other general provisions).

62. If the County sought to limit density within RP to be more restrictive than zero to six dwelling units per acre, such a restriction would need to be included in the Code. The Code contained a more onerous restriction on density prior to 2005, whereby development within the Urban Services Area and not within a recorded or unrecorded subdivision was further limited to

[8] The County has implicitly acknowledged this by including language at the end of Policy 2.2.3 stating: "This section shall not be construed as to restrict the development of building types allowed by the applicable zoning district." In other words, the "intent" of RP is not meant to allow adjustment of what is otherwise permitted development.

no greater than 25% of the densest residential land development contiguous to the proposed development. However, this more onerous density restriction was removed in 2005, and the Code now allows property within the Urban Services Area and not within a recorded or unrecorded subdivision, such as the Project, to develop within the range of zero to six dwelling units per acre, so long as the applicant meets the County's Environmental and Concurrency Management Regulations. *Ex. R1, R2; Transcript, 221:6-225:9.* This policy decision is within the County's legislative discretion and specifically reflects an intent in the Code, as now constructed, to not further limit density based on a percentage of what is adjacent so long as the proposed density is less than six units per acre. That is the case here.

63. The Petitioners also allege that the Project is inconsistent with Policy 2.2.3 because the County did not consider all of the factors listed in paragraph (e) in making its determination that the Project is compatible. For the reasons noted in Findings of Fact 23-25, an analysis of the factors in paragraph (e) is not required when evaluating low density residential uses adjoining low density residential uses.

64. The evidence in this matter supports the conclusion that the Project complies with Policy 2.2.3.

65. The County's interpretation of section 10-6.617 of the Code is reasonable, and the County's determination that the Project is consistent with this section is based on competent substantial evidence, including the County's staff report, the compatibility analysis prepared by Ms. Grey, and the expert testimony provided by Mr. Marston, Ms. Grey and Ms. Martin.

66. The County's interpretation of section 10-7.505 of the Code is reasonable, and the County's determination that the Project is consistent with this section is based on competent

substantial evidence, including the County's staff report, Golden Oak's application materials, and the expert testimony provided by Ms. Grey and Ms. Martin.

67. The evidence in this matter demonstrates that upon satisfaction of all conditions in the DRC's written preliminary decision dated August 18, 2017, the Project is consistent with and meets all zoning, Code, and Plan requirements and should be approved.

RECOMMENDATION

Based on the foregoing Findings of Fact and Conclusions of Law, it is

RECOMMENDED that the Leon County Board of County Commissioners enter a final order approving the Project, subject to the conditions outlined by the DRC in its written preliminary decision dated August 18, 2017.

DONE AND ENTERED this _____ day of December, 2017, in Tallahassee, Leon County, Florida.

_____

BRAM D.E. CANTER
Administrative Law Judge
Division of Administrative Hearings
The DeSoto Building
1230 Apalachee Parkway
Tallahassee, Florida 32399-3060
(850) 488-9675
Fax Filing (850) 921-6847
www.doah.state.fl.us

Filed with the Clerk of the
Division of Administrative Hearings
this ____ day of December, 2017.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 4th day of December, 2017, a true and correct copy of the foregoing was filed electronically with the State of Florida Division of Administrative Hearings and served via email to: Jeremy V. Anderson at janderson@andersongivens.com; Justin J. Givens at jgivens@andersongivens.com; Gregory T. Stewart at gstewart@ngnlaw.com; Carly J. Schrader at cshrader@ngnlaw.com; Kerry A. Parsons at kparsons@ngnlaw.com; and Jessica Icerman at IcermanJ@LeonCountyFL.gov; and via the United States Postal Service to: Alex Nakis, 6036 Heartland Circle, Tallahassee, Florida 32312; Mark Newman, 6015 Quailridge Drive, Tallahassee, Florida 32312; and Gene Sherron, 6131 Heartland Circle, Tallahassee, Florida 32312.

/s/ Gary K. Hunter, Jr.
Attorney

STATE OF FLORIDA
DIVISION OF ADMINISTRATIVE HEARINGS

MOORE POND HOMEOWNERS ASSOCIATION, INC., AND OX BOTTOM MANOR COMMUNITY ASSOCIATION, INC.,

Petitioners,

DOAH Case No. 17-5082

vs.

GOLDEN OAK LAND GROUP, LLC, AND LEON COUNTY, FLORIDA

Respondents.
_____/

PROPOSED ORDER

A duly—noticed hearing was held in this matter on November 9, 2017, in Tallahassee, Florida, before Bram E. Canter, an Administrative Law Judge assigned by the Division of Administrative Hearings.

APPEARANCES

For Petitioners: Jeremy Anderson, Esquire
Justin J. Givens, Esquire
Anderson & Givens, P.A.
1689 Mahan Center Blvd. Ste. B
Tallahassee, FL 32308

For Respondents: (Golden Oak) Gary K. Hunter, Jr., Esquire
Erin J. Tilton, Esquire
Hopping, Green & Sams, P.A.
119 S. Monroe St.
Tallahassee, FL 32308

For Respondents: (Leon County) Gregory Stewart, Esquire
Carly Schrader, Esquire
Kerry Parsons, Esquire
Nabors, Giblin & Nickerson, P.A.
1500 Mahan Dr. Ste. 200
Tallahassee, FL 32308

Filed December 4, 2017 4:42 PM Division of Administrative Hearings

STATEMENT OF THE ISSUE

Whether the Brookside Village Residential Subdivision #LSP150035 (herein "Brookside Village Development") and the written primarily approval of said development issued on August 18, 2017, by Leon County's Development Review Committee is consistent with the Leon County Comprehensive Plan and whether it complies with the requirements of Leon County's Land Development Regulations.

PRELIMINARY STATEMENT

On September 15, 2017, Petitioners, Moore Pond Homeowners Association, Inc. and Ox Bottom Manor Community Association, Inc., pursuant to Section 10-7.404.(i) of the Code of Laws of Leon County, Florida, timely filed together an appeal and petition for a quasi-judicial hearing before a Special Master pursuant to Section 10-7.414. of the Code of Laws of Leon County, Florida, seeking a recommended order denying the Brookside Village Development, which was submitted for governmental approval by Golden Oak Land Group, LLC and subsequently approved by Leon County through its Development Review Committee by preliminary written approval dated August 18, 2017.

A final hearing was held on November 9, 2017, in Tallahassee, Florida. On November 3, 2017, Petitioners and Respondents filed a Joint Stipulation Regarding Issue to be Litigated agreeing in pertinent parts as follows: a) the Petitioners Moore Pond Homeowners Association, Inc. and Ox Bottom Manor Community Association, Inc. timely filed a notice of appeal and a petition for quasi-judicial hearing, and have alleged sufficient facts for participation in these proceedings; b) a notice of final hearing fulfilling the requirements of Leon County Land Development Code Section 10-7.414(J)(ii) was published on October 23, 2017; c) in lieu of

opening statements, the parties would submit written pretrial statements to the Special Master on or before November 6, 2017; and d) the acceptance of the expert witnesses for each party.

Each party timely filed a pretrial statement to the Special Master in accordance with the Joint Stipulation Regarding Issue to be Litigated.

It was agreed by the parties in the Joint Stipulation Regarding Issue to be Litigated that the Petitioners' expert witness, Mr. Jan Norsoph, was qualified to testify as an expert in the areas of land use planning, comprehensive planning, site planning, urban planning and design, zoning, land development code development and administration, and development review compliance and compatibility. At the final hearing, Mr. Norsoph, testified as an expert in the areas of land use planning, comprehensive planning, site planning, urban planning and design, zoning, land development code development and administration, and development review compliance and compatibility.

It was agreed by the parties in the Joint Stipulation Regarding Issue to be Litigated that Golden Oak Land Group, LLC's expert witness, Mr. Sean Marston, was qualified to testify as an expert in the areas of civil engineering, site plan design, land development code compliance, and concurrency. At the final hearing, Golden Oak Land Group, LLC's expert witness, Mr. Marston, testified as an expert in the areas of civil engineering, site plan design, land development code compliance, and concurrency.

It was agreed by the parties in the Joint Stipulation Regarding Issue to be Litigated that Golden Oak Land Group, LLC's expert witness, Ms. Wendy Grey, was qualified to testify as an expert in the areas of land use planning, comprehensive planning, zoning, and compatibility. At the final hearing, Ms. Grey, testified as an expert in the areas of land use planning, comprehensive planning, zoning, and compatibility.

It was agreed by the parties in the Joint Stipulation Regarding Issue to be Litigated that Leon County's expert witness, Ms. Shawna Martin, was qualified to testify as an expert in the areas of land use planning and zoning. At the final hearing, Ms. Martin testified as an expert in the areas of land use planning and zoning.

It was agreed by the parties in the Joint Stipulation Regarding Issue to be Litigated that Leon County's expert witness, Ms. Susan Poplin, was qualified to testify as an expert in the areas of comprehensive planning and urban planning. At the final hearing, Ms. Poplin testified as an expert in the areas of comprehensive planning and urban planning.

Members of the public were allowed to make comments at the final hearing. Comments opposing the approval of the Brookside Village Development were received by Alex Nakis, an owner of a Lot in the Moore Pond Subdivision. Mr. Nakis' lot directly abuts the Brookside Village Development. Comments opposing the approval of the Brookside Village Development were also received by Mark Newman, an owner of a Lot in the Ox Bottom Manor Subdivision.

At the hearing Joint Exhibits 1 – 35 were admitted into evidence, as well as Respondents' Exhibits 3, 8, 11, 12, and 16 and Petitioner's Exhibit 1.

The two-volume Transcript of the hearing was filed on November 17, 2017. The parties timely filed Proposed Recommended Orders, which have been considered by the undersigned in preparation of this Recommended Order.

FINDINGS OF FACT

1. Respondent, Golden Oak Land Group, LLC, is the owner of the proposed Brookside Village Development and has submitted this proposed project for approval by Leon County.

2. Respondent, Leon County (the County), is a political subdivision of the State of Florida with the duty and responsibility to adopt Comprehensive Plan and Land Development regulations and to only approve developments that are consistent with the Comprehensive Plan and in compliance with the Land Development Regulations.

3. Petitioners, Moore Pond Homeowners Association, Inc. and Ox Bottom Manor Community Association, Inc., are "homeowners' associations" pursuant to Section 720.301(9), Florida Statutes. Moore Pond Homeowners Association, Inc., is the corporate entity responsible for the operation, administration and governance of Moore Pond, a residential subdivision. Ox Bottom Manor Community Association, Inc., is the corporate entity responsible for the operation, administration and governance of the multiple phases Ox Bottom Manor, a residential subdivision. Both subdivisions immediately abut the proposed Brookside Village Residential Development.

4. The proposed Brookside Village Development is a 35.17+/- acre site located along the north side of Ox Bottom Road between Ox Bottom Manor Drive and Heartland Drive in unincorporated Leon County, Florida. The project site has a future land use designation of Residential Preservation and is zoned Residential Preservation. This 61-lot residential subdivision directly abuts the Moore Pond and Ox Bottom Manor subdivisions.

5. The Brookside Village Development is a single-family cluster style development, with the developed area concentrated in part along the edges of the parcel that abut the Moore Pond and Ox Bottom Manor subdivisions. The Moore Pond and Ox Bottom Manor subdivisions are traditional single-family subdivisions.

6. Lots sizes in the Brookside Village Development range from .14 acres up to 2.19 acres. Only two (2) lots exceed a single acre. The average lot size is .26 acres. Lots in Moore Pond range from 1.49 acres to 12.39 acres, with the average being 3.08 or almost seventeen times

larger than the average Brookside Village Development lot. Lots in Ox Bottom Manor range from .53 acres to .96 acres, with the average being .67 or approximately two and a half times larger than the average Brookside Village Development lot.

7. The average lot coverage in the Brookside Village Development is 24%. The average lot coverage in Moore Pond is 5%. The average lot coverage in Brookside Village Development is almost 5 times greater than the average lot coverage in Moore Pond. The average lot coverage in Ox Bottom Manor is 10%. The average lot coverage in Brookside Village Development is almost two and a half times greater than average lot coverage in Ox Bottom Manor.

8. Along the shared property lines with both Moore Pond and Ox Bottom Manor, the side setbacks for Brookside Village Development lots are five (5) feet. The percentage of the total length of the clustered Brookside Village building façades (mass/bulk) along the shared property lines is 88%. The percentage of the total length of building façade for Moore Pond along the same shared line is only 29%. The percentage of façade length for the Brookside Village Development is almost three times greater than Moore Pond. The percentage of the total length of building façade for Ox Bottom Manor along the same shared line is only .45. The percentage of façade length for the Brookside Village Development is almost two times greater than Moore Pond.

9. It is undisputed that Section 163.3194(3)(a), Florida Statutes, describes the term consistency as follows:

> A development order or land development regulation shall be consistent with the comprehensive plan if the land uses, densities or intensities, and other aspects of development permitted by such order or regulation are compatible with and further the objectives, policies, land uses, and densities or intensities in the comprehensive plan and if it meets all other criteria enumerated by the local government.

10. It is undisputed that the Leon County Comprehensive Plan does not contain a definition of compatibility and that Section 163.3164(9), Florida Statutes should be used for defining compatibility as used in the Leon County Comprehensive Plan. Section 163.3164(9), Florida Statute defines "compatibility" as meaning:

> a condition in which land uses or conditions can coexist in relative proximity to each other in a stable fashion over time such that no use or condition is unduly negatively impacted directly or indirectly by another use or condition.

11. Petitioners contend that Policy 2.2.3 of the Leon County Comprehensive Plan applies to the Brookside Development and that the proposed Brookside Development is inconsistent with the Policy 2.2.3 of the Leon County Comprehensive Plan, which provides in pertinent part as follows:

> RESIDENTIAL PRESERVATION
>
> Characterized by existing homogeneous residential areas within the community which are predominantly accessible by local streets. The primary function is to protect existing stable and viable residential areas from incompatible land use intensities and density intrusions. Future development primarily will consist of infill due to the built out nature of the areas. Commercial, including office as well as any industrial land uses, are prohibited. Future arterial and/or expressways should be planned to minimize impacts within this category. <u>Single family, townhouse and cluster housing may be permitted</u> within a range of up to six units per acre. <u>Consistency with surrounding residential type and density shall be a major determinant in granting development approval</u>.
>
> . . .
>
> <u>In order to preserve existing stable and viable residential neighborhoods</u> within the residential preservation land-use category, <u>development</u> and redevelopment activities <u>in</u> and adjoining residential preservation areas shall be guided by the following principles:
>
> . . .
>
> e) <u>Land use compatibility with low density residential preservation neighborhoods.</u>
>
> A number of factors shall be considered when determining a

> land use compatible with the residential preservation land use category. At a minimum, the following factors shall be considered to determine whether a proposed development is compatible with existing or proposed low density residential uses and with the intensity, density, and scale of surrounding development within residential preservation areas: proposed use(s); intensity; density; scale; building size, mass, bulk, height and orientation; lot coverage; lot size/ configuration; architecture; screening; buffers, including vegetative buffers; setbacks; signage; lighting; traffic circulation patterns; loading area locations; operating hours; noise; and odor. These factors shall also be used to determine the size of transitional development areas.

12. Petitioners contend that the Brookside Village Development is a development in the Residential Preservation area and that the compatibility factors listed in Policy 2.2.3 of the Comprehensive Plan apply. Respondents' experts are unsure of the applicability.

13. Petitioners contend that the definition of compatibility accepted by the parties does not limit the compatibility review to only a determination of land use compatibility. Petitioners contend that a compatibility review requires the review of the conditions or characteristics of the development and that the compatibility analysis doe not end if the proposed development is a permitted land use.

14. Through the testimony of Petitioners' expert, it is the contention of the Petitioners that the Brookside Village Development is a cluster type of residential development that is inconsistent with the traditional single-family development type of the Moore Pond and Ox Bottom Manor subdivisions, and is therefore incompatible as the Brookside Village Development would unduly negatively impact Petitioners for as long the Brookside Village Development exists. Petitioners expert contends that "single family or townhouse or cluster development would be different types of residential development."

15. Through the testimony of Petitioners' expert, it is the contention of the Petitioners that the 1.73 per acre unit density of the Brookside Village Development renders it incompatible

with the .23 per acre unit density of the Moore Pond subdivision, and that this incompatibility would unduly negatively impact Petitioners for as long the Brookside Village Development exists.

16. Through the testimony of Petitioners' expert, it is the contention of the Petitioners that the substantially smaller lots that make up the Brookside Village Development render it incompatible with the larger lot subdivisions of Moore Pond and Ox Bottom Manor, and that this incompatibility would unduly negatively impact Petitioners for as long the Brookside Village Development exists.

17. Through the testimony of Petitioners' expert, it is the contention of the Petitioners that the substantially greater lot coverage percentage found in the Brookside Village Development renders it incompatible with the substantially lower lot coverage percentages found within the Moore Pond and Ox Bottom Manor subdivisions, and that this incompatibility would unduly negatively impact Petitioners for as long the Brookside Village Development exists.

18. Through the testimony of Petitioners' expert, it is the contention of the Petitioners that the substantially greater façade coverage (mass/bulk) percentage of the Brookside Village Development where is borders the Moore Pond and Ox Bottom Manor subdivisions render it incompatible with the Moore Pond and Ox Bottom Manor subdivisions, and that this incompatibility would unduly negatively impact Petitioners for as long the Brookside Village Development exists. Petitioners' expert contends that the buildings making up the Brookside Village Development create "walled effect".

19. Through the testimony of Petitioners' expert, it is the contention of the Petitioners that Leon County's definition of intensity found in its Comprehensive Plan is written such that it applies to residential development and that Policy 2.2.3 e) of the Leon County Comprehensive

Plan requires a compatibility review of the of the intensity of the Brookside Village Development with the intensity of Moore Pond and Ox Bottom Manor subdivisions.

20. Through the testimony of Petitioners' expert, it is the contention of the Petitioners that an intensity review under Policy 2.2.3 e) of the Comprehensive Plan requires the review of a number of factors both individually and together. The Petitioners' expert contends that the greater intensity of the Brookside Village Development renders it incompatible with the Moore Pond and Ox Bottom Manor subdivisions, and that this intensity incompatibility would unduly negatively impact Petitioners for as long the Brookside Village Development exists.

21. Through the testimony of Petitioner's expert, it is the contention of the Petitioners that the clustered residential type of the Brookside Village Development is not consistent with the traditional single-family type of residential develop and as such does not comply with Section 10-6.617. of Leon County's Land Development Code which provides as follows:

> Purpose and intent. The residential preservation district is characterized by existing homogeneous residential areas within the community predominantly accessible by local streets. The primary function is to protect existing stable and viable residential areas from incompatible land uses and density intrusions. Commercial, retail, office, and industrial activities are prohibited. Certain nonresidential activities may be permitted, such as home occupations consistent with the applicable provisions of section 10-6.803; community services and facilities/institutional uses consistent with the applicable provisions of section 10-6.806; and churches, religious organizations, and houses of worship. <u>Single-family, duplex residences, manufactured homes, and cluster housing may be permitted</u> within a range of zero to six units per acre. <u>Compatibility with surrounding residential type and density shall be a major factor in the authorization of development approval</u> and in the determination of the permissible density.
>
> . . .
>
> (5) <u>Allowable development type shall be construed to mean the following</u>:

> b. Parcels proposed for residential which are located inside the urban service area and not in a recorded or unrecorded subdivision shall develop consistent with the type of residential development pattern located adjacent to the vacant parcel.

22. Respondent, Golden Oak Land Group, LLC, offered the testimony of its expert, Mr. Marsten. On direct examination, Mr. Marsten testified as to his work as to the site planning and concurrency of the Brookside Village Development. On cross examination, Mr. Marsten testified that he was not qualified to conduct a compatibility analysis of the Brookside Village Development and that he was not qualified for this hearing to make any statements related to the compatibility of the Brookside Village Development. Mr. Martsen testified that nothing in the Comprehensive Plan nor the Land Development Code would prohibit Respondent, Golden Oak Land Group, LLC, from reducing the number of lots or increasing lot size.

23. Through the testimony of Petitioner's expert, it is the contention of the Petitioners' contention that 10-7.505 of the Land Development code requires that developments "shall be designed to be as practical with nearby development and characteristics if the land" and that the Brookside Village Development is not designed to be as compatible as practical. Petitioners' expert contends that the Brookside Development could be made more compatible by: a) increasing lot sizes along Moore Pond and Ox Bottom Manor, and b) reducing building scale, lot coverage and building frontage.

24. Through the testimony of Petitioner's expert, it is the contention of the Petitioners' contention that nothing in the Leon County Comprehensive Plan nor the Land Development codes would prohibit the Brookside Village developer from reducing the number of lots and increasing the size of the lots.

CONCLUSIONS OF LAW

25. Pursuant to Section 10-7.404 and 10-7.414 of the Code of Laws of Leon County, Florida, the Special Master has jurisdiction to: 1) hear an appeal to the DRC's written preliminary approval of Applicant's Brookside Village Application; and 2) issue a recommended order on the Brookside Village Application to the Leon County Board of County Commissioners.

26. The Petitioners and their members are aggrieved and adversely affected persons that will suffer adverse effects to interests protected or furthered by the local government Comprehensive Plan and the implementing land development regulations found in the Code of Laws of Leon County, Florida. Section 720.303(1), Florida Statutes, provides that Florida homeowners' associations, such as the Petitioners, may institute, maintain, settle, or appeal actions or hearings in their name on behalf of all members concerning matters of common interest to its members. Further, the parties have stipulated to the standing of the Petitioners.

27. Pursuant to Section 10-7.414. of the Code of Laws of Leon County, Florida, the Special Master's standard of review in determining whether a proposed approval issued by Leon County's Development Review Committee is consistent with the Leon County Comprehensive Plan shall be strict scrutiny in accordance with Florida law.

28. Strict scrutiny review is "the antithesis of deferential review." Machado v. Musgrove, 519 So.2d 629, 633 (Fla. 3d DCA 1987).

29. The Respondents contend that Policy 2.2.3 e) of the Comprehensive Plan does not likely apply to the Brookside Village Development. That argument is not persuasive as the Brookside Village Development is a "development" and is located in the "residential preservation" land use.

30. The factors related to compatibility determination listed in Policy 2.2.3 e) of the Comprehensive Plan apply to the Brookside Village Development.

31. Petitioners' expert provided competent, substantial evidence on the record that the Brookside Village Development is incompatible with Moore Pond and Ox Bottom Manor as to: a) lot size, b) lot coverage, and c) building façade (mass/bulk). Petitioners' expert provided competent, substantial evidence on the record that the Brookside Village Development is incompatible with Moore Pond as it relates density.

32. The Leon County Comprehensive Plan defines the term "intensity" in a manner that applies it to residential development in Leon County. Policy 2.2.3 e) of the Comprehensive Plan requires an "intensity" analysis for residential developments in Residential Preservation. Respondents failed to conduct an intensity analysis.

33. Petitioners' expert provided competent, substantial evidence on the record that the Brookside Village Development is far more intense than the Moore Pond and Ox Bottom Manor subdivisions and that said difference in intensity makes the Brookside Village Development incompatible with those subdivisions.

34. Petitioners' expert provided competent, substantial evidence on the record that the incompatibilities asserted would unduly negatively impact Petitioners and that such unduly negative impacts would persist for as long the Brookside Village Development exists.

35. The Brookside Development is a cluster type of housing within the definition contained in the Comprehensive Plan. Cluster type housing is a different residential type than traditional single-family homes. Respondents' interpretations of residential types in Policy 2.2.3 of the Comprehensive Plan and Section 10-6.617 of Leon County's Land Development Code is not compelling and is supported by the record. Respondents' interpretation would render

meaningless portions of Policy 2.2.3 of the Comprehensive Plan and Section 10-6.617 of Leon County's Land Development Code, which is contrary to the fundamental tenents of construction.

36. Petitioners' expert provided competent, substantial evidence on the record that the Brookside Village Development's clustering is inconsistent with the traditional single-family home type of residential development found in the Moore Pond and Ox Bottom Manor subdivisions.

37. The Brookside Village Development is "not as compatible as practicable" as there was no evidence on the record by the Respondents that that lot sizes could not be enlarged or that lot coverages, lot façade percentages or scale/bulk could not be decreased. In fact, Mr. Marsten and Mr. Norsoph both testified that there was nothing in the Comprehensive Plan or Land Development that would prevent the Brookside Village developer from increasing the lot sizes and decreasing the number of lots.

38. Petitioners have provided competent, substantial evidence on the record that the proposed Brookside Village Development and the preliminary approval issued by the Development Review Committee was inconsistent with the Comprehensive Plan and not in compliance with the Land Development Regulations.

RECOMMENDATION

Based on the foregoing Findings of Fact and Conclusions of Law, it is:

RECOMMENDED that the Board of County Commissioners for Leon County enter a final order denying the Brookside Village Development as proposed or otherwise overturning the preliminary approval given by the Development Review Committee and requiring that the Brookside Village Development undergo additional development review eliminate inconsistencies with the Comprehensive Plan and to require compliance with the Land Development Regulations.

DONE AND ENTERED this __ day of _____, 2017, in Tallahassee, Leon County, Florida.

_____

BRAM D. E. CANTER
Administrative Law Judge
Division of Administrative Hearings
The DeSoto Building
1230 Apalachee Parkway
Tallahassee, Florida 32399-3060
(850) 488-9675
Fax Filing (850) 921-6847
www.doah.state .fl.us

Filed with the Clerk of the
Division of Administrative Hearings
This ____ day of December, 2017.

Copies furnished to:

Jeremy Anderson, Esquire
Justin J. Givens, Esquire
Anderson & Givens, P.A.
1689 Mahan Center Blvd. Ste. B
Tallahassee, FL 32308

Gary K. Hunter, Jr., Esquire
Erin J. Tilton, Esquire
Hopping, Green & Sams, P.A.
119 S. Monroe St.
Tallahassee, FL 32308

Gregory Stewart, Esquire
Carly Schrader, Esquire
Kerry Parsons, Esquire
Nabors, Giblin & Nickerson, P.A.
1500 Mahan Dr. Ste. 200
Tallahassee, FL 32308

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing was filed electronically with the State of Florida Division of Administrative Hearings and served to Gary Hunter at GaryH@hgslaw.com; Erin Tilton at ErinT@hgslaw.com; Gregory T. Stewart at gstewart@ngnlaw.com; Carly J. Schrader at cshrader@ngnlaw.com; Kerry A. Parsons at kparsons@ngnlaw.com; this 4th day of December, 2017.

_/s/_Jeremy Anderson_____
Jeremy V. Anderson, Esq.

STATE OF FLORIDA
DIVISION OF ADMINISTRATIVE HEARINGS

MOORE POND HOMEOWNERS
ASSOCIATION, INC.; AND OX BOTTOM
MANOR COMMUNITY ASSOCIATION,
INC.,

Petitioners,

vs. Case No. 17-5082

GOLDEN OAK LAND GROUP, LLC; AND
LEON COUNTY, FLORIDA,

Respondents.
_____/

RECOMMENDED ORDER

The quasi-judicial hearing in this case was held on November 9, 2017, in Tallahassee, Florida, before Bram D.E. Canter, Administrative Law Judge of the Division of Administrative Hearings ("DOAH"), acting as the Special Master under section 10-7.414 of the Leon County Land Development Code.

APPEARANCES

For Petitioners: Jeremy Vincent Anderson, Esquire
Justin John Givens, Esquire
Anderson & Givens, P.A.
1689 Mahan Center Boulevard, Suite B
Tallahassee, Florida 32308

For Respondent Leon County:

Gregory Thomas Stewart, Esquire
Carley J. Schrader, Esquire
Kerry Anne Parsons, Esquire
Nabors, Giblin & Nickerson, P.A.
1500 Mahan Drive, Suite 200
Tallahassee, Florida 32308

For Respondent Golden Oak Land Group, LLC:

Gary K. Hunter, Jr., Esquire
Erin J. Tilton, Esquire
Hopping Green & Sams, P.A.
Post Office Box 6526
Tallahassee, Florida 32314

STATEMENT OF THE ISSUE

The issue to be determined in this case is whether the Leon County Development Review Committee's preliminary conditional approval of a site and development plan for the Brookside Village Residential Subdivision is consistent with the Tallahassee-Leon County 2030 Comprehensive Plan ("Comp Plan") and the Leon County Land Development Code ("Code").

PRELIMINARY STATEMENT

On August 18, 2017, the Development Review Committee issued a letter which conditionally approved the site and development plan submitted by Golden Oak Land Group, LLC ("Golden Oak") for the Brookside Village Residential Subdivision, a single-family residential subdivision to be located on the north side of Ox Bottom Road in Leon County ("Project"). The Project followed the "Type B" review, which provides for concurrent land use and

environmental permitting approval. On September 15, Moore Pond Homeowners Association, Inc., and Ox Bottom Manor Community Association, Inc. ("Petitioners") filed a joint petition challenging the Development Review Committee's preliminary approval as inconsistent with certain provisions of the Comp Plan and Code.

Pursuant to a contract between DOAH and Leon County, the County sent the matter to DOAH to appoint a Special Master and conduct a quasi-judicial hearing. A notice of the hearing was provided in accordance with section 10-7.414(J)(ii) of the Code.

At the hearing held on November 9, the parties' Joint Exhibits 1 through 35 were admitted into evidence. Petitioners presented the testimony of Jan Norsoph, an expert in comprehensive planning and zoning. Petitioners' Exhibit 1 was admitted into evidence. Respondent Golden Oak presented the testimony of: Sean Marston, an expert in civil engineering; and Wendy Grey, an expert in comprehensive planning and zoning. Respondent Leon County presented the testimony of: Shawna Martin, Principal Planner with the Leon County Department of Development Support and Environmental Management, an expert in land use planning and zoning; and Susan Poplin, Principal Planner with the Tallahassee-Leon County Planning Department, an expert in comprehensive planning. Respondents' Exhibits 1-5, 7-12, and 16 were admitted into evidence.

At the hearing, an opportunity was provided to receive comments from the public. Three persons offered comments in opposition to the Project: Moore Pond residents Alex Nakis and Gene Sherron, and Ox Bottom Manor resident Mark Newman. A copy of this Recommended Order is being sent to these three persons.

The Transcript of the hearing was filed with DOAH. The parties submitted proposed recommended orders that were considered in the preparation of this Recommended Order.

FINDINGS OF FACT

The Parties

1. Petitioner Moore Pond Homeowners Association, Inc. ("Moore Pond"), is a Florida not-for-profit corporation whose members are residents of Moore Pond, a single-family subdivision bordering the Project to the east.

2. Petitioner Ox Bottom Manor Community Association, Inc. ("Ox Bottom Manor"), is a Florida not-for-profit corporation whose members are residents of Ox Bottom Manor, a single-family residential subdivision bordering the Project to the west.

3. Respondent Golden Oak is a Florida limited liability company. Golden Oak is the applicant for the Project and the owner of the property on which the Project will be developed.

4. Respondent Leon County is a political subdivision of the State of Florida, and has adopted a comprehensive plan that

it amends from time to time pursuant to chapter 163, Florida Statutes.

Land Use Designations

5. The Project is located on land that is designated as Residential Preservation on the Future Land Use Map of the Comp Plan, and is in the Residential Preservation zoning district established in the Code. Residential Preservation is described in both as "existing homogeneous residential areas" that should be protected from "incompatible land use intensities and density intrusions."

6. Policy 2.2.3 of the Future Land Use Element ("FLUE") of the Comp Plan permits residential densities within Residential Preservation of up to six dwelling units per acre ("du/a") if central water and sewer services are available. Central water and sewer services are available in this area of the County.

7. The Project is located within the Urban Services Area established by the FLUE, which is the area identified by the County as desirable for new development based on the availability of existing infrastructure and services.

The Project

8. The Project is a 61-lot, detached single-family residential subdivision on a 35.17-acre parcel. To avoid adverse impacts to approximately 12 acres of environmentally sensitive area in the center of the property, the Project places

the single-family lots on the periphery of the property with access from a horseshoe-shaped street that would be connected to Ox Bottom Road. The environmentally sensitive area would be maintained under a conservation easement.

9. The "clustering" of lots and structures on uplands to avoid environmentally sensitive areas is a common practice in comprehensive planning. The Comp Plan encourages clustering or "compact" development to protect environmentally sensitive features.

10. The Project would include a 25-foot vegetative buffer around most of the perimeter of the property. There is already a vegetative buffer around a majority of the property, but the vegetative buffer will be enhanced to achieve 75 percent opacity at the time of additional planting and 90 percent opacity within five years. The buffers would include a berm and privacy fence. The proposed buffers exceed the requirements in the Code.

11. In the course of the application and review process for the Project, Golden Oak made changes to the site and development plan to address concerns expressed by residents of the neighboring subdivisions. These changes included an increase in lot sizes abutting lots within Moore Pond and Ox Bottom Manor; a reduction in the number of lots from 64 to 61; and an expansion and enhancement of buffers.

12. In addition, Golden Oak revised the proposed covenants and restrictions for the Project to incorporate minimum square footage requirements and to prohibit second-story, rear-facing windows on homes abutting lots in Moore Pond and Ox Bottom Manor.

13. The Development Review Committee approved the Project, subject to the conditions outlined in the staff report and an additional condition regarding buffers.

Compatibility

14. Petitioners contend the Project would be incompatible with adjacent residential uses in Moore Pond and Ox Bottom Manor and, therefore, the Project should be denied because it violates the provisions of the Comp Plan and Code that require compatibility. Petitioners rely mainly on FLUE Policy 2.2.3, entitled "Residential Preservation," which states that "Consistency with surrounding residential type and density shall be a major determinant in granting development approval." Although Moore Pond and Ox Bottom Manor are also designated Residential Preservation, Petitioners claim the Project would be incompatible because of the differences in development type and density.

15. The Project is the same development type (detached, single-family) and density (low density, 0-6 du/a) as the surrounding development type and density.

16. Petitioners assert that the Project is a different development type because it is "cluster housing." Cluster housing is not a development type. Clustering is a design technique. The clustering of detached, single-family houses does not change the development type, which remains detached, single-family.

17. Petitioners object to the density of the Project of 1.73 du/a, but their primary concern is with the Project's "net density" or the density within the development area (outside of the conservation easement). Most of the lots in the Project would be about 1/8 to 1/4 of an acre, with the average lot size being 0.26 acres. In contrast, the lots in Moore Pond range from 1.49 to 12.39 acres, with the average size being 3.08 acres. The lots in Ox Bottom Manor range from .53 acres to 0.96 acres, with the average size being 0.67 acres.

18. There is also a significant difference in lot coverage between the Project and the two adjacent subdivisions.

19. The witnesses for the County and Golden Oak never acknowledged the reasonableness of Petitioners' claim of incompatibility or the notion that owners of large houses on large lots would object to having on their border a row of small houses on small lots. However, the objection of Moore Pond and Ox Bottom Manor residents was foreseeable.

20. The gist of the arguments made by Oak Pond and the County is that the Project is compatible as a matter of law. Respondents demonstrated that the applicable provisions of the Comp Plan and Code, as interpreted by the County, treat a proposed Residential Preservation development as compatible with existing Residential Preservation developments. Put another way: a low density, detached single-family development is deemed compatible with existing low density, detached single-family developments. No deeper analysis is required by the County to demonstrate compatibility.

21. Petitioners' claim of incompatibility relies principally on FLUE Policy 2.2.3(e), which states in part:

> At a minimum, the following factors shall be considered to determine whether a proposed development is compatible with existing or proposed low density residential uses and with the intensity, density, and scale of surrounding development within residential preservation areas: proposed use(s); intensity; density; scale; building size, mass, bulk, height and orientation; lot coverage; lot size/configuration; architecture; screening; buffers, including vegetative buffers; setbacks; signage; lighting; traffic circulation patterns; loading area locations; operating hours; noise; and odor.

22. Petitioners attempted to show that the application of these factors to the Project demonstrates it is incompatible with Moore Pond and Ox Bottom Manor.

23. However, Policy 2.2.3 also sets forth guiding principles for protecting existing Residential Preservation areas from other types of development on adjoining lands. No guidelines are included for protecting Residential Preservation areas from proposed low density residential development. The County asserts that this reflects the County's determination that low density residential development is compatible with existing Residential Preservation areas and, therefore, Policy 2.2.3 does not require that the Project be reviewed using the listed compatibility factors.

24. The County showed that its interpretation of FLUE Policy 2.2.3 for this proceeding is consistent with its past practice in applying the policy.

25. Respondents also point to Table 6 in FLUE Policy 2.2.26, which is a Land Use Development Matrix which measures a parcel's development potential based on certain land use principles contained in the FLUE, including the parcel's potential compatibility with surrounding existing land uses. The Matrix shows that a proposed low density residential land use "is compatible/allowable" in the Residential Preservation land use category.

26. Petitioners argue that the Project is incompatible, using the definition of "compatibility" in section 163.3164(9), Florida Statutes:

> "Compatibility" means a condition in which land uses or conditions can coexist in relative proximity to each other in a stable fashion over time such that no use or condition is unduly negatively impacted directly or indirectly by another use or condition.

27. Petitioners contend the Project would unduly negatively impact Moore Pond and Ox Bottom Manor. Respondents contend it would not. However, as explained in the Conclusions of Law, this definition in chapter 163 is not an extra criterion for approving or denying the Project.

28. Without abandoning their argument that Policy 2.2.3 does not require a compatibility analysis for the Project, both Golden Oak and the County performed compatibility analyses because of the objections raised by adjacent residents.

29. Golden Oak's expert planner analyzed compatibility on a larger scale by looking at subdivisions within a quarter-mile radius of the Project site. She found a range of densities and lot sizes, including one subdivision with a higher density and smaller lot size. However, nothing in Policy 2.2.3 or the other provisions of the Comp Plan suggests that the incompatibility of a proposed development with an existing, adjoining development is permissible if the proposed development is compatible with

another development within a quarter of a mile. Still, her analysis showed the County's past practice in interpreting and applying the relevant provisions of the Comp Plan and Consistency Code is consistent with the County's position in this proceeding.

30. Respondents' compatibility analyses were based in part on legal factors. For example, it was explained that under the Comp Plan, residential density is always applied as gross density rather than net density. This policy is reasonable because it encourages clustering and compact development which helps to achieve important objectives of the Comp Plan, such as the protection of sensitive environmental features. However, it does not follow that because clustering has benefits, it cannot cause incompatibility.

31. Clustering is a well-established growth management technique, despite the fact that clustering can cause some adverse impacts when it increases densities and intensities on the border with adjoining land uses. Such impacts are addressed with buffer requirements. This approach strikes a reasonable balance of the Comp Plan's goals, objectives, and policies. If the buffer requirements are inadequate, as Petitioners claim, that is an issue that cannot be addressed here.

32. Petitioners also contend the Project is inconsistent with sections of the Code that require compatibility. For

example, section 10-6.617 pertains to the Residential Preservation zoning district and states that, "Compatibility with surrounding residential type and density shall be a major factor in the authorization of development approval." Section 10-7.505(1) provides that each development shall be designed to "be as compatible as practical with nearby development and characteristics of land."

33. These general statements in the Code are implemented through the more specific requirements in the Code for proposed new developments. Petitioners did not demonstrate that the Project is inconsistent with any of the specific requirements of the Code for the reasons already discussed.

34. The County showed that its interpretations of section 10-7.617 and section 10-7.505(1) for this proceeding are consistent with its past practice in applying these provisions.

Summary

35. Compatibility for purposes of land use determinations is not in the eye of the beholder, but is determined by law. The County's growth management laws incorporate professional planning principles and use development techniques and density ranges, which provide flexibility in achieving important objectives, such as environmental protection. The focus is not on lot-to-lot differences, but on maintaining stable communities and neighborhoods.

36. The preponderance of the evidence, which includes the County's past interpretation of, and practice in applying, the compatibility provisions of the Comp Plan and Code, demonstrates that the Project is consistent with all requirements for approval.

CONCLUSIONS OF LAW

Jurisdiction

37. DOAH has jurisdiction over the parties to and the subject matter of this proceeding pursuant to section 10-7.414 of the Code.

38. Petitioners raised no issues regarding the procedures followed by the County for the decision under review, including public notice.

Burden and Standard of Proof

39. The burden is on the applicant for site plan approval to demonstrate that the application complies with the procedural requirements of the applicable ordinance and that the use sought is consistent with the applicable provisions of the Comp Plan and Code. See, e.g., Alvey v. City of N. Miami Bch., 206 So. 3d 67, 73 (Fla. 3d DCA 2016) (citing Bd. of Cnty. Commr's of Brevard Cnty. v. Snyder, 27 So. 2d 469, 472 (Fla. 1993)).

40. The standard of proof to establish a finding of fact is preponderance of the evidence. § 120.57(1)(j), Fla. Stat. (2017).

Consistency with the Comp Plan

41. Under section 10-7.414(J)(vii) of the Code, the standard of review to be applied by the Special Master in determining whether the Project is consistent with the Comp Plan is "strict scrutiny in accordance with Florida law." Strict scrutiny in this context means strict compliance with the Comp Plan, based on the document as a whole. See Snyder, 27 So. 2d, at 475; Arbor Props. v. Lake Jackson Prot. Alliance, 51 So. 3d 502, 505 (Fla. 1st DCA 2010); § 163.3194(4)(a), Fla. Stat.

42. The County's interpretations of the relevant provisions of the Comp Plan are reasonable.

43. Golden Oak proved by a preponderance of the evidence that the proposed development order is consistent with the Comp Plan.

44. The parties discussed the definition of "compatibility" in section 163.3164(9), Florida Statutes, and whether the Project would be compatible under the definition. Leon County has not adopted this definition as part of its Comp Plan. The relevant use of this definition is in section 163.3177, which describes the requirements for a future land use element. One of these requirements is to have criteria that provide for the compatibility of adjacent land uses. § 163.3177(6)(a)3.g., Fla. Stat. (2017).

45. When Leon County adopted its future land use element and the adoption became final, the County's satisfaction of the requirement of section 163.3177(6)(a)3.g. to establish compatibility criteria based on the definition of "compatibility" in chapter 163 was legally established. Now that the County has implemented section 163.3177(6)(a)3.g., with criteria which provide that residential projects of similar type and density are compatible, it is unnecessary to re-use the definition of "compatibility" in chapter 163 as an additional, external criterion for determining whether the Project is compatible. The County must rely on the provisions of its own Comp Plan.

46. Even if the use of the definition of "compatibility" in chapter 163 were appropriate, it would not require a different conclusion regarding the compatibility of the Project.

Consistency with the Code

47. Under section 10-7.414(J)(vii) of the Code, the standard of review to determine whether the Project is consistent with the Code "shall be in accordance with Florida law." Florida law requires that the County's determination that the Project is consistent with relevant provisions of the Code must be based on competent substantial evidence. See Premier Dev. v. City of Fort Lauderdale, 920 So. 2d 852, 853 (Fla. 4th DCA 2006).

48. The County's interpretations of the relevant provisions of the Code are reasonable.

49. The preponderance of competent substantial evidence in the record of this proceeding supports the determination of the Development Review Committee that the Project is consistent with all applicable provisions of the Code.

RECOMMENDATION

Based on the foregoing Findings of Fact and Conclusions of Law, it is

RECOMMENDED that the Leon County Board of County Commissioners enter a final order approving the Project, subject to the conditions outlined by the Development Review Committee in its written preliminary decision dated August 18, 2017.

DONE AND ENTERED this 26th day of December, 2017, in Tallahassee, Leon County, Florida.

BRAM D. E. CANTER
Administrative Law Judge
Division of Administrative Hearings
The DeSoto Building
1230 Apalachee Parkway
Tallahassee, Florida 32399-3060
(850) 488-9675
Fax Filing (850) 921-6847
www.doah.state.fl.us

Filed with the Clerk of the
Division of Administrative Hearings
this 26th day of December, 2017.

COPIES FURNISHED:

Justin John Givens, Esquire
Anderson & Givens, P.A.
1689 Mahan Center Boulevard
Tallahassee, Florida 32308

Alex Nakis
6036 Heartland Circle
Tallahassee, Florida 32312

Mark Newman
6015 Quailridge Drive
Tallahassee, Florida 32312

Gene Sherron
6131 Heartland Circle
Tallahassee, Florida 32312

Jessica M. Icerman, Assistant County Attorney
Leon County
Room 202
301 South Monroe Street
Tallahassee, Florida 32301
(eServed)

Carley J. Schrader, Esquire
Nabors, Giblin and Nickerson, P.A.
Suite 200
1500 Mahan Drive
Tallahassee, Florida 32308
(eServed)

Gregory Thomas Stewart, Esquire
Nabors, Giblin and Nickerson, P.A.
Suite 200
1500 Mahan Drive
Tallahassee, Florida 32308
(eServed)

Kerry Anne Parsons, Esquire
Nabors, Giblin & Nickerson, P.A.
1500 Mahan Drive Suite 200
Tallahassee, Florida 32308
(eServed)

Gary K. Hunter, Jr., Esquire
Hopping, Green & Sams, P.A.
Post Office Box 6526
Tallahassee, Florida 32314
(eServed)

Erin J. Tilton, Esquire
Hopping Green & Sams, P.A.
Post Office Box 6526
Tallahassee, Florida 32314
(eServed)

Jeremy Vincent Anderson, Esquire
Anderson & Givens, P.A.
Suite B
1689 Mahan Center Boulevard
Tallahassee, Florida 32308
(eServed)

Vince S. Long, County Administrator
Leon County
Suite 202
301 South Monroe Street
Tallahassee, Florida 32301

Herbert W. A. Thiele, County Attorney
Leon County
Suite 202
301 South Monroe Street
Tallahassee, Florida 32301
(eServed)

NOTICE OF RIGHT TO SUBMIT EXCEPTIONS

All parties have the right to submit written exceptions within 10 days from the date of this Recommended Order. Any exceptions to this Recommended Order should be filed with the clerk of the Board of County Commissioners of Leon County. See § 10.7.414(K), Land Development Code.

State of Florida
Division of Administrative Hearings

Rick Scott
Governor

Robert S. Cohen
Director and Chief Judge

Claudia Lladó
Clerk of the Division

Lisa Shearer Nelson
Deputy Chief
Administrative Law Judge

David W. Langham
Deputy Chief Judge
Judges of Compensation Claims

December 26, 2017

Herbert W. A. Thiele, County Attorney
Leon County
Suite 202
301 South Monroe Street
Tallahassee, Florida 32301
(eServed)

Re: MOORE POND HOMEOWNERS ASSOCIATION, INC.; AND OX BOTTOM MANOR COMMUNITY ASSOCIATION, INC. vs. GOLDEN OAK LAND GROUP, LLC; AND LEON COUNTY, FLORIDA, DOAH Case No. 17-5082

Dear Mr. Thiele:

The Recommended Order has been transmitted in electronic format to the registered eALJ users and is enclosed for the non-registered parties in the referenced case. Also, enclosed is the two-volume Transcript, together with the Petitioners' Exhibit numbered 1; the Respondents' Exhibits numbered 1-5, 7-12, and 16; and the Joint Exhibits numbered 1-35. Copies of this letter will serve to notify the parties that my Recommended Order and the hearing record have been transmitted this date.

As required by section 120.57(1)(m), Florida Statutes, you are requested to furnish the Division of Administrative Hearings with a copy of the Final Order within 15 days of its rendition. Any exceptions to the Recommended Order filed with the agency shall be forwarded to the Division of Administrative Hearings with the Final Order.

Sincerely,

BRAM D. E. CANTER
Administrative Law Judge

BDEC/cs
Enclosures

The DeSoto Building, 1230 Apalachee Parkway, Tallahassee, Florida 32399-3060
Administrative Law (850) 488-9675 • Fax Filing (850) 921-6847
Judges of Compensation Claims (850) 487-1911
www.doah.state.fl.us

cc: Jessica M. Icerman, Assistant County Attorney (eServed)
Carley J. Schrader, Esquire (eServed)
Gregory Thomas Stewart, Esquire (eServed)
Kerry Anne Parsons, Esquire (eServed)
Gary K. Hunter, Jr., Esquire (eServed)
Erin J. Tilton, Esquire (eServed)
Jeremy Vincent Anderson, Esquire (eServed)
Justin John Givens, Esquire
Vince S. Long, County Administrator
Alex Nakis
Mark Newman
Gene Sherron

ANALYSIS OF PROPOSED BROOKSIDE VILLAGE DEVELOPMENT REVIEW ID#LSP150035

November 1, 2017

Submitted for the Leon County Special Magistrate Hearing Meeting November 9, 2017

WORK-IN PROGRESS DRAFT

Prepared by
Jan A. Norsoph AICP.
6201 Bahama Shores Dr. So.
St. Petersburg, Florida 33705

For
Anderson & Givens, P.A.
1689 Mahan Center Blvd Ste. B
Tallahassee, FL 32308

INTRODUCTION

This report is being prepared for the law firm of Anderson & Givens, P.A on behalf of the Moore Pond Homeowner's Association, Inc. and Ox Bottom Manor Community Association, Inc. related to the proposed Brookside Village Subdivision Development Review (LSP #150035) by Leon County.

This report provides an analysis of the following:

- **Identify compatibility as defined by the comprehensive plan and land development code (LDC).**
- **Analysis of the design/development characteristics of Moore Pond and Ox Bottom Manor subdivisions in order to establish and define "*compatibility*".**
- **Analysis of the Brookside Village project relative to its incompatibility with these adjacent residential developments from a density and lot size perspective.**

The proposed Brookside Village development is a 35.17+/- acre site located along the north side of Ox Bottom Road between Ox Bottom Manor Drive and Heartland Drive in unincorporated Leon County, Florida (Exhibit A). The project will consist of 61 single-family detached dwelling units with a gross density of 1.73 du/acre. The project site has a future land use designation of Residential Preservation and is zoned Residential Preservation.

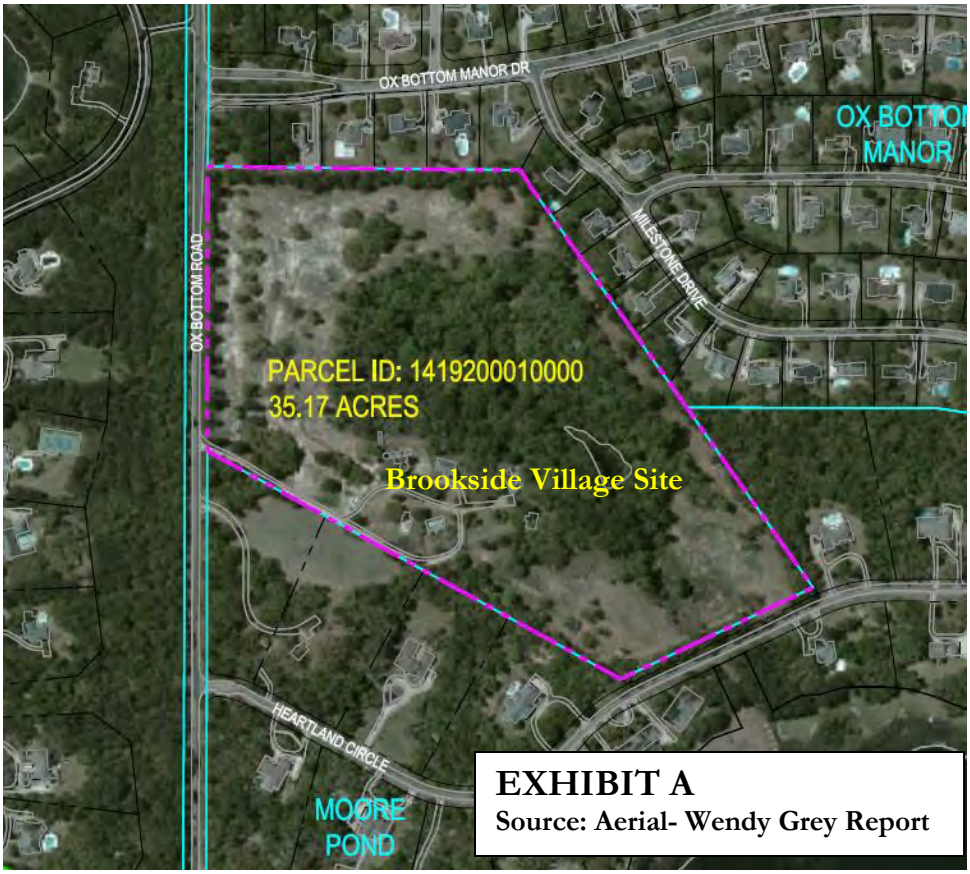

EXHIBIT A
Source: Aerial- Wendy Grey Report

COMPREHENSIVE PLAN AND LAND DEVELOPMENT CODE COMPATIBILITY REQUIREMENTS

Leon County addresses protection of neighborhoods through its Comprehensive Plan and Land Development Code (LDC). The County's Comprehensive Plan requires compatibility between developments, as well as, protecting the integrity and character of adjacent neighborhoods. The relevant goals, objectives and policies are cited below. Some text is highlighted and/or underlined to emphasize key points.

Comprehensive Plan

Vision Statement and Implementation

The purpose of the comprehensive plan is to preserve, protect and enhance the quality of life for all citizens. The residential environment is also one of many criteria which form the community's perceived quality of life and must be protected.

Goal 1: [L]

The Comprehensive Plan shall protect and enhance the quality of life in this community by providing economically sound educational, employment, cultural, recreational, commercial, industrial and professional opportunities to its citizens while channeling inevitable growth into locations and activities that protect the natural and aesthetic environments and residential neighborhoods.

Policy 1.4.12: [L]

(a) The intent of Site Plan and PUD planning and design requirements shall be to encourage and require the development of urban living and work spaces that minimize impacts to the natural environment. Environmental impacts shall be minimized through the development and redevelopment of compact and efficient urban land use patterns that closely integrate living and work spaces while maintaining compatibility through specified performance design criteria. Neighborhood and inter-site compatibility shall be implemented through site planning and design criteria that require objectionable impacts of particular land use activities to be internally located within site or building designs, rather than relying exclusively on standard landscape and setback buffering methods to reduce perimeter oriented objectionable impacts.

(b) Objectionable impacts of service and delivery areas, refuse and recycling collection areas, as well as the outdoor storage and work areas generally associated with commercial and residential buildings shall be planned to minimize off-site impacts.

(c) Site Plan and PUD requirements shall minimize impacts to the natural environment resulting from urban sprawl by not only identifying and protecting environmentally sensitive lands, but just as importantly by limiting urban sprawl into less environmentally sensitive lands through the implementation of compact and efficient urban development and redevelopment.

RESIDENTIAL LAND USE
Objective 2.1: [L]

Enhance the livability of existing neighborhoods and in new neighborhoods provide for future mixed residential areas which will accommodate growth and provide a wide choice of housing types, densities and prices as well as commercial opportunities based on performance criteria. In furtherance of this, maintain a system of land development regulations and ordinances which will facilitate the implementation of the policies adopted in relation to residential land use. These shall include, but not be limited to:

1) *Setback requirements from natural waterbodies and wetlands*
2) *Buffering requirements*
3) *Open space requirements*
4) *Landscape requirements*
5) *Tree protection*
6) *Stormwater management requirements*

FUTURE LAND USE MAP CATEGORIES
Objective 2.2: [L]

The Tallahassee-Leon County Comprehensive Plan shall promote appropriate location of land uses and regulation of development density and intensity based upon: (1) protection of conservation and preservation features; (2) compatibility with adjacent existing and future residential land uses; (3) access to transportation facilities in keeping with their intended function; and (4) the availability of infrastructure.

Policy 2.2.3: [L]

RESIDENTIAL PRESERVATION

Characterized by existing homogeneous residential areas within the community which are predominantly accessible by local streets. The primary function is to protect existing stable and viable residential areas from incompatible land use intensities and density intrusions. Future development primarily will consist of infill due to the built out nature of the areas. Commercial, including office as well as any industrial land uses, are prohibited. Future arterial and/or expressways should be planned to minimize impacts within this category. Single family, townhouse and cluster housing may be permitted within a range of up to six units per acre. Consistency with surrounding residential type and density shall be a major determinant in granting development approval.

e) Land use compatibility with low density residential preservation neighborhoods.

A number of factors shall be considered when determining a land use compatible with the residential preservation land use category. At a minimum, the following factors shall be considered to determine whether a proposed development is compatible with existing or proposed low density residential uses and with the intensity, density, and scale of surrounding development within residential preservation areas: proposed use(s); intensity; density; scale; building size, mass, bulk, height and orientation; lot coverage; lot size/configuration; architecture; screening; buffers, including vegetative buffers; setbacks; signage; lighting; traffic circulation patterns; loading area locations; operating hours; noise; and odor. These factors shall also be used to determine the size of transitional development areas.

Land Development Code (LDC)

The LDC establishes the basis for the protection of neighborhoods through the development review process and its zoning districts. The relevant code sections are cited below:

DIVISION 3. - BOARDS, COMMITTEES AND COMMISSIONS

Subdivision 1. - Generally

Sec. 10-2.301. - Development review committee.

(a) There is hereby established a development review committee (DRC) whose primary purpose is to provide professional, informed review of proposed development with respect to design, adequacy of public facilities,

services and utilities and consistency with the Comprehensive Plan, this chapter, and other applicable land development regulations.

(5) Allowable development type shall be construed to mean the following:

a. Parcels proposed for residential which are located in a recorded or unrecorded subdivision shall develop consistent with the type of residential development pattern located inside the recorded or unrecorded subdivision.

b. Parcels proposed for residential which are located inside the urban service area and not in a recorded or unrecorded subdivision shall develop consistent with the type of residential development pattern located adjacent to the vacant parcel.

Subdivision 2. - Traditional Zoning Districts

Sec. 10-6.617. - Residential preservation.

(a) Purpose and intent. The residential preservation district is characterized by existing homogeneous residential areas within the community predominantly accessible by local streets. The primary function is to protect existing stable and viable residential areas from incompatible land uses and density intrusions. Commercial, retail, office, and industrial activities are prohibited. Certain nonresidential activities may be permitted, such as home occupations consistent with the applicable provisions of section 10-6.803; community services and facilities/institutional uses consistent with the applicable provisions of section 10-6.806; and churches, religious organizations, and houses of worship. Single-family, duplex residences, manufactured homes, and cluster housing may be permitted within a range of zero to six units per acre. Compatibility with surrounding residential type and density shall be a major factor in the authorization of development approval and in the determination of the permissible density.

(5) Allowable development type shall be construed to mean the following:

a. Parcels proposed for residential which are located in a recorded or unrecorded subdivision shall develop consistent with the type of residential development pattern located inside the recorded or unrecorded subdivision.

b. Parcels proposed for residential which are located inside the urban service area and not in a recorded or unrecorded subdivision shall develop consistent with the type of residential development pattern located adjacent to the vacant parcel.

Article VII Subdivision and Site Development Regulations

Section 10-7.103 Authority

(c) The statutory provisions and the Comprehensive Plan require that land development regulations be adopted to implement the Comprehensive Plan and that no development of land shall take place which is inconsistent with the Comprehensive Plan.

DIVISION 5. - SUBSTANTIVE STANDARDS AND CRITERIA

Sec. 10-7.505. - General principles of design relating to impacts on nearby streets and property owners.

Each development shall be designed to:

(1) Be as compatible as practical with nearby development and characteristics of the land.

ARTICLE I. - IN GENERAL

Sec. 10-1.101. - Definitions.

Development area shall mean that portion of a site upon which development may or does occur.

It is important to note, that the Comprehensive Plan is the governing regulatory document, with priority over the LDC. Based on the aforementioned Comprehensive Plan objective and policy, the Development Review Committee (DRC) can determine, based on directives from the Comprehensive Plan and LDC, that the Brookside Village is not compatible with the development patterns and characteristics of the adjacent neighborhoods.

The above comprehensive plan and LDC requirements are critical to determining what would be necessary to establish compatibility between the Moore Pond and Ox Bottom Manor subdivisions and the proposed Brookside Village development. Further, it is important to note that based upon admissions by County Staff (Poplin) that compatibility was not believed to be a factor necessary to review in the Brookside Village Residential Development. It is my opinion that the County Staff's failure to conduct its own compatibility analysis is not consistent with the requirements of the comprehensive plan and LDC.

ANALYSIS OF COMPATIBILITY

There are two significant factors that form the basis of this analysis:

1. Both the comprehensive plan and zoning designations are Residential Preservation**.** It is clear that the intent is to preserve the existing character of these neighborhoods. *At a minimum, the following factors shall be considered to determine whether a proposed development is compatible with existing or proposed low density residential uses and with the intensity, density, and scale of surrounding development within residential preservation areas: proposed use(s); intensity; density; scale; building size, mass, bulk, height and orientation; lot coverage; lot size/configuration; architecture; screening; buffers, including vegetative buffers; setbacks; signage; lighting; traffic circulation patterns; loading area locations; operating hours; noise; and odor. These factors shall also be used to determine the size of transitional development areas.*

2. Pursuant to LDC Sec. 10-6.617.(5) *b. Parcels proposed for residential which are located inside the urban service area and not in a recorded or unrecorded subdivision shall develop consistent with the type of residential development pattern located* ***adjacent*** *to the vacant parcel.* Clearly, adjacent means those Brookside Village lots that directly abut Moore Pond and Ox Bottom Manor, and not lots that are a quarter-mile away.

The terms compatibility and consistency are used through-out the comprehensive plan and LDC. Although there is no definition of compatibility in the comprehensive plan or LDC, the comprehensive plan, Policy 2.2.3, identifies factors to be considered when determining compatibility:

> *At a minimum, the following factors shall be considered to determine whether a proposed development is compatible with existing or proposed low density residential uses and with the intensity, density, and scale of surrounding development within residential preservation areas: proposed use(s); intensity; density; scale; building size, mass, bulk, height and orientation; lot coverage; lot size/configuration; architecture; screening; buffers, including vegetative buffers; setbacks; signage; lighting; traffic circulation patterns; loading area*

locations; operating hours; noise; and odor. These factors shall also be used to determine the size of transitional development areas.

F.S 163.3164(9), defines compatibility as *"a condition in which land uses or conditions can coexist in relative proximity to each other in relative stable fashion over time such that no use or condition is unduly negatively impacted directly or indirectly by another use or condition."* However, further definition of compatibility is spelled out in Policy 2.2.3, which defines what are the components of defining compatibility, which go beyond just land use. Further, LDC Sec 10-6.617 states "*b. Parcels proposed for residential which are located inside the urban service area and not in a recorded or unrecorded subdivision shall develop consistent with the type of residential development pattern located adjacent to the vacant parcel."*

Therefore, a primary factor in determining compatibility is understanding the design/development patterns and characteristics of the Moore Pond and Ox Bottom Manor subdivisions, in general, and more specifically, those lots that are adjacent to Brookside Village, and defining what are the predominate patterns and characteristics. An analysis that encompasses and area within a quarter-mile radius of Brookside Village is not consistent with the requirements of Sec. 10-6.617. An appropriate compatibility analysis is about defining neighborhood norms, which is understanding development patterns (density, lot sizes, setbacks, lot coverage, etc..), and not based on a single factor such as averages or wide ranges covering a quarter-mile radius..

Pursuant to LDC, Sec. 10-6-617 (a) (5)*b. Parcels proposed for residential which are located inside the urban service area and not in a recorded or unrecorded subdivision shall develop consistent with the type of residential development pattern located adjacent to the vacant parcel.* It is clear that term consistent in this context means compatible with the predominate characteristics of the neighborhood, and specifically, those lots that are adjacent to Brookside Village. The key enumerated criterion is that development must *be consistent with the type of residential development pattern located adjacent to the vacant parcel.* Case law also substantiate this premise (City of Cape Coral v. Mosher (Fla. 5th DCA, 1985). The judge stated *"The word consistent implies the idea or existence of some type or form of model, standard, guideline, point, mark or measure as a norm and a comparison of items or action against that norm. Consistency is the fundamental relation between the norm and the compared item."* The prevalent development patterns/characteristics of a neighborhood define what the norm is.

A compatibility analysis includes identifying the predominant patterns of density, lot sizes, lot coverage and typical building setbacks of these neighborhoods, and more specially, those lots that abut the proposed Brookside Village development. The *Urban Design Guidelines for the Gaines Street District*, prepared by the Tallahassee-Leon County Planning Department provides further guidance in evaluating neighborhood development character. It states in the Fit The Neighborhood chapter *"New development must be compatible with the existing or intended context of a location's predominant urban form, as found in patterns of lot sizes, building orientation, lot coverage, building mass, patterns of pedestrian movement, and the relationship of buildings to the street."*

It is recognized that the siting of lots abutting Moore Pond, Ox Bottom Manor and Ox Bottom Road result from environmental site constraints; however, the comprehensive plan dictates that development shall achieve compatibility. Development refers to the actual placement of lots on the site, not the gross land area. Pursuant to the LDC, development area is defined as *"that portion of a site upon which development may or does occur."* Compatibility analysis must address the impacts of the actual siting of the lots abutting these neighborhoods.

The balancing of site constraints and compatibility does not equate to guaranteeing maximum developer profit; ensuring compatibility is the principle factor in reviewing a proposed development. This premise is further enumerated by the LDC Sec. 10-6.617 "*Compatibility with surrounding residential type and density shall be a major factor in the authorization of development approval and in the determination of the permissible density.*"

Neighborhood Development Characteristics

Density

The development characteristics of Moore Pond and Ox Bottom Manor have been described in a report prepared by Wendy Grey, ACIP, *Brookside Village Subdivision: Compatibility Analysis and Analysis of Comprehensive Plan Polices Affecting Density*, dated August 2, 2017, for the Brookside Village developer. Highlighted on the following pages are the density and lot size tables contained in Ms. Grey's report.

Table 1: Subdivision Density

Subdivision	Density (dwelling units/acre)
Ox Bottom Gardens	2.13
Brookside Village	1.73
Ox Bottom Manor	1.10
Moore Pond	.23
Rose Hill	.17

Sources: Subdivision Plats and Leon County Property Appraiser Website
Density calculated based on entire subdivision
Ox Bottom Garden density calculated using acreage for residential component and stormwater pond.

Ms. Grey concludes, "There is a wide range of densities within the surrounding area. The density of Brookside Village falls within the existing range and is one third of the maximum density permitted in the Residential Preservation future land use category." Although the gross density is somewhat compatible to Ox Bottom Manor, it is not comparable to Moore Pond. Brookside Village is over seven times the density of Moore Pond. Further, the actual siting of the lots abutting Moore Pond and Ox Bottom Manor is significantly higher in density. The 61 Brookside Village lots are sited and concentrated adjacent to Moore Pond, Ox Bottom Manor and Ox Bottom Road (Exhibit C).

Based on the LDC definition of *development*, compatibility is to be analyzed based on the actual siting of the development, excluding the environmental areas. Based on the site plan, these residential lots are sited on 16.63 acres, which equates to a density of 3.67 dwelling units/acre. This represents density that is almost 14 times the density of Moore Pond and 3.3 times the density of Ox Bottom Manor. Such a significant density increase is not compatible.

Further, the density of the Brookside Village development adjacent to Ox Bottom Manor and Moore Pond are 4.82 du/ac. and 4.18 du/ac. respectively. The adjacent Ox Bottom Manor lots are at a density of 1.43 du/ac. and Moore Pond is 0.3 du/ac.

Lot Size

Ms. Grey's analysis of lot sizes (Table 3: Lot Size) concludes *"There is a significantly wide range of lot sizes in the surrounding area. The lot size of Brookside Village falls within the existing range"*. However, the range of the lot sizes are so large that you cannot reasonably conclude there is consistency or compatibility. The difference between the low end (0.19 acre) and the high end (3.08 acres) of this range is a differential of 2.89 acres or the high end is over 16 times the low end. The analysis of the average lot sizes, in my opinion, demonstrates that they are significantly incompatible.

Table 3: Lot Size

Subdivision	Lot Sizes (Acres)	Average Lot Size (Acres)
Moore Pond	1.49 to 12.39	3.08
Rose Hill	1.48 -6.97	2.53
Ox Bottom Manor	.53-.96	.67
Brookside Village	.14 – 2.19	.26
Ox Bottom Gardens	.13-.32	.19

Sources: Subdivision Plats and Leon County Property Appraiser Website

As stated previously, any analysis must look at the predominate patterns of lot sizes within each neighborhood. Based Ms. Grey's ¼ mile radius, an analysis of the pattern of lot sizes actually demonstrates incompatibility (Exhibit B):

- The closest Ox Bottom Garden lot (Lot 1, Blk A: 0.25 acres) is 579+/- feet away from Brookside Village; therefore, has minimal relationship to Ms. Grey's analysis. These lots are separated by a 75' buffer and the much larger Ox Bottom Manor lots and the proposed Brookside Village.

- Within the ¼ mile radius there are a total of 140 lots (Ox Bottom Garden, Ox Bottom Manor and Moore Pond). The following is a breakdown of lot sizes:
  - 27 lots in Ox Bottom Garden <0.2 acres.
  - 18 lots Ox Bottom Garden ranging in size from >0.2-0.32 acres.
  - 47 lots in Ox Bottom Manor, ranging in size from 0.50<0.70 acres.
  - 27 lots in Ox Bottom Manor 0.70- 0.96 acres
  - 21 lots in Moore Pond, ranging in size from 1.49-4.29 acres.

- Of the 140 lots, 74 lots (53%) are 0.5-0.96 acres demonstrating that the prevalent neighborhood pattern (the norm) is more in the range of 0.5-0.96 acre lots, not lots 0.2 acre or less. In fact, of the 45 lots in Ox Bottom Gardens, 27 lots are less than a 0.2 acres, this only represents 19.3 percent of the combined neighborhoods total lots.

- The pattern of lots within Brookside Village demonstrates they are not compatible or consistent with the norm of the prevalent lot patterns of Ox Bottom Manor and Moore Pond. Of the 61 lots in Brookside Village, 31 lots are <0.2 acres, 28 lots range from 0.2-0.42 acres and 2 lots are 2+ acres each. Therefore, 50 lots are less than 0.2 acres or 82 percent of the total lots and a total of 59 lots are less than 0.5 acres or 97 percent of the total.

The most significant factor of incompatibility is the comparison of the adjacent Moore Pond and Ox Bottom Manor lots as required by the LDC Sec. 10-6.617.(5) *b.*, (Exhibit C). No such analysis was conducted by the County or Wendy Grey. The range of the lots sizes in Ox Bottom Manor (Lots 1-7) abutting Brookside Village is 0.62- 0.86 acres, which equates to a total of 4.9 acres or an average of 0.7 acres. The range of abutting lot sizes in Brookside Village is 0.2-0.21 acres, which equates to a total of 2.28 acres or an average of 0.21 acres. These Brookside Village lots are 3.3 times smaller and are not compatible.

The range of lots sizes in Moore Pond (Lots 23-25) abutting Brookside Village is 3.2-3.49 acres compared to the abutting range of lot sizes in Brookside Village (0.2-0.29 acres), which equates to an average of 0.24 acres. These lots are significantly smaller that the Moore Pond lots. Compared to Moore Pond, the Brookside Village lot sizes are less than one percent of the size of the Moore Pond lots. Only two lots within Brookside Village, Lots 17A (2.06 acres) and 2C (2.51 acres), abutting Moore Pond are compatible.

It is important to note that in Ms. Grey's report, she indicates that *"there is a potential issue of compatibility relating to the visual impact of the smaller lots sizes and subsequently higher building mass in Brookside Village where it adjoins Moore Pond and Ox Bottom Manor."*

Lot Coverage

Ms. Grey's analysis of lot coverage (Table 4: Lot Coverage) concludes *"The lot coverage ratio in the surrounding area ranges widely. The lot coverage of Brookside Village falls within the existing range."* However, the range of lot coverages are so large that you cannot reasonably conclude there is consistency or compatibility. The difference between the low end (5 percent) and the high end (28 percent) of this range is a differential that is over 5.6 times the low end. The analysis of the average lot sizes, in my opinion, demonstrates that they are significantly incompatible. Exhibits D and E illustrate the incompatibility relative to lot coverage.

Table 4: Lot Coverage

Subdivision	Average Lot Coverage
Moore Pond	5%
Rose Hill	6%
Ox Bottom Manor	10%
Brookside Village	24%
Ox Bottom Gardens	28%

Source: Leon County Property Appraiser Website: Building Sketches.

Note: Brookside Village average lot coverage is based on an average lot size of 11,454 square feet and an average lot coverage of 2,712.5 square feet. The average lot coverage was determined assuming 50% of the lots will have a coverage of 2,200 square feet and 50% will have a lot coverage of 3,225 square feet.

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Setbacks

Although Ms. Grey did not conduct an analysis of setback, she indicates that *"there is a potential issue of compatibility relating to the visual impact of the smaller lots sizes and subsequently higher building mass in Brookside Village where it adjoins Moore Pond and Ox Bottom Manor."* The Applicant is proposing five (5) foot side yard setbacks, this in combination with the small lots, would create homes that are placed on small lots and located close together, thereby potentially creating a "walled-effect" adjacent to both neighborhoods that could negatively impact the residences. Exhibits D and E illustrate the incompatibility relative to the small side yard setbacks.

The "walled- effect" created by Brookside Village small side yard setbacks and larger lot coverage is further enumerated in MPs Grey's report related to mass and bulk. Ms. Grey compared the total length of building facades along shared property boundaries compared to the total length of the property line. The length of the building façade as a percentage of the total lot length is as follows:

- Brookside: 88%
- Moore Pond: 29%
- Ox Bottom Manor: 45%

The Brookside Village façade lengths are 3 times Moore Pond and almost two times Ox Bottom Manor.

Buffering

Ms. Grey indicates that the landscape buffer plan for Brookside Village mitigates the potential visual impacts. Although, a 25 foot wide buffer is being proposed, the Comprehensive Plan Policy 1.4.12:[L] clearly states that *"Neighborhood and inter-site compatibility shall be implemented through site planning and design criteria that require objectionable impacts of particular land use activities to be internally located within site or building designs, rather than relying exclusively on standard landscape and setback buffering methods to reduce perimeter oriented objectionable impacts."*

It is important to note that the buffer between Ox Bottom Gardens and Ox Bottom Manor is 75+/- feet. It would appear that such a large buffer was necessary to create compatibility between these two developments. The average density (per Ms. Grey's report) between Ox Bottom Manor (1.10 du/ac) and Ox Bottom Gardens (2.13 du/ac) represents a differential of almost two times the density.

THE PROPOSED BROOKSIDE VILLAGE DEVELOPMENT FAILS TO MEET THE COMPATIBILITY TEST AS PRESCRIBED IN THE COMPREHENSIVE PLAN AND LDC.

There are a number of relevant comprehensive plan polices and LDC requirements that based on this analysis support the conclusion that the Brookside Village is not compatible or consistent with the prevalent development characteristics of the Ox Bottom Manor and Moore Pond neighborhoods:

FUTURE LAND USE MAP CATEGORIES

Objective 2.2: [L]

The Tallahassee-Leon County Comprehensive Plan shall promote appropriate location of land uses and regulation of development density and intensity based upon: (1) protection of conservation and preservation features; (2) compatibility with adjacent existing and future residential land uses; (3) access to transportation facilities in keeping with their intended function; and (4) the availability of infrastructure.

Policy 2.2.3: [L]

RESIDENTIAL PRESERVATION

Characterized by existing homogeneous residential areas within the community which are predominantly accessible by local streets. The primary function is to protect existing stable and viable residential areas from incompatible land use intensities and density intrusions. Single family, townhouse and cluster housing may be permitted within a range of up to six units per acre. Consistency with surrounding residential type

and density shall be a major determinant in granting development approval.

f) Land use compatibility with low density residential preservation neighborhoods.

A number of factors shall be considered when determining a land use compatible with the residential preservation land use category. At a minimum, the following factors shall be considered to determine whether a proposed development is compatible with existing or proposed low density residential uses and with the intensity, density, and scale of surrounding development within residential preservation areas: proposed use(s); intensity; density; scale; building size, mass, bulk, height and orientation; lot coverage; lot size/ configuration; architecture; screening; buffers, including vegetative buffers; setbacks; signage; lighting; traffic circulation patterns; loading area locations; operating hours; noise; and odor. These factors shall also be used to determine the size of transitional development areas.

LDC

Sec. 10-6.617. - Residential preservation.

(a) Purpose and intent. The residential preservation district is characterized by existing homogeneous residential areas within the community predominantly accessible by local streets. The primary function is to protect existing stable and viable residential areas from incompatible land uses and density intrusions. Commercial, retail, office, and industrial activities are prohibited. Certain nonresidential activities may be permitted, such as home occupations consistent with the applicable provisions of section 10-6.803; community services and facilities/institutional uses consistent with the applicable provisions of section 10-6.806; and churches, religious organizations, and houses of worship. Single-family, duplex residences, manufactured homes, and cluster housing may be permitted within a range of zero to six units per acre. Compatibility with surrounding residential type and density shall be a major factor in the authorization of development approval and in the determination of the permissible density.

(5) Allowable development type shall be construed to mean the following:

a. Parcels proposed for residential which are located in a recorded or unrecorded subdivision shall develop consistent with the type of residential development pattern located inside the recorded or unrecorded subdivision.

b. Parcels proposed for residential which are located inside the urban service area and not in a recorded or unrecorded subdivision shall develop consistent with the type of residential development pattern located adjacent to the vacant parcel.

The analysis of the Moore Pond and Ox Bottom Manor neighborhoods relative to the prevalent patterns of density, lot sizes, lot coverage, setbacks and buffering demonstrate that the proposed Brookside Village is *not compatible or consistent.* The proposed development has significantly higher densities, larger lot coverage, larger mass/bulk coverage and smaller lot sizes than the predominate development pattern and character of Moore Pond and Ox Bottom Manor neighborhoods.

The larger lot coverage, mass and bulk; and smaller lot sizes and narrow side yard setbacks would create homes that are placed on these small lots that are located close together, thereby creating a "walled-effect" adjacent to both neighborhoods that could negatively impact the residences (Exhibit F). Such potential impacts warrant a revised site plan that increases lot sizes and buffering abutting Moore Pond and Ox Bottom Manor to achieve compatibility.

In addition, no compatibility analysis was conducted by County staff or Ms. Grey relative to the requirements of LDC to analyze compatibility with the adjacent Moore Pond and Ox Bottom Manor lots. Even Ms. Grey states there is incompatibility in her report. *"Based on this analysis, there is a potential issue of compatibility relating to the visual impact of the smaller lot sizes and subsequently higher building mass in Brookside Village where it adjoins Moore Pond and Ox Bottom Manor."*

The development does not further the goals, objectives or policies of the comprehensive plan or LDC. It fails to meet Goal 1, Objective 2.1.[L], Objective 2.2, Policy 2.2.3 [L], and LDC Secs 10-2.301, 10-6.617, and 10-7.505. The comprehensive plan does not guarantee a developer maximum profit. It clearly states *Compatibility with surrounding residential type and density shall be a major factor in the authorization of development approval and in the determination of the permissible density."* Therefore, the developer should be required to revise the site plan to achieve compatibility with the abutting Ox Bottom Manor and Moore Pond neighborhoods as required by the comprehensive plan and LDC.

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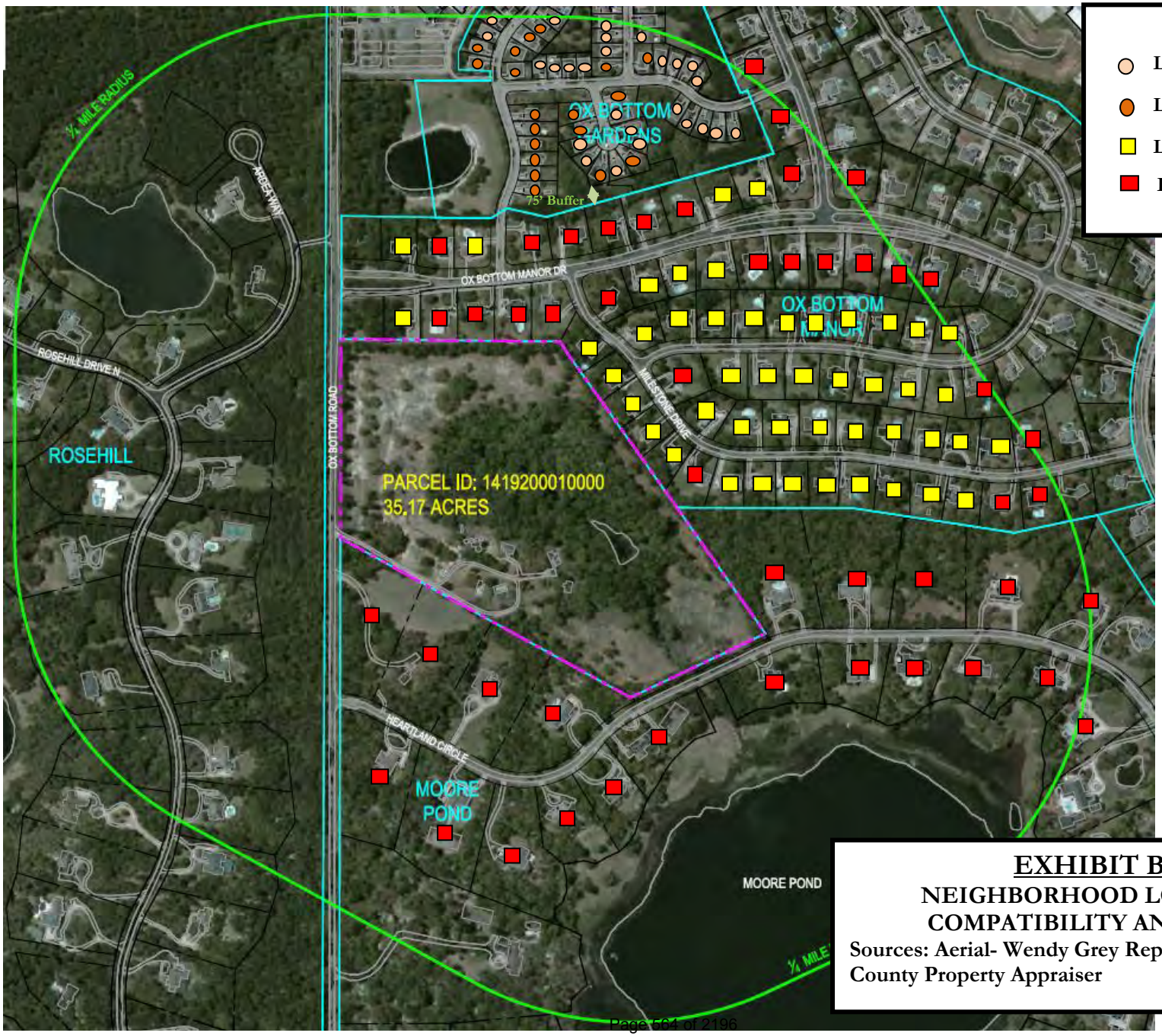
Jan A. Norsoph, AICP

Mr. Norsoph reserves the right to amend this report based upon new information.
Attached as Appendix A is Mr. Norsoph's qualifications

EXHIBITS



LEGEND

- Lots < 0.20 ac
- Lots 0.20-0.32 ac
- Lots 0.50<0.70 ac
- Lots 0.70+ ac

EXHIBIT B

NEIGHBORHOOD LOT SIZE COMPATIBILITY ANALYSIS

Sources: Aerial- Wendy Grey Report 8/2/17; Leon County Property Appraiser

EXHIBITS C, D, E and F Removed.

APPENDIX A

JAN ALAN NORSOPH, AICP

(727) 867-0556

jnorsoph2@gmail.com

SUMMARY OF QUALIFICATIONS

Award winning professional with 40 years of extensive and diverse planning expertise, including 24+ years of management experience; development and administration of land development regulations, historic preservation, urban design, community redevelopment, and neighborhood planning; administration of site plan/subdivision development reviews; preparation of comprehensive plans, and skills in building public participation and consensus. This includes local government experience with many different public entities, both as a planning consultant, a City of St. Petersburg Manager, and currently as a part-time city planner for the City of Seminole.

ACCOMPLISHMENTS

Awards of Excellence (*) or Merit received by the Florida Chapter American Planning Association (FCAPA) and/or the Suncoast Section (SS) and other professional associations in recognition of professional and innovative achievements:

- MacDill AFB General Plan, Honorable Mention Future of the Region Award, Tampa Bay Regional Planning Council, and Award of Distinction, Florida Planning & Zoning Association.
- Design Guidelines Manual for the National Register/Local Historic District, City of Tarpon Springs, Florida (SS/FCAPA).
- St. Petersburg's Guidelines for Historic Properties (SS/FCAPA).
- St. Petersburg Round Lake Neighborhood Plan (SS*/FCAPA).
- St. Petersburg North Shore Neighborhood Plan (SS*/FCAPA*).
- St. Petersburg Neighborhood Design Review Ordinance and Manual (SS).
- Recognition by the Governor for the Best Large City Comprehensive Plan in Florida.
- St. Petersburg Core Area Parking Study (SS).
- St. Petersburg Bayboro Harbor Redevelopment Plan (SS*/FCAPA*).
- St. Petersburg Historic Preservation Program (SS/FCAPA).
- St. Petersburg Downtown Urban Design Plan and Intown Market Strategy (SS*).
- St. Petersburg Intown Redevelopment Plan (FCAPA).

PROFESSIONAL EXPERIENCE

Planning Consultant, St. Petersburg, Florida (January 2011 - Present) providing planning services related to:

- Comprehensive planning, land development codes, urban design, zoning and other land development related services.
- Rezoning and Special Exception Use applications.
- Eminent domain.
- Expert witness testimony.
- Work as a part-time employee for the City of Seminole Community Development Department (July 2012-present).
- Planning subconsultant services for Engelhardt, Hammer and Associates, Inc.

Vice President, Community Planning & Urban Design, Engelhardt, Hammer & Associates, Inc. (EHA), Tampa, Florida (August 1998 - January 2011) - EHA is a land planning firm and my responsibilities included project development and management for public and private clients related to:

- Master planning, urban design and historic preservation.
- Neighborhood planning and community redevelopment.
- Eminent domain.
- Comprehensive planning, land development regulations, zoning and other land development related services.
- Expert witness testimony.

Part-Time City Planner, City of Seminole (July 2012-present)

- Update of the City of Seminole comprehensive plan, land development code and Commercial Corridor Design Guidelines, and
- Conduct site, landscape and design reviews.

Planning Consultant, St. Petersburg, Florida (July 1997 - August 1998) - Provided consultant services related to:

- Rezoning and Special Exception Use applications.
- Site planning.

Manager, Development Review Services Division (December 1994 - April 1997) and Manager Urban Design & Development Division (January 1984 - December 1994), City of St. Petersburg, Florida - Directed a progressive and innovative team of ten professional staff with an annual operating budget of $400,000. Management responsibilities included:

- Administration of land development codes, and site plan and design review processes.
- Preparation of urban design, neighborhood and community redevelopment plans.
- Staffing the Community Redevelopment Agency, Board of Adjustment, Environmental Development Commission and Historic Preservation Commission.
- Presenting recommendations/reports before the City Council and various commissions.
- Developing strong working relationships with neighborhoods, business associations, minority groups and the development community, including serving as the City's representative on the Chamber of Commerce Downtown Council.

REPRESENTATIVE PROJECTS

Planning Consultant

- Town of St. Leo- Preparation of the Visual Corridor Study, Town of St. Leo Land Development Code, Comprehensive Plan Evaluation and Appraisal Report, Comprehensive Plan update and on-going development review services, and land development code and comprehensive plan updates.
- Neighborhood and other type associations- Provide expert witness testimony on development reviews, special exceptions and rezonings.
- City of Temple Terrace- Revisions to Chapter 29- Downtown Redevelopment Overlay Zoning District, including design guidelines/illustrations.
- MacDill AFB General Plan.
- Historic design guidelines and manuals for the City of Tarpon Springs.
- City of Clearwater- "Enhancing the Visual Environment Through Sign Regulation." (planning and photo simulation analysis report for the City related to litigation by billboard company)
- Cultural Arts District Master Plan for the City of Tampa.
- Multiple future land use amendments, rezoning and conditional/special use applications for private clients (Cities of Pinellas Park, Venice, West Palm Beach and Tampa).

- Land development code/site plan review process analyses for private clients in preparation of due diligence and site development and landscape plan reviews (City of Venice and Collier, Sumter, Polk, DeSoto and Lee Counties).
- Eminent Domain Planning Analyses for public clients including Sumter, Lee, Collier, Hillsborough and Pinellas Counties; Florida Department of Transportation Districts One, Five and Seven (Polk, Hernando, Pasco, Manatee, Sarasota, Lee, Orange, Hillsborough, Pinellas, Brevard and Osceola Counties), and Orange County Public Schools.
- Eminent Domain Planning Analyses for private clients in City of Miami, Charlotte, Escambia, Santa Rosa, Duval, Columbia, Clay, Leon, Palm Beach, Orange, Indian River, Polk, Pasco, Lee, Hillsborough, Seminole, Osceola, Hernando, Citrus, Hendry, Miami-Dade, St. Johns, Putnam and Sarasota counties.
- Expert Witness Testimony, including eminent domain trials (8) and a land use litigation case. Qualified as an expert in courts in Charlotte, Hendry, Hillsborough, Polk, Pasco and Pinellas counties and U.S. District Court Middle District (Tampa).

City of St. Petersburg

- Administered zoning code and site plan/neighborhood design review, and implemented streamlining processes and enhanced customer service procedures.
- Authored land development codes related to new zoning districts, Neighborhood Design Review, historic preservation, CBD bonus FAR criteria, airport height regulations, wireless communication towers and sidewalk cafes.
- Developed and administered five Community Redevelopment/Tax Increment Finance districts with over $340 million in capital projects, including the Downtown/Waterfront, Major League Baseball (Tampa Bay Rays) stadium area and Salt Creek marine services/Port/University of South Florida district.
- Prepared urban design plans for downtown waterfront, commercial corridors, neighborhoods and community redevelopment areas including conceptual site plans, and building façade/streetscape designs.
- Prepared and implemented four neighborhood plans (total population-15,000) with a $7.4 million capital budget, and development of a minority neighborhood commercial corridor revitalization plan.
- Administered the historic preservation program.
- Prepared comprehensive plan elements including Intown Planning Sector, Historic Preservation and Port/Airport.

EDUCATION

- Master of Science in Planning, Florida State University (Urban Design specialty).
- Bachelor of Science, Secondary Education- Geography, West Chester State University (Magna Cum Laude).

PROFESSIONAL ASSOCIATIONS AND CONTINUING EDUCATION

- American Institute of Certified Planners (AICP) with Continuing Professional Development Certificate.
- American Planning Association.
- Speaker at planning, historic preservation and urban design workshops at national, state and local conferences.

RESPONDENTS' JOINT EXHIBIT 1

ORDINANCE NO. 05-05

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF LEON COUNTY, FLORIDA, AMENDING SECTION 10-920 OF CHAPTER 10 OF THE CODE OF LAWS OF LEON COUNTY, FLORIDA, RELATING TO THE PURPOSE AND INTENT, ALLOWABLE USES, LIST OF PERMITTED USES, AND DEVELOPMENT STANDARDS IN THE RESIDENTIAL PRESERVATION ZONING DISTRICT AND PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

Whereas, the Board of County Commissioners desires to clarify the intent of the Residential Preservation zoning district specifically with regard to the allowable densities of new development while protecting existing and established residential development;

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

SECTION 1. Chapter 10, Section 10-920 is hereby amended to provide as follows:

(a) *Purpose and intent.* The residential preservation district is characterized by existing homogeneous residential areas within the community predominantly accessible by local streets. The primary function is to protect existing stable and viable residential areas from incompatible land uses and density intrusions. Commercial, retail, office, and industrial activities are prohibited. ~~(~~Certain nonresidential activities may be permitted, such as home occupations consistent with the applicable provisions of Section 10-1103; community services and facilities/institutional uses consistent with the applicable provisions of Section 10-1104; and churches, religious organizations, and houses of worship. ~~See division 8, supplementary regulations.)~~ Single-family, duplex residences, ~~mobile homes~~ manufactured homes, and cluster housing may be permitted within a range of zero to six units per acre. Compatibility with surrounding residential type and density shall be a major factor in the authorization of development approval and in the determination of the permissible density.

(1) ~~For~~ In residential preservation areas outside the urban service area, the density of the nonvested development in residential preservation areas shall be consistent with the underlying land use category. ~~no more than one unit per ten acres in the rural category; no ore than one dwelling unit per three acres or one dwelling unit per acre if clustered on 25 percent of the site in the urban fringe category.~~

~~Allowable density and development type in the residential preservation zoning district shall be consistent with any and all existing residential development patterns within the adjacent portions of the affected residential preservation zoning district.~~

(2) In residential preservation areas inside the urban services area, new residential development densities shall be consistent with those within the developed portions of the recorded or

unrecorded subdivision in which they are located. Consistency for the purposes of this paragraph shall mean that proposed lots shall not be smaller than the smallest lot that was created by the original subdivision plat or any subsequent replat that may have occurred consistent with County land development regulations in effect at the time.

(3) When new residential development inside the urban services area is proposed for an area not located within a recorded or unrecorded subdivision, densities shall be permitted in the range of zero to six dwelling units per acre ~~and shall be further limited to a density of no greater than 25 percent more than that of the densest residential land development contiguous to the proposed development. Or, in the case of no existing contiguous residential development, the proposed development shall be limited to a density of no greater than 25 percent more than that of the densest residential land development currently existing within one quarter mile. For purposes of this section, the density of existing residential development shall mean the net density of the residential development within one quarter mile of the development.~~ consistent with the availability of central water and sewer service to accommodate the proposed development. If central water and sewer service is not available, density shall be limited to a maximum of two (2) dwelling units per acre consistent with all applicable provisions of the Environmental Management Act.

(4) Allowable development type shall be construed to mean the following: ~~number of units (single-family vs. duplex) and permitting type (conventional - building code or DCA approved vs. mobile home/ manufactured home - DHSMV approved. Areas~~

a. Parcels proposed for residential which are located in a recorded or unrecorded subdivision shall develop consistent with the type of residential development pattern located inside the recorded or unrecorded subdivision.

b. Parcels proposed for residential which are located inside the Urban Service Area and not in a recorded or unrecorded subdivision shall develop consistent with the type of residential development pattern located adjacent to the vacant parcel.

c. Parcels proposed for residential development surrounded ~~entirely~~ by a mix of conventional single-family homes and manufactured homes, ~~residential residences~~ shall ~~only~~ be developed for conventional single-family homes. ~~more residences; areas proposed for residential development surrounded entirely by duplex residences may shall only be developed for duplex residences; areas~~

d. Parcels proposed for residential development surrounded by a mix~~ture~~ of single-family and duplex development ~~may~~ shall be developed for single-family use ~~only~~, unless duplex residential development is the predominant type.

e. The placement of standard design manufactured homes and mobile homes shall be allowed in manufactured home parks, in subdivisions platted explicitly for allowing manufactured homes, or as a replacement unit for any lawfully existing manufactured home consistent with the provisions of Article VII of this chapter.

~~(5) The placement of new mobile homes/manufactured homes shall be allowed in existing mobile parks of public record, existing subdivisions platted explicitly for the purposes of allowing either mobile homes or mobile homes and conventional single-family homes, or as replacement of any lawfully existing mobile home of public record. The establishment of new mobile home/ manufactured home parks shall be consistent with the requirements set forth in Section 10-1105 of this article.~~

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

(1) Low-density residential.

(2) Passive recreation.

(3) Active recreation.

(4) Community services.

(5) Light infrastructure.

(c) *List of permitted uses.* See schedules of permitted uses, Section 10-1210. Some of the uses on these schedules are itemized according to the Standard Industrial Code (SIC). Proposed activities and uses are indicated in the schedules. The activity or use may be classified as permitted, restricted, ~~or~~ permitted through special exception, or not allowed. Those uses or activities permitted through special exception shall require review and approval by the Board of County Commissioners consistent with the provisions of Section 10-954.

(d) *Development standards.* All proposed development shall meet the applicable buffer zone standards as outlined in (Section 10-923). For residential development in recorded or unrecorded subdivisions, the development standards including front, rear, side, and side corner yard setbacks for new residential development shall be consistent with the developed portions of the recorded or unrecorded subdivision in which it is located. For new residential development in residential preservation areas not located in recorded or unrecorded subdivisions, the applicable development standards including, but not limited to front, rear, side, and side corner yard setbacks shall be established at the time of subdivision and site and development plan review.

SECTION 3. 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 parts of this ordinance which are inconsistent, either in whole or in part, with the 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 thereof.

SECTION 5. This ordinance shall become effective upon adoption.

DULY PASSED AND ADOPTED BY the Board of County Commissioners of Leon County, Florida, this 8th day of February, 2005.

LEON COUNTY, FLORIDA

By: _____
Cliff Thrall, Chairman
Board of County Commissioners

ATTESTED BY:
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

A Certified Copy
Attest:
Gwendolyn Marshall
Clerk & Comptroller
Leon County, Florida
By: _____
Deputy Clerk

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F91-00306

RESPONDENTS' JOINT EXHIBIT 2

Board of County Commissioners

Interoffice-Memorandum

DATE: December 16, 2015

TO: Development Services Staff

FROM: Ryan Culpepper, Director, Development Services

SUBJECT: Interpretation of the Residential Preservation permitted zoning density for metes and bounds parcels

This memo of interpretation shall replace the earlier memo issued on May 11, 2004

The following information is provided pursuant to my authority to interpret the LDC in accordance with Section 10-6.110. This memorandum is in response to a request concerning the determination of density on parcels not located within a recorded or unrecorded subdivision. The purpose of this memorandum is to ensure the proper application of Section 10-6.617 of the LDC, which pertains to the RP zoning district.

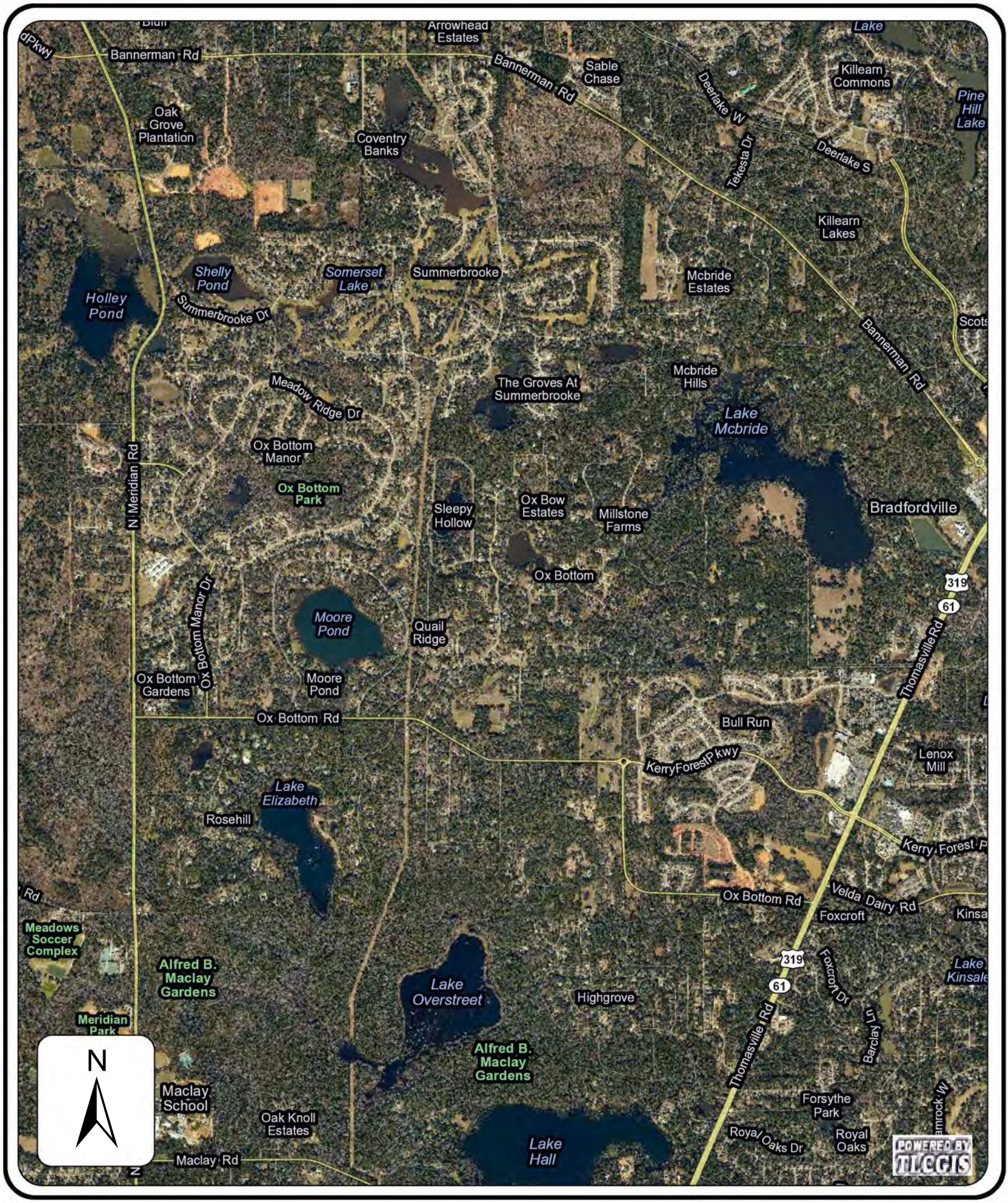
On May 11, 2004, the Development Services Director issued a memorandum to clarify the application of the Residential Preservation (RP) zoning district density calculations. Since the issuance of this memorandum, the Land Development Code (LDC), specifically the regulations pertaining to the RP zoning district, has been amended more than once (ORD05-05 and ORD07-20). As a result, the memo of interpretation dated May 11, 2004 is no longer applicable.

In 2004 the Board of County Commissioners (BCC) directed staff to initiate the recommendations from the Residential Land Availability and Affordability Committee. These recommendations included amendments to the RP zoning district. Density on metes and bounds parcels in the RP district at that time were based upon the surrounding density patterns of nearby recorded and unrecorded subdivisions which, oftentimes, were approved utilizing septic tanks on larger lots. The committee's findings determined that the allowable density was not consistent with the Comprehensive Plan and that it perpetuated an inefficient utilization of property within the USA with available urban infrastructure.

The recommendation from the committee was to amend the RP zoning district to allow new residential development on metes and bounds parcels served by central water and sewer and located within the USA at densities up to six (6) dwelling units per acre upon demonstration of compliance with environmental and concurrency management regulations consistent with the Comprehensive Plan's RP land use designation. This provided for a more efficient utilization of urban infrastructure and ensures consistency with the Comprehensive Plan.

Therefore, notwithstanding the densities located within adjacent unrecorded or recorded subdivisions, a metes and bounds parcel within the USA and utilizing central water and sewer shall be allowed a gross density within a range of 0 to 6 dwelling units per acre. It should be noted that this density range falls within the definition of Low Density as established in Policy 1.7.1(L) of the Comprehensive Plan and further defined in Section 10-1.101 of the LDC.

RESPONDENTS' JOINT EXHIBIT 3



Brookside Village Large Scale Aerial

DISCLAIMER

This product has been compiled from the most accurate source data from Leon County, the City of Tallahassee, and the Leon County Property Appraiser's Office. However, this product is for reference purposes only and is not to be construed as a legal document or survey instrument. Any reliance on the information contained herein is at the user's own risk. Leon County, the City of Tallahassee, and the Leon County Property Appraiser's Office assume no responsibility for any use of the information contained herein or any loss resulting therefrom.

Scale:	Tallahassee/Leon County GIS Management Information Services Leon County Courthouse 301 S. Monroe St, P3 Level Tallahassee, Fl. 32301 850/606-5504 http://www.tlcgis.org
Not To Scale	
Date Drawn:	
November 1, 2017	

Brookside Village Small Scale Aerial

DISCLAIMER

This product has been compiled from the most accurate source data from Leon County, the City of Tallahassee, and the Leon County Property Appraiser's Office. However, this product is for reference purposes only and is not to be construed as a legal document or survey instrument. Any reliance on the information contained herein is at the user's own risk. Leon County, the City of Tallahassee, and the Leon County Property Appraiser's Office assume no responsibility for any use of the information contained herein or any loss resulting therefrom.

Scale:	Not To Scale
Date Drawn:	November 1, 2017

Tallahassee/Leon County GIS
Management Information Services
Leon County Courthouse
301 S. Monroe St, P3 Level
Tallahassee, Fl. 32301
850/606-5504
http://www.tlcgis.org

RESPONDENTS' JOINT EXHIBIT 4

Summary Table	1st Submittal	Final Plan Submittal to DRC
Number of Lots	64	61
Gross Density	1.82 du/ac	1.73 du/ac
Lot Size Range	0.14 – 0.42; Two larger lots of 2.0 and 2.53 ac	0.14 – 0.42; Two larger lots of 2.0 and 2.19 ac
Average Lot Size (not including larger lots)	0.18 ac	0.19 ac
Average Lot Size Adjacent to Neighborhoods	Moore Pond = 0.17 Ox Bottom Manor = 0.18	Moore Pond = 0.24 ac Ox Bottom Manor = 0.21 ac
Rear Lot Widths	52'-70'+; mostly 52'-62' widths	75' – 118' widths adjacent to Moore Pond with an average width of 87' (not including larger lots); 62 – 122' widths adjacent to Ox Bottom Manor with an average width of 82'
Buffers/Fencing	25' Type B buffer on perimeter of development; not along perimeter of larger lots.	25' Type C+ buffer (W/E/S); 10' – 20' Type A Buffer (N/NE); buffer along Moore Pond includes a berm and 8' fence; buffer to the Northwest includes an 8' fence. Fences are internal to the buffer.

Preferred Design Alternatives Incorporated: (Those not required by code)

1. Extended the sidewalk along Ox Bottom Road past the property boundaries in order to connect to the existing sidewalks along Ox Bottom Manor Drive.
2. Increased the lot sizes and lot widths adjacent to properties in Ox Bottom Manor and Moore Pond.
3. Increased buffer density and width and added fencing and berms in key locations. Calls for only evergreen plantings that will achieve an approximate opacity of 75% at time of planting and 90% opacity being achieved within 5 years.
4. Committed to a building height of no greater than 1 ½ stories with the half story facing internal to the development and no windows being located above the 1st floor elevation in the rear.
5. Committed (as outlined in CR) to a minimum dwelling size of 2,000 SF heated adjacent to Moore Pond (Lots 4A-15A); a minimum of 2,500 SF heated on lots 2C & 17A (larger lots); and a minimum of 1,600 SF heated on all other lots. This does not include porches, garages or deck areas.

Approved Plats:

Rosehill (1987)

Ox Bottom Manor (1988)

Moore Pond (1993)

Ox Bottom Gardens (1993)

RESPONDENTS' JOINT EXHIBIT 5

Summary Table of Findings

(Evaluation Study of Wendy Grey's Compatibility Analysis)

Subdivision	Ox Bottom Gardens	Brookside Village	Ox Bottom Manor	Deerwood at Ox Bottom Manor	Moore Pond	Rosehill
# of Residential Lots	67	61	635	33	65	94
Gross Density (Units/Acre)	1.93	1.73	1.07	1.01	0.25	0.17
Avg. Lot Size (AC)	0.19	0.26	0.67	0.72	2.73	2.52
Smallest Lot Size (AC)	0.13	0.14	0.40	0.49	1.49	1.46
Buffers	75' vegetative buffer	25' Type C+ on most of site; 10' Type A on N/NE	None on plat	25' Buffer on 3 ½ lots abutting Moore Pond	None on plat	100' minimum around periphery
Public/Private Subdivision	Public	Public	Public	Public	Private/gated	Private/gated
Plat Adopted (Year)	1993	N/A	1988	2006	1993	1987

RESPONDENTS' JOINT EXHIBIT 7

TALLAHASSEE DEMOCRAT
Tallahassee.com
A GANNETT COMPANY

Attn:
BOARD OF COUNTY COMMISSIONERS
2284 MICCOSUKEE RD
TALLAHASSEE, FL 32308

STATE OF FLORIDA COUNTY OF LEON:
Before the undersigned authority personally appeared Alice Shang, who on oath says that he or she is a Legal Advertising Representative of the Tallahassee Democrat, a daily newspaper published at Tallahassee in Leon County, Florida; that the attached copy of advertisement, being a Legal Ad in the matter of

NOTICE

In the Second Judicial Circuit Court was published in said newspaper in the issues of:

10/23/17

Affiant further says that the said Tallahassee Democrat is a newspaper published at Tallahassee, in the said Leon County, Florida, and that the said newspaper has heretofore been continuously published in said Leon County, Florida each day and has been entered as periodicals matter at the post office in Tallahassee, in said Leon County, Florida, for a period of one year next preceding the first publication of the attached copy of advertisement; and affiant further says that he or she has never paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper.

Sworn to and Subscribed before me this 24th of October 2017, by Alice Shang who is personally known to me.

Teri M. Ismail
Notary Public for the State of Florida
My Commission expires June 23, 2018

NOTARY PUBLIC STATE OF FLORIDA
TERI M. ISMAIL
MY COMMISSION #FF135171
EXPIRES June 23, 2018
(407) 398-0153 FloridaNotaryService.com

NOTICE OF HEARING

Notice is hereby given that a hearing will be held on November 9, 2017, at 9:00 a.m., or as soon thereafter as can be heard, at the State of Florida Division of Administrative Hearings (DOAH), Hearing Room 3, the DeSoto Building, 1230 Apalachee Parkway, Tallahassee, Florida, in the case styled Moore Pond Homeowners Association, Inc., and Ox Bottom Manor Community Association, Inc. vs. Golden Oak Land Group, LLC, and Leon County, Florida, Case No. 17-5082. The purpose of the proceeding is to hear the appeal of the preliminary decision of conditional approval rendered by the Leon County Development Review Committee on the site and development plan application for Brookside Village Residential Subdivision, a proposed residential development located off of Ox Bottom Road. The hearing is open to the public.

If any person decides to appeal any decision made with respect to any matter considered at this meeting or hearing, such person will need a record of the proceedings and may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.
In accordance with the Americans with Disabilities Act, persons needing a special accommodation to participate in this proceeding should contact the Judge's secretary no later than seven days prior to the hearing. The Judge's secretary may be contacted at (850) 488-9675, or via 1-800-955-8771 (TDD), or 1-800-955-8770 (voice) Florida Relay Service.
PUBLICATION: 10/23/2017

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If any person decides to appeal any decision made with respect to any matter considered at this meeting or hearing, such person will need a record of the proceedings and may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.
In accordance with the Americans with Disabilities Act, persons needing a special accommodation to participate in this proceeding should contact the Judge's secretary no later than seven days prior to the hearing. The Judge's secretary may be contacted at (850) 488-9675, or via 1-800-955-8771 (TDD), or 1-800-955-8770 (voice) Florida Relay Service.
PUBLICATION: 10/23/2017

Respondents' Exhibit 8
Demonstrative Story Map Screen Clips

A story map

Brookside Village Residential Subdivision

Brookside Village Presentation

Brookside Village

Proposed 61-lot Single-Family Detached

A story map

Brookside Village Residential Subdivision

Preservation (RP)

Required Buffer

RP zoning district requires a minimum 10 foot, Type "A" buffer when adjoining single-family dwellings

Provided Buffer

25 foot Type "C" + enhanced buffer in most locations;
75% opacity at planting with 90% opacity within 5 years

View Brookside Site Plan

A story map

Brookside Village Residential Subdivision

Preservation (RP)

Required Buffer

RP zoning district requires a minimum 10 foot, Type "A" buffer when adjoining single-family dwellings

Provided Buffer

25 foot Type "C" + enhanced buffer in most locations;
75% opacity at planting with 90% opacity within 5 years

View Brookside Site Plan

A story map

Brookside Village Residential Subdivision

Other Developments

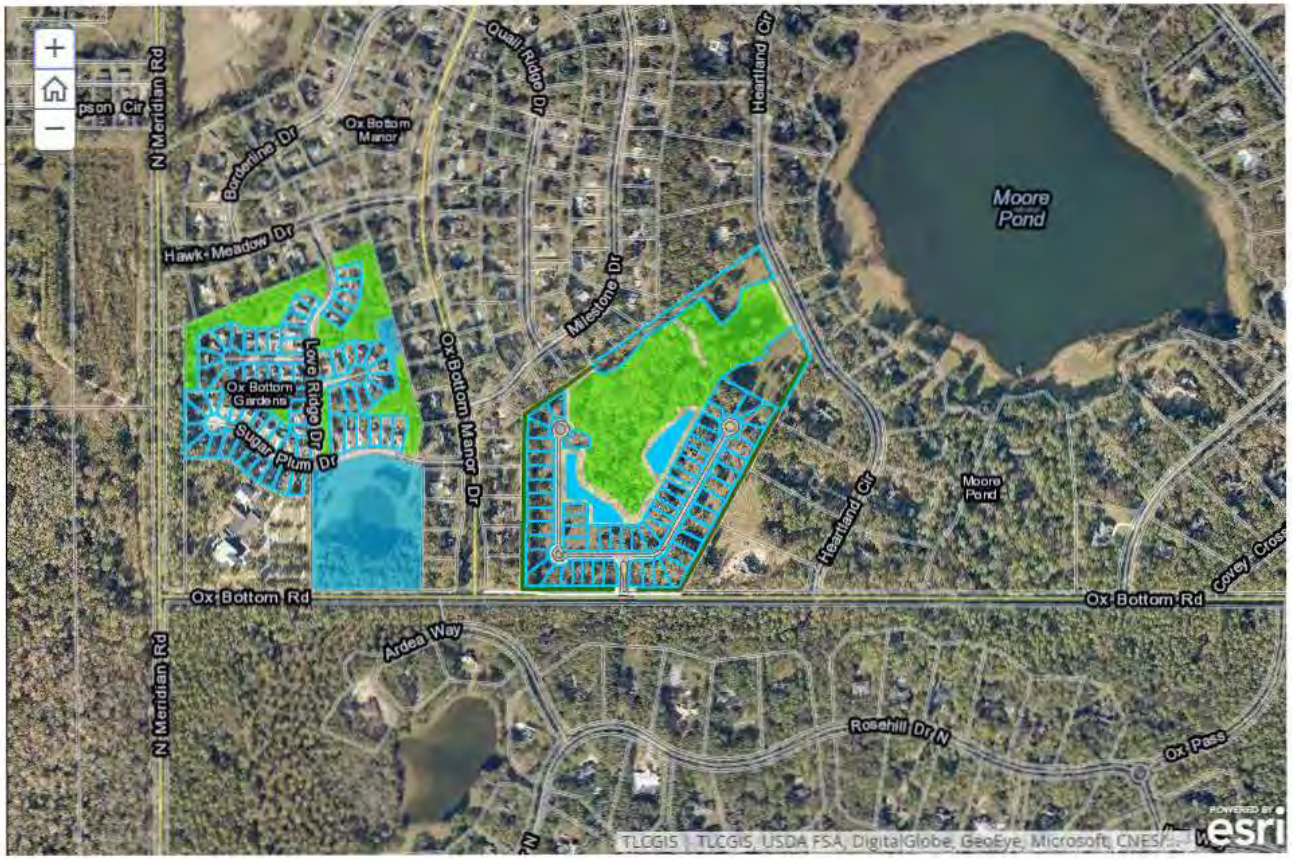
Other single-family detached subdivisions within the Residential Preservation zoning and future land use category. Ox Bottom Crest is a recently approved PUD and is highlighted to show similar development along Ox Bottom Road.

Ox Bottom Gardens (1993)

- 67 Lots
- Gross Density: 1.93 du/ac
- Smallest Lot: 0.13 ac
- Average Lot: 0.19 ac
- 75' buffer (type and opacity unknown)

Ox Bottom Crest (2016-2017)

- 132 Lots



A story map

Brookside Village Residential Subdivision

- Average Lot: 0.19 ac
- 75' buffer (type and opacity unknown)

Ox Bottom Crest (2016-2017)

- 132 Lots
- Gross Density: 3.01 du/ac
- Smallest Lot: 0.12 ac
- Average Lot: 0.17 ac
- 30' buffer (type and opacity unknown)

Villas At Mahan (2016)

- 32 Lots
- Gross Density: 4.34 du/ac
- Smallest Lot: 0.09 ac
- Average Lot: 0.12 ac
- 10' Type A buffer

Jacksons Gap (2008)

- 25 Lots

A story map

Brookside Village Residential Subdivision

Ox Bottom Crest (2016-2017)

- 132 Lots
- Gross Density: 3.01 du/ac
- Smallest Lot: 0.12 ac
- Average Lot: 0.17 ac
- 30' buffer (type and opacity unknown)

Villas At Mahan (2016)

- 32 Lots
- Gross Density: 4.34 du/ac
- Smallest Lot: 0.09 ac
- Average Lot: 0.12 ac
- 10' Type A buffer

Jacksons Gap (2008)

- 25 Lots
- Gross Density: 3.51 du/ac
- Smallest Lot: 0.12 ac
- Average Lot: 0.17 ac
- 10' Type A buffer

A story map

Brookside Village Residential Subdivision

- Average Lot: 0.12 ac
- 10' Type A buffer

Jacksons Gap (2008)

- 25 Lots
- Gross Density: 3.51 du/ac
- Smallest Lot: 0.12 ac
- Average Lot: 0.17 ac
- 10' Type A buffer

Preserve at Buck Lake (2014-2016)

- 44 Lots
- Gross Density: 2.8 du/ac
- Smallest Lot: 0.14 ac
- Average Lot: 0.22 ac
- 10' Type A buffer

Centerville Trace (1988-1991)

- 167 Lots
- Gross Density: 2.6 du/ac
- Smallest Lot: 0.27 ac
- Average Lot: 0.38 ac

A story map

Brookside Village Residential Subdivision

- Average Lot: 0.12 ac
- 10' Type A buffer

Jacksons Gap (2008)

- 25 Lots
- Gross Density: 3.51 du/ac
- Smallest Lot: 0.12 ac
- Average Lot: 0.17 ac
- 10' Type A buffer

Preserve at Buck Lake (2014-2016)

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- 10' Type A buffer

Centerville Trace (1988-1991)

- 167 Lots
- Gross Density: 2.6 du/ac
- Smallest Lot: 0.27 ac

A story map

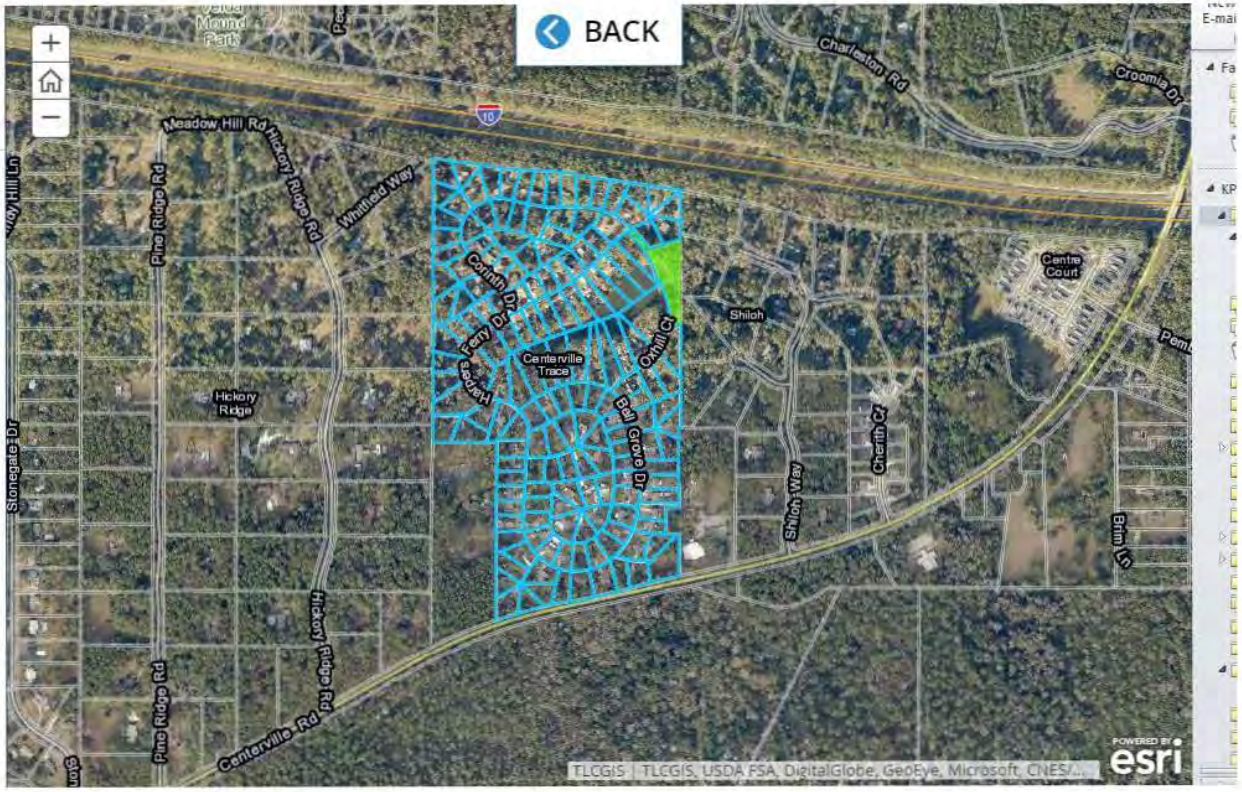
Brookside Village Residential Subdivision

Centerville Trace (1988-1991)

- 167 Lots
- Gross Density: 2.6 du/ac
- Smallest Lot: 0.27 ac
- Average Lot: 0.38 ac
- No buffers; Lots contained environmental features

View Brookside Site Plan

Summary Tables



A story map

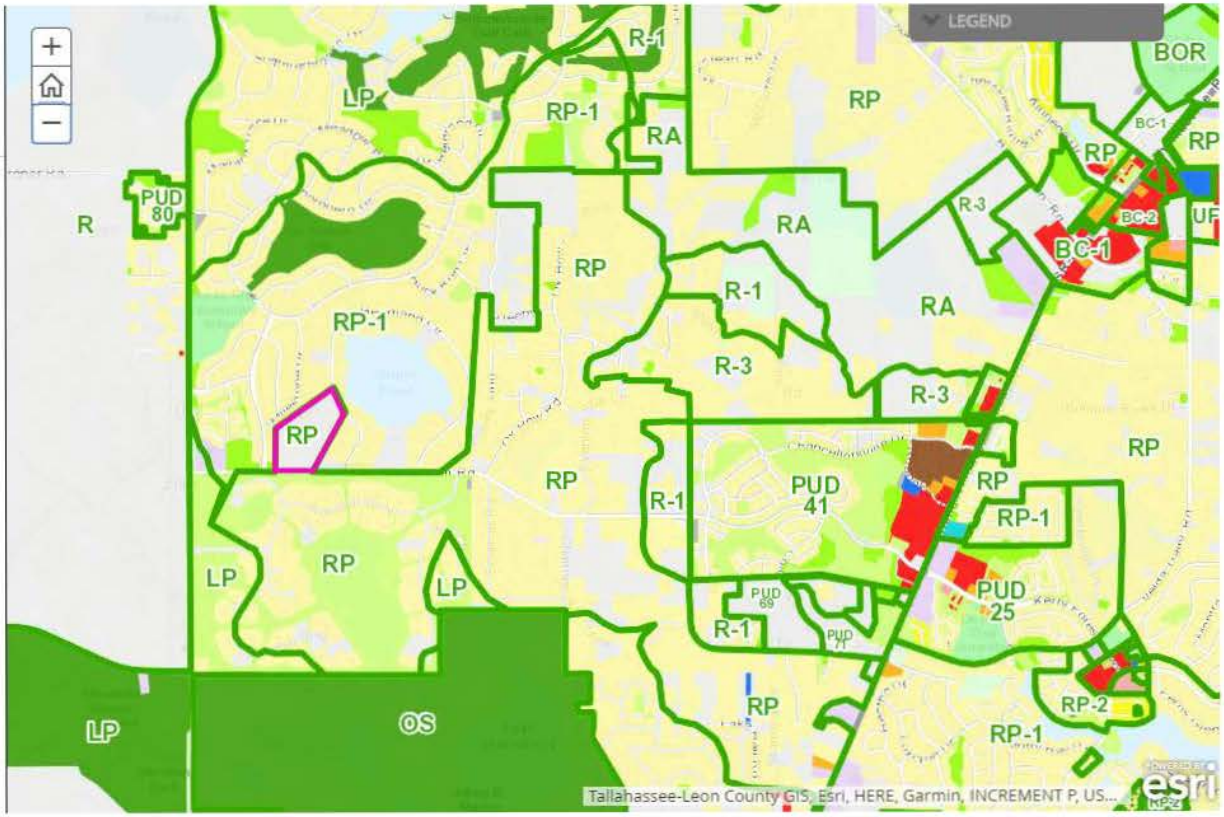
Brookside Village Residential Subdivision

Surrounding Land Uses

Existing land uses in close proximity to the Brookside Subdivision

Existing Land Use

- Single Family Detached/Mobile Home
- Single Family Attached
- Two-Family Dwelling
- Multi-Family
- Hotel/Motel
- Medical
- Retail
- Office
- Warehouse
- Government Operation
- Schools/Colleges/Universities
- Open Space Undesignated
- Open Space Common Areas
- Open Space Resource Protection
- Open Space State & National Forest
- Open Space Recreation/Parks



A story map

Brookside Village Residential Subdivision

Smallest Adjacent Lots

Adjacent Development Overview

Ox Bottom Gardens

Moore Pond

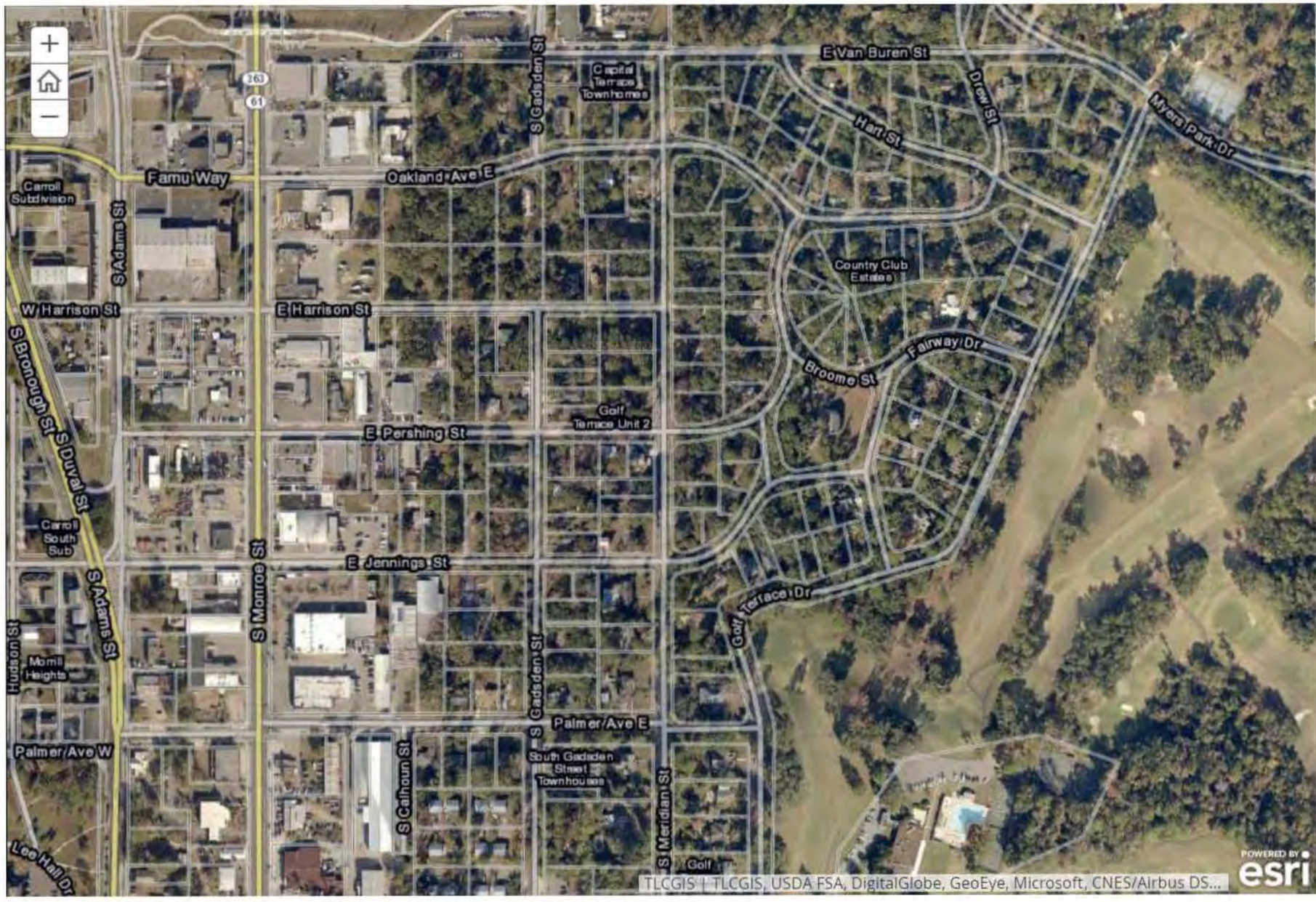
Ox Bottom Manor

Deerwood at Ox Bottom Manor

View Brookside Site Plan

Other Developments

Other single-family detached subdivisions within the Residential Preservation zoning and



A story map

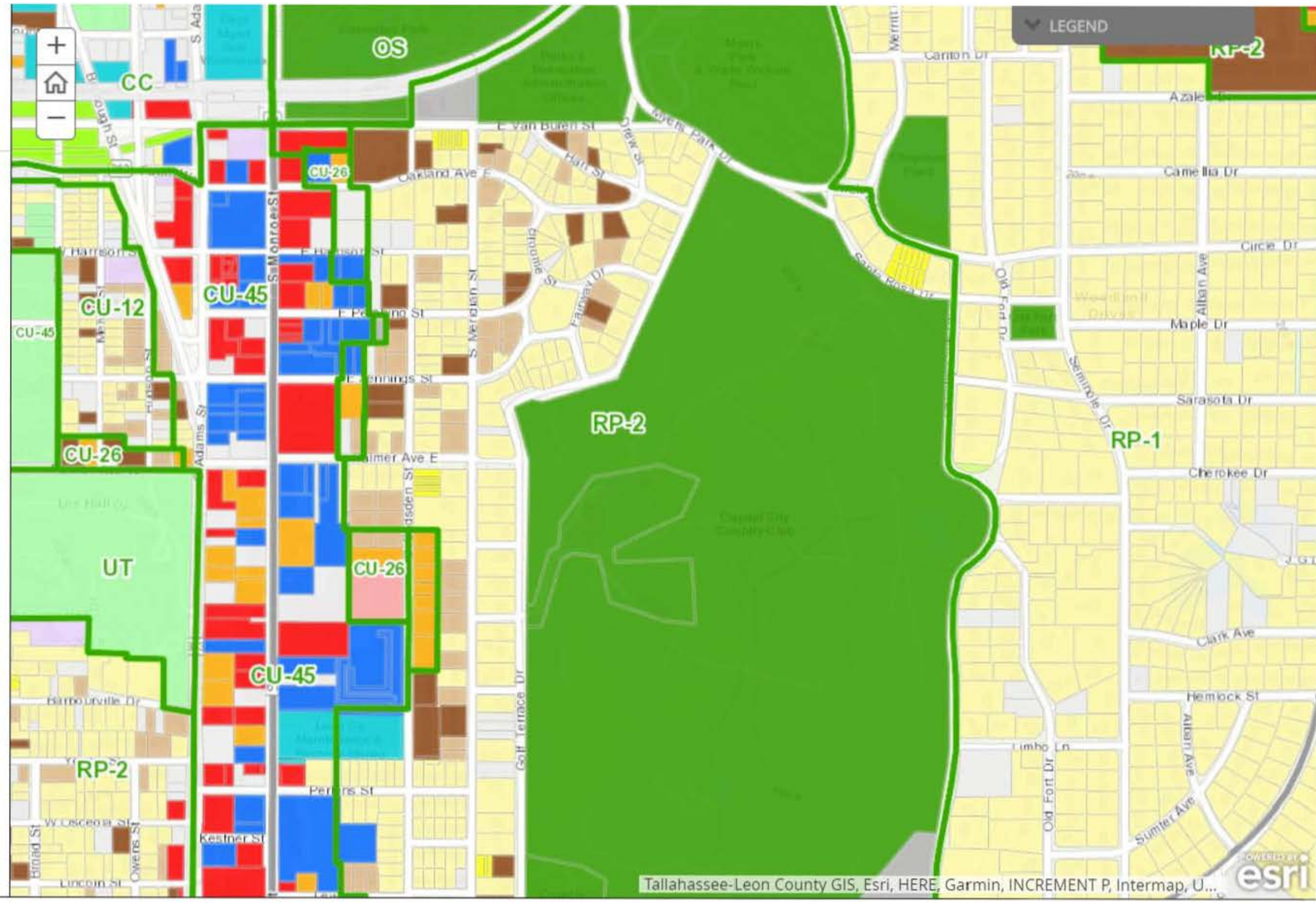
Brookside Village Residential Subdivision

Surrounding Land Uses

Existing land uses in close proximity to the Brookside Subdivision

Existing Land Use

- Single Family Detached/Mobile Home
- Single Family Attached
- Two-Family Dwelling
- Multi-Family
- Hotel/Motel
- Medical
- Retail
- Office
- Warehouse
- Government Operation
- Schools/Colleges/Universities
- Open Space Undesignated
- Open Space Common Areas
- Open Space Resource Protection
- Open Space State & National Forest
- Open Space Recreation/Parks
- Religious/Non-profit
- Transportation/Communications/Utilities
- Water
- Vacant



RESPONDENTS' JOINT EXHIBIT 9

Susan E. Poplin

3523 Old St. Augustine Road,
Tallahassee, Florida 32311
Poplinhld@aol.com
Cell: (850)766-2741 Work: (850)891-6446

WORK EXPERIENCE

Tallahassee-Leon County Planning Department (2011 to Present)

Principal Planner
06/16 to Present

Other positions:
- **Senior Planner 10/12 to 06/16**
- **Consultant 05/11 to10/12**

- Provide team leadership and assist Planning Land Use Administrator; serve as acting manager for the Planning Land Use Administrator during absences
- Complete analyses and reviews of rezonings, site plans, PUDs, and determine comprehensive plan consistency of projects/code
- Coordinate and manage special projects such as school concurrency and livable communities; and provide staff support as necessary for other special projects
- Coordinate and manage Post-Disaster Redevelopment Plan Development as part of hazard mitigation grant
- Provide customer service and technical assistance to clients
- Coordinate professional development opportunities for planning staff
- Assist with County/City emergency management functions during activation

Department of Community Planning - Florida Dept. of Community Affairs (1996-2011)

Regional Planning Administrator
08/06 – 04/11

Other positions:
- **Principal Planner 03/04 to 08/06**
- **Senior & Planner 11/98 to 03/04**
- **Planner IV 10/96 to 11/98**
- **Planner II 01/96 to 10/96**

- Provide advanced planning expertise and managerial skills to manage the north Florida planning Team to implement Chapter 163 and 380, Florida Statutes, for local planning efforts
- Review comprehensive plans, manage grants, serve as expert witness, hold and direct meetings (including those at the secretarial level), and manage special projects, such as school concurrency planning, as assigned
- Assist with the department's emergency management functions during activation

Department of Community Assistance - Florida Dept. of Community Affairs (1992 to 1996)

Consultant
07/94 to 01/96

Other Position:
- **Planner II P/T 04/92 to 06/94**

- Provide support assistance for weatherization and FloridaFix plans including leveraging, state plan development and rule development
- Assist with the department's emergency management functions during activation

Florida State University - Dept. of Textiles and Consumer Services (2000 to 2001)

Adjunct Instructor (P/T)

- Develop course materials and instruct a course on Housing and Human Behavior
- Evaluate students and file course review

Long and Foster Realty, Inc. – Property Management Division (1990 to 1991)

Assistant/Support Services	• Prepare management and lease contracts for 96 residential units • Conduct sales presentations and site visits for property management services; • Perform income and risk analyses for potential residents; • Assist with routine correspondence, using the MLS system; and • Answer phones.

The Gables Corporation - Property Management Division Central Office (1988 to 1990)

Assistant/Support Services	• Review the weekly and monthly rent collections and prepare a rental report for all communities • Collect data and input figures for the annual budget for each community • Collect data and generate quarterly financial reports for rental property investors as well as collect and analyze surveys for the marketing director • Assist with routine correspondence and answer phones at the central office

EDUCATION

1995	**Florida State University** Masters of Science Urban and Regional Planning	Tallahassee, FL
1988	**Virginia Polytechnic Institute and State University** Bachelors of Science, Public Administration/Business	Blacksburg, VA

SKILLS

Computer: MS Office standard, Arcview GIS, SmartBoard, ProjectDox, EDMS, and OnBase
Supervisory Training: "Supervising" and "Would I Follow Me" and various others
Other Training: Ethics, Technical, and Continuing Education

AWARDS/MEMBERSHIPS

- Executive Committee Officer, Capital Area Section of Florida American Planning Association (APA), 2015-present
- Primary Advisor, Leon High School GirlTalk (Tally Teen Chat) Chapter, 2017
- 5-Year Service Recognition, City of Tallahassee, 2017
- Board of Directors, Appreciation Award, Leon High School Soccer Program, March 2016
- Charles G. Pattison Award 2003
- American Institute of Certified Planners (AICP) since 1997 & APA Member since1994
- Governor's Distinguished Service Award, 1993

MAJOR FUNCTION

This is advanced professional work in transit or community planning, research, and design relating to long range planning and/or urban design, current land development and rezoning proposals, environmental assessment, planning and ecological research, or planning and developing programs, depending upon the functions of the department to which the position is assigned. An employee in a position allocated to this class receives direction from a higher level professional or manager and must exercise considerable judgment in technical planning matters.

ESSENTIAL AND OTHER IMPORTANT JOB DUTIES

Essential Job Duties

Works as an ombudsman to assist applicants through the development review process for applicants within design review districts. Writing and developing plans and ordinances analyzing planning issues, analyzing and writing reports with recommendations on Comprehensive Planning text and map amendment requests. Collects and analyzes data; writes reports and makes recommendations that result in improved service delivery. Oversee the development, implementation and maintenance of projects, programs, and activities formulated as a result of research activities. Is responsible for executing a wide variety of planning and planning-related tasks; coordinates the efforts of agencies concerned with planning and funding activities; plans and organizes the work of for the most efficient performance of the duties involved; receives general work assignments, schedules their completion and makes assignments to subordinates; acquires, compiles and analyzes research data and prepares reports; performs the more difficult planning assignments and reviews work done by subordinates; reports to superior on the progress of work; makes adjustments as necessary in the scheduling of work and prepares or reviews plans and reports. Assists and informs the public and other departments on matters concerning planning and environmental management, as is applicable. Conducts environmental assessments of specific sites or project proposals. Conducts research on various environmental development issues; writes and develops management strategies and technical reports. Documents and analyzes building permit information. Analyzes proposed annexation areas to determine conformance with local, state, and federal statutory laws. Collects and analyzes data for various research publications. Attends meetings of the City and County commissions and meetings of appointed planning boards or committees. Coordinates the work of Planner I and Planner II in insuring compliance with applicable codes and permitting requirements. Performs related work as required.

Lead staff person on matters that pertain to amendments to the zoning map and site plan review and subdivision regulations as assigned. Reviews/evaulates development applications, rezonings, and Planned Unit Developments for consistency with the Comprehensive Plan, land development regulations, reports and issues. Prepares amendments to regulations, presents final work product in writing or verbally. Evaluates problems, coordinates responses to citizens and elected officials through the Citizen Relations Office. Conducts site visits. Analyzes land use applications. Prepares oral and written reports concerning same. Reports to City Commission and County Commission, and administers Planning Commission, Canopy Roads Citizens Committee and Development Review Committee. Prepares agendas and agenda materials for a minimum of six regular meetings per month. Researches and prepares reports on land use studies. Administers public hearing process on developments of Regional Impact and participates in the review process. Assists with reviewing minutes of Planning Commission and Canopy Roads Citizens Committee. Prepares memoranda and correspondence pertaining to any aspects of zoning or current plans. Works with developers and landowners to integrate developments within the community and ensure plans are consistent with policy directive. Performs related work as required.

Other Important Duties
Serves on various committees as required. Serve as grants management coordinator, which includes tracking available funding, research, monitoring, proposal and report development to comply with grant funding requirements and some program implementation. Monitors expenditures for work orders. Provide training to other staff in the use of specialized equipment and applications used in job performance. Attends training and developmental sessions to keep abreast of events in subject area. Performs related work as required.

DESIRABLE QUALIFICATIONS

Knowledge, Abilities and Skills
Thorough knowledge of the principles and practices of planning and urban design. Considerable knowledge of laws and regulations related to planning. Ability to read and review architectural drawings and site plan documents. Ability to conduct Planned Unit Development Reviews. Ability to formulate land development regulations. Ability to perform technical research work and to give reliable advice on difficult planning projects. Ability to maintain effective working relationships as necessitated by the work. Ability to communicate effectively orally, with visual aides, and in writing. Skills in research methods and analysis. Skill in the use of personal computers and some associated programs and applications necessary for successful job performance.

Minimum Training and Experience
Possession of a master's degree in urban and regional planning, public or business administration, or a related field and three years of professional experience that includes urban, county and/or regional planning in the public and/or private sector; or possession of a bachelor's degree in urban and regional planning, public or business administration, or a related field and four years of professional experience that includes urban, county and/or regional planning in the public and/or private sector; or an equivalent combination of training and experience.

Necessary Special Requirement
At the department director’s discretion, a valid Class E State driver’s license may be required for any of the designated positions allocated to this class.

Established 03-23-13

RESPONDENTS' JOINT EXHIBIT 10

Shawna E. Martin

2510 Goldenrod Way, Tallahassee, FL 32311 ♦ (850) 766-1242 ♦ Shawna.Martin@hotmail.com

Summary of Qualifications

Mature multi-disciplinary management professional with considerable experience coordinating with numerous city, county and state departments, as well and civic and community groups, to effectively complete key projects.

Education

Masters of Science in Planning, 2007
FLORIDA STATE UNIVERSITY - Tallahassee, FL
Major Studies: Environmental Planning and Natural Resource Management

Bachelor of Science in Biological Sciences, 1996
FLORIDA STATE UNIVERSITY - Tallahassee, FL

Certifications and Honors

AICP Certification, American Institute of Certified Planners, May 2016

The Adaptive Leader Certification, Association of Fish and Wildlife Agencies, 2012

The Edward E. McClure Award for Academic Achievement, FSU, Department of Urban & Regional Planning, 2008

Professional Experience

LEON COUNTY DEPARTMENT OF DEVELOPMENT SUPPORT AND ENVIRONMENTAL MANAGEMENT (DSEM) - Tallahassee, FL
Principal Planner, November 2016 – Present**; Senior Planner,** October 2014 – November 2016; **Planner II,** July 2012 – October 2014

My responsibilities include aiding citizens, developers and elected officials in navigating the County's land development process and shaping future development by recommending and developing amendments to the Comprehensive Plan and Land Development Regulations (LDRs).

FLORIDA FISH AND WILDLIFE CONSERVATION COMMISSION - Tallahassee, FL
OPS Government Operations Consultant/Stakeholder Coordinator, September 2011 – June 2012

I served as the Stakeholder Coordination Specialist for statewide stakeholder engagement efforts to develop imperiled species management plans for 60 state-listed wildlife species. The project that involved 80 biologists statewide and required coordination across agency divisions as well as with outside interest groups for its development and implementation.

PANAMA CITY COMMUNITY REDEVELOPMENT AGENCY (CRA) – Panama City, FL
St. Andrews Community Redevelopment Agency Program Manager & St. Andrews Waterfronts Florida Partnership (non-profit) Program Manager, August 2009 to August 2011

As Community Redevelopment Area (CRA) Program Manager, I was solely responsible for the direct implementation of the St. Andrews CRA Plan. St. Andrews CRA I soon found was quite unique amongst other CRAs in that it had a formal citizen support board that oversaw the implementation of the CRA

redevelopment plan and since their redevelopment boundaries overlapped, also served as the Waterfronts Florida Partnership board for the Waterfronts Florida Program with DCA.

DEPARTMENT OF COMMUNITY AFFAIRS – Tallahassee, FL
Senior Planner/Waterfronts Florida Program Coordinator, January 2008 to July 2009;
Planner II/Waterfronts Florida Program, January 2007 to January 2008

In this role I provided technical coordination and support for the Waterfronts Florida Program, assisting Florida's coastal communities with waterfront revitalization focused on hazard mitigation, public access, environmental and cultural resource protection and economic retention and redevelopment. Part of meeting the program's goals requires close linkage with goals, objectives and policies within a county's comprehensive plan.

SELECTED PUBLICATIONS & PRESENTATIONS

Guiding the Way to Waterfront Revitalization: A Best Management Practices Series, prepared by the Department of Community Affairs (June 2007), Contributor

The Waterfronts Florida Program: Revitalizing and Preserving Florida's Working Waterfronts, Strategic Plan 2008-2018, prepared by the Department of Community Affairs (2008), Contributor & Editor

Coastal Cities Summit 2008 Annual Conference, St. Petersburg, FL, Presenter on Joint Panel: Coastal & Waterfront Smart Growth

Waterfronts Florida Partnership Program: Community Case Studies, prepared by the Department of Community Affairs (May 2009), Contributor & Editor

Smart Growth for Coastal and Waterfront Communities, joint publication prepared by NOAA, EPA, ICMA and SeaGrant (September 2009), Contributor

RESPONDENTS' JOINT EXHIBIT 11

Wendy Grey, AICP
Resume

Phone: 850-566-0155 P.O. Box 6574
E-mail: wendygrey@wendygreyplanning.com Tallahassee, Florida 32314

Professional Experience

Managing Member, Wendy Grey Land Use Planning LLC

September 2002 -

Services provided in the following areas:

- Comprehensive Planning
- Community Planning
- Public Involvement
- Expert Witness Testimony

Selected Projects

Local Government Clients

- Greater Frenchtown/Southside Community Redevelopment Plan, Tallahassee, Florida. Updating the Community Redevelopment Plan to meet statutory requirements and incorporate public input. Project includes assessment of existing land use and infrastructure conditions, land use regulations, and demographic data.
- Mixed-Use Property Market Analysis, Feasibility Analysis and Follow-On Services, Tallahassee Community Redevelopment Agency, Florida. As subconsultant to GAI Consultants, Inc., serve as land use planner evaluating impact of local plans and land development regulations on development options.
- Alternative Transportation Analysis, Star Metro, Tallahassee, Florida. As subconsultant to HDR, Inc., led team effort analyzing alternative transportation routes in relation to existing and proposed land use patterns, zoning, and opportunities for redevelopment.
- Albany-Dougherty County Zoning Code Revisions, Albany/Dougherty County, Georgia. Restructured zoning code to consolidate related

provisions and eliminate inconsistencies. Provided Planning Department staff with recommendations for efficient implementation of zoning regulations. Assisted staff with revisions to development standards within the Code.

- City of Perry Downtown Report, Perry Florida. As subconsultant to Wood+Partners, served as land use policy planning expert and facilitated public involvement. Specific responsibilities included facilitating focus group meetings and developing goals, strategies, and implementation tasks based on research and public input.
- Woodville Highway Corridor Study and Project Development and Environmental Study. Leon County, Florida. As subconsultant to Kimley-Horn, served as land use resource expert. Participated in stakeholder meetings involving elected officials, city and county staff, and economic development officials. Coordinated and participated in stakeholder meeting with residents. Developed the land use concept for redevelopment of the study area based on land use trends and stakeholder and charette input.
- City of Panama City Downtown Future Land Category, Panama City, Florida. As subconsultant to Wood+Partners, Inc., assisted in developing a new Downtown future land use category to promote mixed use development. In conjunction with other team members, developed and implemented a public participation process. Working with Wood+Partners, drafted a new zoning district to implement the future land use category.
- City of Lynn Haven Evaluation and Appraisal Report (EAR), Lynn Haven, Florida. Served as project manager for a team of consultants responsible for preparing the EAR in compliance with state rules. Project included analysis of population and land use trends; analysis of major issues identified by the City; assessment of Comprehensive Plan implementation status; assessment of implementation of new state planning mandates; and recommendations for changes to the City's plans, regulations, and policies. Project also involved meetings with the Local Planning Agency and City Council and coordination with the Florida Department of Community Affairs.
- City of Lynn Haven Evaluation and Appraisal Report (EAR) Based Amendments, Lynn Haven, Florida. Served as project manager for a team of consultants responsible for preparing amendments to the City's Comprehensive Plan to address recommendation in the EAR.

- City of Panama City Evaluation and Appraisal Report (EAR) Based Amendments, Panama City, Florida. Assisted City with preparation of data and analysis to support Comprehensive Plan amendments, including projection of future population and demand for housing. Review and comment on proposed plan revisions prepared by staff.
- City of Callaway Evaluation and Appraisal Report (EAR) Based Plan Amendments, City of Callaway, Florida. Working with City staff, updated the Plan incorporating most recent data, prepared agenda items, and presented these items at workshops and hearings.
- Peer Review of Lake County Comprehensive Plan, Lake County. Florida. As subconsultant to Renaissance Planning Group, Inc., reviewed staff generated revisions to elements of the Lake County Comprehensive Plan for internal consistency, clarity, and consistency with the State minimum requirements.
- Comprehensive Plan Update, Walton County, Florida, As sub-consultant to Kimley-Horn and Associates, reviewed elements of the Walton County Comprehensive Plan and recommended amendments to make the document more comprehensible, consistent, and usable.

Private Clients

- Sandestin Owners Association, Sandestin, Florida. Provided professional land use planning services to the Association. Evaluated the compliance of development within Sandestin for compliance with Development of Regional Impact Development Order. Prepared and presented assessments and recommendations to the SOA executive board. Provided expert witness testimony to the Walton County Commission regarding compliance issues.
- EBSCO Gulf Coast Development, Inc.
    - Lupin Beach Planned Unit Development, Walton County Florida: Served as land use planner for development. Primary responsibilities were preparation of compatibility analysis, justification of requests for deviation from land development code standards, and Comprehensive Plan and land development code consistency analysis.
    - Review of Walton County Evaluation and Appraisal Report (EAR)-Based Amendments to the Comprehensive Plan. Analyzed proposed amendments to the County's Plan and recommended changes to address concerns of EBSCO and to improve the amendments' clarity and utility.
- Hickory Hill Development of Regional Impact, Hernando County, Florida. Retained by Sierra Properties to respond to the Florida Department of

Community Affair's objections to a Comprehensive Plan amendment based on a 2,700 acre Development of Regional Impact (DRI) in Hernando County.

- Comprehensive Plan Consistency Analyses and Land Use Compatibility Analyses. Prepared comprehensive plan consistency analyses and/or land use compatibility analyses in support of rezoning requests and site plan proposals. Projects have been located in Walton and Bay Counties and the cities of St. Cloud and Palm Bay, Florida.

Expert Witness

Qualified as an expert witness in planning in Florida Department of Administrative Hearings and in Circuit Court. *Expert witness resume available upon request.*

Publications

Planning Commissioners Journal. Serve as columnist for national publication serving citizen planners. (2010 –2012)

Florida League of Cities *Quality Cities* Magazine. Served as regular columnist on planning and growth management issues from (2003 – 2006). Articles can be found at http://www.wendygreyplanning.com/publications.html.

Director, Tallahassee-Leon County Planning Department, Tallahassee, Florida January 1992 – September 2002

Major responsibilities included working with elected officials and community interest groups to identify and provide direction on major planning issues; directing the staff activities of the Metropolitan Planning Organization; and managing citizen involvement and education activities.

Selected Projects

- Directed the Comprehensive Plan amendment process for Tallahassee and Leon County. Managed the process of evaluating proposed amendments, providing analysis and recommendations to local elected officials, and responding to any objections raised by the Florida Department of Community Affairs. Directed preparation of Evaluation and Appraisal Report.
- Directed the development and adoption of a new zoning code and map for 22,000 parcels to address code deficiencies.

- Directed a study to identify an alignment for a major new urban arterial roadway, the Blair Stone North extension, and obtain public consent.

Assistant to the City Manager, City of Tallahassee, Florida
May 1990 – January 1992
Provided professional and administrative assistance to the City Manager and City Commission in implementing City policy. Major responsibilities included managing internal policy development and communications, public information, and intergovernmental programs.

Chief, Division of Economic Development and Special Projects, Tallahassee-Leon County Planning Department, Tallahassee, Florida
March 1988-May 1990
Responsible for economic development and downtown development projects including permitting of City industrial park and development of downtown plan and zoning code.

Community Programs Administrator, Bureau of Local Planning, Department of Community Affairs, Tallahassee, Florida
October 1987 – February 1988
Supervised planners charged with reviewing local comprehensive plans for compliance with state statutes and rules. Worked with local government planners and consultants to improve consistency between state guidelines and local plans.

Planning Manager, Bureau of State Land Planning, Department of Community Affairs, Tallahassee, Florida
August 1984 – September 1987
Served as lead Department staff for Resource Planning and Management Committees established by the Governor to develop regional resource management plans for key environmental areas of the State.

Federal Program Administrator, Bureau of State Land Planning, Department of Community Affairs, Tallahassee, Florida
December 1982 – July 1984
Obtained and managed a federal grant to study urban waterfronts in Florida. Edited and prepared articles for a series of publications on urban waterfront issues.

Federal Programs Coordinator, Office of Federal Coastal Programs, Department of Community Affairs
November 1980 – December 1982

Reviewed, analyzed, and responded to federal technical and policy documents concerning coastal energy development. Developed and presented educational and technical materials on offshore oil and gas exploration for concerned local and regional government and interest groups. Managed federally funded projects studying the local impacts of coastal energy activity.

Education

- Master in Regional Planning, Cornell University, 1980
- Bachelor of Art in Environmental Studies, State University of New York at Binghamton, 1976

Certifications

- Certified Planner, American Institute of Certified Planners

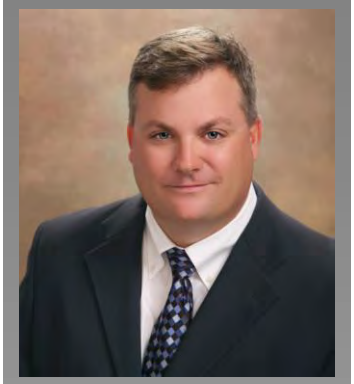
Specialized Training

- Systematic Development of Informed Consent, presented by the Institute for Participatory Management and Planning: 2012, 2002, and 1996
- Citizen Participation by Objectives, presented by the Institute for Participatory Management and Planning, 2012 and 1996

Professional/Community Activities

- Member, American Institute of Certified Planners and American Planning Association
- Co-Chair: Zonta Club of Tallahassee Legislative Advocacy and Awareness Committee (2014 -)
- Team Leader, South City Revitalization Planning Team (2014 - 2015)
- Member, Capital Region Transportation Planning Agency Citizen Advisory Committee (2011 -2013)
- Member, Florida Advisory Council on Small and Minority Businesses (2013 - 2015)
- President, Zonta Club of Tallahassee (2013-2014)
- Member, Woodland Drives Neighborhood Association Lafayette Street Revitalization Committee (2009- 2012)
- Board Member, Tallahassee Trust for Historic Preservation (2002-2007)

RESPONDENTS' JOINT EXHIBIT 12



Sean K. Marston, P.E.

President

Mr. Marston brings with him over twenty-one (21) years of experience in all phases of civil engineering design, environmental permitting and project management associated with stormwater drainage design projects. Mr. Marston has worked in both the public and private sector which has allowed him to work on a variety of projects as listed below. He excels in stormwater drainage and facility design, being proficient in the most recent versions of stormwater design software such as XPSWMM, ICPR and AutoCAD Civil 3D. Mr. Marston has successfully obtained environmental permit approvals from over 20 municipalities and in all 5 Florida Water Management Districts.

Duties & Responsibilities

Principal
President
Professional Engineer

Education

B.S. - Civil Engineering, Florida State University, 1996

GSWCC Level II Certified Design Professional

FDEP Stormwater Erosion and Sedimentation Control Inspector Training Program

FDOT Advanced Maintenance of Traffic

Registration

Professional Engineer
FL: 55987
GA: 31786

Professional Associations

Florida Engineering Society

FSU/FAMU College of Engineering Industry Advisor

Commercial/Residential Drainage Design

Tallahassee, Florida

Big Bend Cares, Inc.
Care Point Health Facility

Parrish Development, Inc.
Regional Center Office Park

Parrish Group, Inc.
Dempsey Office Park

Capelouto Development
Glenview Place

Killearn Country Club
Comprehensive Plan Amendment

Leoni Properties, Inc.
University Village

Rajan Partners, LLC
Dunkin Donuts Developments

Hill Shivers, LLC
Bojangles Developments

School of Arts and Sciences
Campus Expansion

Midway, Florida

St. Joe Commercial
Hammock Creek Commerce Park

Amelia Island, Florida

Omni Hotels
Omni Amelia Island Resort Expansion

Utilities

Tallahassee, Florida

City of Tallahassee
Gaines Street Outfall - Storm sewer design

City of Tallahassee
Transmission Lines 15 A, B, & C - Environmental Permitting

City of Tallahassee
Devlin Drive
Stormwater Modeling

Roadway - Drainage

Tallahassee, Florida

City of Tallahassee
Franklin Boulevard Box Culvert - Drainage Design

City of Tallahassee
FAMU Way Stormwater - Drainage Design

City of Tallahassee
Gaines Street Drainage Design

Institutional

Tomoka Correctional Institution
Department of Corrections
Daytona Beach, Florida

Suwannee Correctional Institution
Department of Corrections
Live Oak, Florida

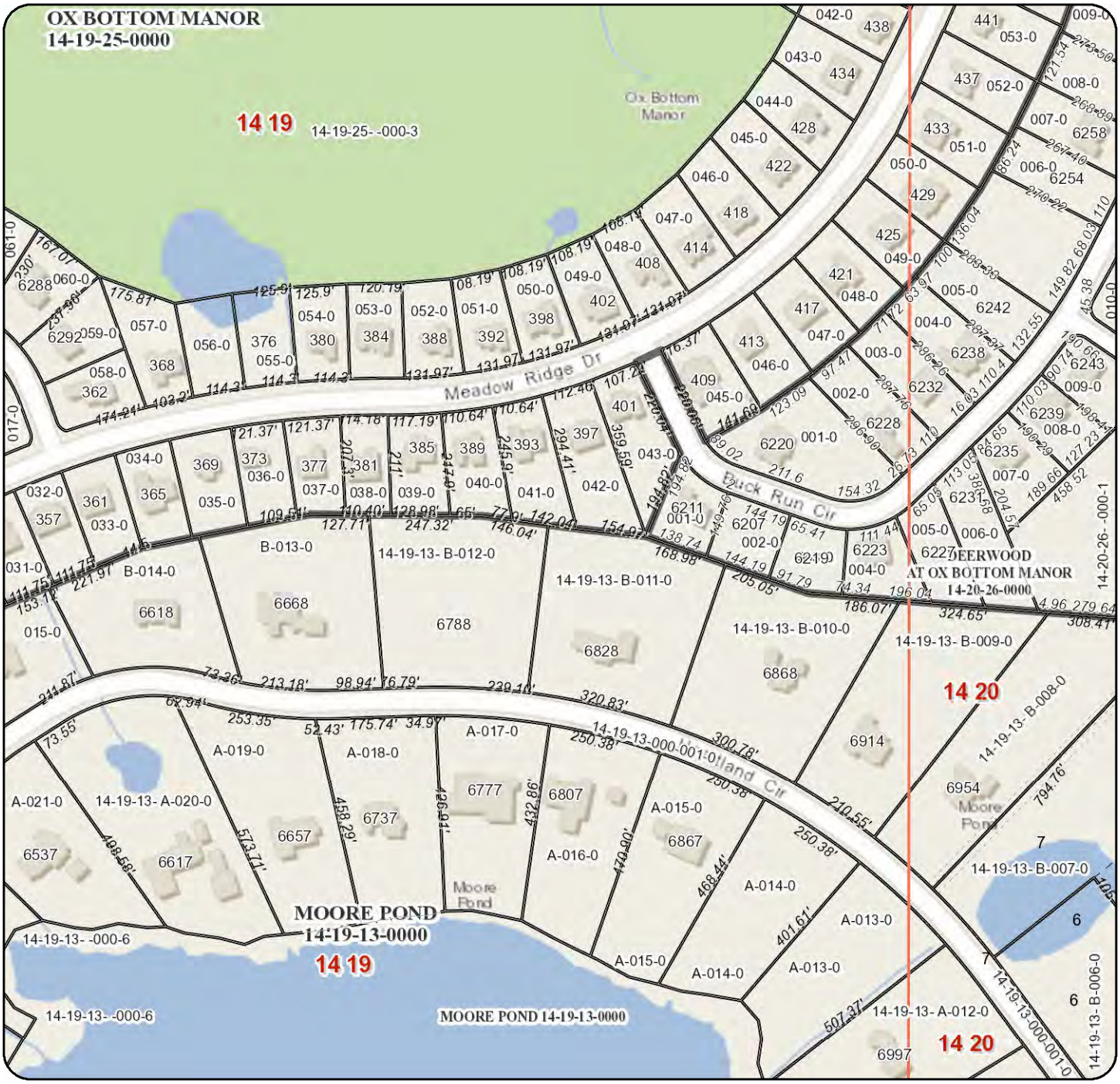
Sumter Reception Center
Department of Corrections
Bushnell, Florida

Havana, Florida
Department of Corrections
Gadsden Re-Entry Center

Calhoun Correctional Institution
Department of Corrections
Blountstown, Florida

Urban Catalyst Consultants

RESPONDENTS' JOINT EXHIBIT 16



Leon County Property Appraiser

Legend

Township	Lot	Building
Section	Access Easement	Park
Subdivision	River	City Limit
Tax Parcel	Waterbody	Imagery 1/2015

N

0 300 600 1,200

ft

Akin Akinyemi, R.A.
Leon County Property Appraiser

315 S. Calhoun St, Third Floor
Tallahassee, Fl. 32301

Phone: (850) 606-6200
Fax: (850) 606-6201

Email: admin@leonpa.org
Website: leonpa.org

DISCLAIMER: This product has been compiled from the most accurate source data from Leon County, the City of Tallahassee, and the Leon County Property Appraiser's Office. However, this product is for reference purposes only and is not to be construed as a legal document or survey instrument. Any reliance on the information contained herein is at the user's own risk. Leon County, the City of Tallahassee, and the Leon County Property Appraiser's Office assume no responsibility for any use of the information contained herein or any loss resulting therefrom.

Date Drawn: Nov 01, 2017

Leon County Property Appraiser

Legend

Township	Lot	Building
Section	Access Easement	Park
Subdivision	River	City Limit
Tax Parcel	Waterbody	Imagery 1/2015

N

0 300 600 1,200

ft

Akin Akinyemi, R.A.
Leon County Property Appraiser

315 S. Calhoun St, Third Floor
Tallahassee, Fl. 32301

Phone: (850) 606-6200
Fax: (850) 606-6201

Email: admin@leonpa.org
Website: leonpa.org

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Date Drawn: Nov 01, 2017

JOINT EXHIBIT OF THE PARTIES 1

LEON COUNTY
PERMITTED USE VERIFICATION
CERTIFICATE NUMBER: VC150071

ISSUED TO:
Name: SEAN K. MARSTON Phone #: 850-999-4241
Address: 2840 PABLO AVE TALLAHASSEE, FL , 32308

Project Acreage: 35.17
Zoning District.: RP
Parcel Tax ID#..: 14-19-20-001-0000

Status: ELIGIBLE
57-LOT RESIDENTIAL SUBDIVISION

----------COMMENTS----------

1: Lot Information

The referenced parcel is located within the Residential Preservation Zoning (RP) District (Section 10-6.617 of the Leon County Land Development Code [LDC]) and is designated Residential Preservation on the Future Land Use Map of the Comprehensive Plan (Policy 2.2.3 of the Tallahassee/Leon County Comprehensive Plan. The RP zoning district is intended to protect existing stable and viable residential areas from incompatible land uses and density intrusions. Generally, the RP district allows for residential development within a range of zero to six units per acre when central sanitary sewer service is available or a maximum of two (2) dwelling units per acre if served by an on-site septic system. The parcel is located inside of the Urban Service Area (USA) and is subject to the City/County Water and Sewer Agreement.

According to the Leon County Property Appraiser's database, the subject parcel is approximately 35.17 acres +/- and is currently developed with 2 single-family dwelling units. Please note that all existing dwelling units shall be counted towards the allowable density. Pursuant to Section 10-7.502(a) of the LDC, a subdivision and every lot therein shall provide documentation of legal access to a publicly dedicated street. Legal access shall mean the right, created by fee simple ownership, insurable right of access, deed or easement recorded in the public records providing for perpetual ingress and egress rights from the premises to a publicly dedicated street. Parcel ID 14-19-20-001-0000 can currently be accessed via Ox Bottom Road (County maintained major collector roadway) and Heartland Circle (privately maintained local roadway).

Eligibility

The applicant has proposed to develop a 57 lot residential subdivision The RP district only allows for the following residential developments: single-family detached, two-family (duplex, as a restricted use) and manufactured homes. Compatibility with surrounding residential type and density shall be a major factor in the authorization of development approval and in the determination of the permissible density. For consistency purposes, single-family detached is the predominant development adjacent to this site. Therefore, only single-family detached site builts would be allowed on this site. The maximum gross density allowed for new residential development in the RP zoning district is 6 dwelling units per acre. Maximum density can only be obtained provided that central sanitary sewer is available. Otherwise, the maximum density is 2 dwelling units per acre.

Review Process

Based on the number of dwelling units proposed, a Type "B" review level is required (Section 10-7.404 of the LDC). There are two (2) available site plan review tracks available for applications that qualify for Type "B" review: Conceptual Plan Approval (CPA) and Final Design Plan Approval (FDPA). Both review tracks require a Natural Features Inventory prior to submitting an application and scheduling an Application Review Meeting (ARM). The CPA track is typically for projects that are more speculative in nature. This track includes condensed submittal requirements while providing the applicant development approval assurances required to market the project and/ or to secure the necessary financing. An approved Environmental Management Permit (EMP) shall be obtained within one year of obtaining conceptual site plan approval. Once an EMP is issued, the site plan approval is valid for a period of 3 years. The FDPA track compresses the overall project review timeframe by including concurrent review of the project's site plan and EMP, allowing the applicant to receive site plan and EMP approval concurrently and, once approved, it is also valid for a

LEON COUNTY
PERMITTED USE VERIFICATION
CERTIFICATE NUMBER: VC150071

period of 3 years.

A final plat is required for subdivision of land that requires Type "B" review. Plats shall be approved by the Board of County Commissioners prior to the transfer of ownership. All infrastructure improvements required to support the proposed development shall be in place/constructed prior to acceptance by the County (Section 10-7.602 of the LDC). Plats containing improvements not dedicated to the public shall file articles, bylaws, and restrictive covenants to be approved by the County Attorney, which provide enforceable assessment procedures for financing the maintenance of any common facilities.

Environmental

The parcels are located within the Lake Lafayette Drainage Basin and the Moore Pond closed basin. Development activity within closed basins must meet the water quality treatment standards outlined in Section 10-4.301 and stormwater management design standards in Section 10-4.303 of the LDC. The following environmental features have also been identified: Wetlands, water bodies, significant grades, severe grades and FEMA Flood Zone A. According to LDC Article IV of Chapter 10, Division 2 (Environmental Management), no development or alterations shall be made in areas identified as conservation or preservation areas. If served by an on-site septic system, within each of the proposed lots, there shall contain at least ½ acre of contiguous buildable area, outside of conservation or preservation areas.

A Natural Features Inventory, which must be approved before filing for a Type "B" review application, is required and will help verify the presence and significance of any additional features that may be present. An Environmental Management Permit will also be required to analyze and mitigate stormwater impacts as a result of the proposed subdivision. All environmental constraints on-site shall be addressed in a manner consistent with the Conservation Element of the Comprehensive Plan and the County Environmental Management regulations, Article IV of the LDC. This review does not include a full analysis of environmental constraints.

If the FDPA track is pursued, the EMP shall be filed and approved concurrently with the Type "B" site plan application. If the CPA track is pursued, a submittal for an Environmental Impact Analysis (EIA) will also be required (after the NFI and prior to EMP). For more information regarding environmental regulations, please contact Environmental Services at (850) 606-1300.

Site Development Standards

Pursuant to Section 10-6.617(d) of the LDC, the applicable development standards, including, but not limited to, front, rear, side and side corner yard setbacks for new residential development in Residential Preservation areas not located in recorded or unrecorded subdivisions shall be established at the time of subdivision and site and development plan review.

As previously stated, all existing dwelling units shall be counted towards the allowable density. Any existing or proposed buildings and their accessory structures (well, septic system including drain fields, utility shed, etc.) cannot cross proposed lot lines. In no case shall an application proposing subdivision of property inside the Urban Services Area, with the exception of one-to-two lot subdivision, be allowed to establish a private residential subdivision as per Section 10-7.200 of the LDC.

The Type "B" site and development plans will be required to demonstrate compliance with the Landscape Buffer Standards set forth in Section 10-7.522 of the LDC. Landscape buffers are required between the perimeter of any existing and proposed development. Buffers are intended to provide a screening function between adjacent compatible and incompatible development. The intensity of plantings and the widths of the required buffers are determined by the existing adjacent land use.

Pursuant to Section 10-7.529, 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 along adjacent rights-of-way. 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

LEON COUNTY
PERMITTED USE VERIFICATION
CERTIFICATE NUMBER: VC150071

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. New development shall also 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 (Section 10-7.502 [b]).

Concurrency

The Type "B" review application shall include a completed Application for Concurrency Determination which ultimately demonstrates compliance with Article III of the LDC, Concurrency Management. Concurrency is the requirement whereby local governments are required to ensure that proposed developments will be provided the necessary services, such as roads, sewers, parks, school capacity, storm water drainage, and so forth, prior to approval. In addition, all residential development in Leon County after June 6, 2008 must meet school concurrency. Please e-mail Ryan Guffey, Concurrency Management Planner, AICP, at GuffeyR@leoncountyfl.gov or call at 850-606-1300 to receive an electronic version of the School Impact Analysis (SIA) form.

Permitted Use Verifications are not development order approvals. This determination shall not be construed to grant exemption from any other development regulation or permitting requirement as may otherwise be applicable. This review does not include an analysis of environmental constraints. All environmental constraints on-site shall be addressed in a manner consistent with the Conservation Element of the Comprehensive Plan and the County Environmental Management regulations, Article IV of the Land Development Code.

----------CONDITIONS----------

Subject to the following sequence of reviews and required approvals:

1: Pre-Submittal Meeting (optional, no fee). Contact: Development Services at 850-606-1300.
2: Subject to City of Tallahassee Water and Sewer Agreement. Contact: City Utilities at 850-891-6101.
3: Natural Features Inventory (NFI) (required prior to submittal of Type "B" review application). Contact: Environmental Services at 850-606-1300
4: Type "B" Site Plan Application. Contact: Development Services at 850-606-1300.
5: Environmental Management Permit (EMP). Contact: Environmental Services at 850-606-1300.
* CPA Track (Environmental Impact Analysis shall be submitted concurrently with Type "B" site plan application and an EMP submitted after Type "B" site plan approval).
* FDPA Track (EMP submitted and approved concurrently with Type "B" Site Plan application).
6: Concurrency Certificate. Contact: Concurrency Management at 850-606-1300.
7: Building Permits. Contact: Building Inspection at 850-606-1300.

Submittal requirements are pursuant to the Leon County Zoning, Site and Development Plan and Subdivison Procedures and Information Manual for the Process identified above.

Subsequent permitting and site plan review may limit the ability to construct above described development. This certificate is exclusive to the terms and conditions herein and is valid under the 2010 Comprehensive Plan and the Leon County Land Development Regulations in effect at the time of issuance. Amendments to the 2010 Comprehensive Plan or to the Land Development Regulations may alter the terms and conditions of this certificate.

No Permitted Use Verification Application and/or Permitted Use Verification Certificate shall be the basis for any claims of estoppel or vesting as against any land development regulations or zoning regulations, which may be adopted on or after the date of the Permitted Use Verification Application and/or the Permitted Use Verification Certificate.

Date: 06/17/2015
Revised N Version: 0
Previous PUV#:_____

Ry D. Guf 6/17/15
Development Services Division
Development Support and Environmental Management

JOINT EXHIBIT OF THE PARTIES 2

LEON COUNTY
PERMITTED USE VERIFICATION
CERTIFICATE NUMBER: VC150071R

ISSUED TO:
Name: Sean K. Marston Phone #: 850-999-4241
Address: 2840 Pablo Avenue, Tallahassee, FL 32308

Project Acreage: 35.17ac +/-
Zoning District: Residential Preservation (RP)
Parcel Tax ID#: 14-19-20-001-000-0

Status: **ELIGIBLE**
64-Lot Single-Family Detached Subdivision

----------**COMMENTS**----------

Lot Information

The referenced parcel is located within the Residential Preservation (RP) Zoning District (Section 10-6.617 of the Leon County Land Development Code [LDC]) and is designated Residential Preservation on the Future Land Use Map of the Tallahassee/Leon County Comprehensive Plan (Policy 2.2.3). The RP district is characterized by existing homogeneous residential areas within the community, predominantly accessible by local streets. The primary function is to protect existing stable and viable residential areas from incompatible land uses and density intrusions, thus only allowing low-density residential development. The parcel is located inside of the Urban Service Area (USA) and is subject to the City/County Water and Sewer Agreement. According to the Leon County Property Appraiser's database, the subject parcel is approximately 35.17 acres +/- and is currently developed with 2 single-family dwelling units. The subject parcel is currently accessed via Ox Bottom Road, a County-maintained Major Collector roadway.

Land Use Review

The applicant requests the development of a 64-lot single-family detached residential subdivision. Pursuant to Section 10-6.617 of the LDC (RP Zoning District), when new residential development inside the urban services area is proposed for an area not located within a recorded or unrecorded subdivision, densities shall be permitted in the range of zero to six dwelling units per acre consistent with the availability of central water and sewer service to accommodate the proposed development. If central water and sewer service is not available, density shall be limited to a maximum of two dwelling units per acre consistent with all applicable provisions of the Environmental Management Act. The residential development shall develop consistent with the type of residential development pattern located adjacent to the vacant parcel, which in this case are single-family detached dwellings. The proposed 64-lot subdivision on the 35.17 acre parcel would equate to a gross residential density of approximately 1.82 dwelling units/acre which falls within the permissible density ranges for the RP zoning district, if connected to central water and sewer.

Pursuant to the thresholds set out in Section 10-7.402 of the LDC (Table 10-7.1), the proposed 64-lot subdivision qualifies for review through a Type "B" site and development plan process. There are two (2) available site plan review tracks available for applications that qualify for Type "B" review: Conceptual Plan Approval (CPA) and Final Design Plan Approval (FDPA). Both review tracks require a Natural Features Inventory prior to submitting an application and scheduling an Application Review Meeting

(ARM). The CPA track is typically for projects that are more speculative in nature. This track includes condensed submittal requirements while providing the applicant development approval assurances required to market the project and/ or to secure the necessary financing. An approved Environmental Management Permit (EMP) shall be obtained within one year of obtaining conceptual site plan approval. Once an EMP is issued, the site plan approval is valid for a period of 3 years. The FDPA track compresses the overall project review timeframe by including concurrent review of the project's site plan and EMP, allowing the applicant to receive site plan and EMP approval concurrently and, once approved, it is also valid for a period of 3 years.

Site Development Standards

Development standards, including, but not limited to, front, rear, side and side corner yard setbacks for new residential development in RP areas not located in recorded or unrecorded subdivisions shall be established at the time of subdivision and site and development plan review (Section 10-6.617(d) of the LDC).

A subdivision and every lot therein shall provide documentation of legal access to a publicly dedicated street pursuant to Section 10-7.502(a) of the LDC. Legal access shall mean the right, created by fee simple ownership, insurable right of access, deed or easement recorded in the public records providing for perpetual ingress and egress rights from the premises to a publicly dedicated street.

Type "B" site and development plans will be required to demonstrate compliance with the Landscape Buffer Standards set forth in Section 10-7.522 of the LDC. Landscape buffers are required between the perimeter of any existing and proposed development. Buffers are intended to provide a screening function between adjacent compatible and incompatible development. The intensity of plantings and the widths of the required buffers are determined by the existing adjacent land use. For proposed single-family residential development adjacent to single-family residential development, the proposed development must provide buffering meeting no less than a Type "A" landscape standard.

Pursuant to Section 10-7.529, 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 along adjacent rights-of-way. Within the Urban Services Area, sidewalks shall be constructed on at least one side of all new streets within the residential subdivision. The proposed development will also be required to provide a sidewalk along Ox Bottom Road for the entire length of the parcel. 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.

New development shall also 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 (Section 10-7.502 [b]), unless determined by the Development Review Committee that physical conditions preclude a connection now and in the future.

In no case shall an application proposing subdivision of property inside the Urban Services Area, with the exception of one-to-two lot subdivision, be allowed to establish a private residential subdivision (Section

10-7.200 of the LDC). A final plat is required for the proposed subdivision. Plats shall be approved by the Board of County Commissioners prior to the transfer of ownership. All infrastructure improvements required to support the proposed development shall be in place/constructed prior to acceptance by the County (Section 10-7.602 of the LDC). Plats containing improvements not dedicated to the public shall file articles, bylaws, and restrictive covenants to be approved by the County Attorney, which provide enforceable assessment procedures for financing the maintenance of any common facilities.

Concurrency

The Type "B" review application shall include a completed Application for Concurrency Determination which ultimately demonstrates compliance with Article III of the LDC, Concurrency Management. Concurrency is the requirement whereby local governments are required to ensure that proposed developments will be provided the necessary services, such as roads, sewers, parks, school capacity, storm water drainage, and so forth, prior to approval. In addition, all residential development in Leon County after June 6, 2008 must meet school concurrency. Please contact the County's Concurrency Management Planner at 850-606-1300 to receive an electronic version of the School Impact Analysis (SIA) form.

Permitted Use Verifications are not development order approvals. This determination shall not be construed to grant exemption from any other development regulation or permitting requirement as may otherwise be applicable. This review does not include an analysis of environmental constraints. All environmental constraints on-site shall be addressed in a manner consistent with the Conservation Element of the Comprehensive Plan and the County Environmental Management regulations, Article IV of the Land Development Code.

Environmental Review

The parcels are located within the Lake Lafayette Drainage Basin and the Moore Pond closed basin. Development activity within closed basins must meet the water quality treatment standards outlined in Section 10-4.301 and stormwater management design standards in Section 10-4.303 of the LDC. The following environmental features have also been identified: Wetlands, water bodies, significant grades, severe grades and FEMA Flood Zone A. According to LDC Article IV of Chapter 10, Division 2 (Environmental Management), no development or alterations shall be made in areas identified as conservation or preservation areas. Within each of the proposed lots, there shall contain at least ½ acre of contiguous buildable area, outside of conservation or preservation areas.

A Natural Features Inventory (NFI), which must be approved before filling for a Type "B" review application, is required and will help verify the presence and significance of any additional features that may be present. An Environmental Management Permit (EMP) will also be required to analyze and mitigate stormwater impacts as a result of the proposed subdivision. All environmental constraints on-site shall be addressed in a manner consistent with the Conservation Element of the Comprehensive Plan and the County Environmental Management regulations, Article IV of the LDC. This review does not include a full analysis of environmental constraints.

If the FDPA track is pursued, the EMP shall be filled and approved concurrently with the Type "B" site plan application. If the CPA track is pursued, a submittal for an Environmental Impact Analysis (EIA) will also be required (after the NFI and prior to EMP). For more information regarding environmental regulations, please contact Environmental Services at (850) 606-1300.

Permitted Use Verifications are not development order approvals. This determination shall not be construed to grant exemption from any other development regulation or permitting requirement as may

otherwise be applicable. This review does not include an analysis of environmental constraints. All environmental constraints on-site shall be addressed in a manner consistent with the Conservation Element of the Comprehensive Plan and the County Environmental Management regulations, Article IV of the Land Development Code.

----------CONDITIONS----------

Subject to the following sequence of reviews and required approvals:

1. Pre-Submittal Meeting (optional, no fee): Contact Development Services at 850-606-1300.
2. Subject to City/County Water and Sewer Agreement: Contact City Utilities at 850-891-6101.
3. Natural Features Inventory (NFI; required prior to submittal of a Type "B" application): Contact Environmental Services at 850-606-1300.
4. Type "B" Site and Development Plan Application: Contact Development Services at 606-1300.
5. Environmental Management Permit (EMP): Contact Environmental Services at 606-1300.
    a. CPA Track (Environmental Impact Analysis shall be submitted concurrently with Type "B" site plan application and an EMP submitted after Type "B" site plan approval).
    b. FDPA Track (EMP submitted and approved concurrently with Type "B" Site Plan application).
6. Concurrency Certificate (including school concurrency): Contact Concurrency Management at 850-606-1300
7. Building Permit: Contact Building Plans Review and Inspection at 850-606-1300.

Submittal requirements are pursuant to the Leon County Zoning, Site and Development Plan and Subdivision Procedures and Information Manual for the Process identified above.

Subsequent permitting and site plan review may limit the ability to construct above described development. This certificate is exclusive to the terms and conditions herein and is valid under the 2030 Comprehensive Plan and the Leon County Land Development Regulations in effect at the time of issuance. Amendments to the 2030 Comprehensive Plan or to the Land Development Regulations may alter the terms and conditions of this certificate.

No Permitted Use Verification Application and/or Permitted Use Verification Certificate shall be the basis for any claims of estoppel or vesting against any land development regulations or zoning regulations, which may be adopted on or after the date of the Permitted Use Verification Application and/or the Permitted Use Verification Certificate.

Date: 1/13/16
Revised: Y

R. O. Cf, D.S.D. 1/14/16

Development Services Division
Department of Development Support &
Environmental Management

JOINT EXHIBIT OF THE PARTIES 3

DEPARTMENT OF DEVELOPMENT SUPPORT & ENVIRONMENTAL MANAGEMENT

SITE AND DEVELOPMENT PLAN APPLICATION OVERVIEW

Leon County
Board of County Commissioners

Department of Development Support
& Environmental Management
435 North Macomb St., 2nd Floor
Renaissance Center, 2nd Floor
Tallahassee, FL 32301

Phone#: (850) 606-1300
Fax#: (850) 606-1301
Website: www.leonpermits.org

Leon County welcomes the opportunity to serve you during the processing of your development proposal. The County's Subdivision and Site and Development Plan Review process includes two review tracks that have been adopted by the Board of County Commissioners in an effort to streamline review of site plan applications. The Two-Track review process, as it is formally known, contains two review tracks that are available, depending upon the level of your site plan application (i.e. Type A, B, C): the Concept Plan Approval (CPA) track and the Final Design Plan Approval (FDPA) track. A description and flow diagram of each respective review track is included as an attachment to this application.

TWO-TRACK REVIEW PROCESS

Applicants for Type A or B level site plans have the option of selecting either the CPA track or the FDPA track. Applications that qualify for review as Type C level site plans shall be reviewed through the FDPA track. Applications that are determined to be Type D level site plans do not qualify for review under the Two-Track review process and shall comply with the review requirements set forth in Section 10-6.696 of the Land Development Code. Regardless of the review track chosen by the applicant, a Permitted Use Verification (PUV) and Natural Features Inventory (NFI) shall be determined eligible/approved prior to submitting an application and scheduling an Application Review Meeting (includes public advertisement and direct mail notification to surrounding property owners) for the proposed project. To fully realize the expedited review benefits of the Two-Track Review Process, the applicant is encouraged to submit applications for building permit review concurrent with review of the site and development plan. Building permits that have completed review will be issued once the site plan application and associated environmental reviews are complete.

CPA Track: As mentioned above, the CPA track is available for projects that qualify as Type A or Type B level site plans. A conceptual Environmental Impact Analysis (EIA) is required as part of the CPA track, and shall be submitted for review concurrent with the concept plan application. Under the CPA track, the EIA requirements are limited to outlining how environmental constraints will be preserved and/or how mitigation measures will be achieved in anticipation of development impacts. Engineering related information and review, including stormwater analysis, will occur subsequent to the site plan approval with review of an Environmental Management Permit (EMP). Development of any such application under the CPA track cannot ensue until such time an EMP has been secured. As-Built and Operating permits must also be approved by the Department of Development Support and Environmental Management. Amendments processed during review of EMP and As-Built permits may necessitate modifications to the concept plan. Modifications to an approved concept plan shall be reviewed based on the criteria set forth in Section 10-7.411. Concurrency review and any anticipated mitigation efforts will need to be satisfied prior to approval of the site plan.

FDPA Track: The FDPA track also provides expedited site plan review by allowing concurrent review of the project's site plan and Environmental Management Permit (EMP). Technical and engineering related information and analysis is handled with concurrent review of a detailed site plan and EMP. The EMP shall include the conceptual EIA submittal requirements outlined in Section 10-7.402.5(a)(3) and all engineering and design level information required to demonstrate compliance with all environmental and stormwater related requirements applicable to the site. Development of any such application under the CPA track cannot ensue until such time an EMP has been secured. As-Built and Operating permits must also be approved by the Department of Development Support and Environmental Management. Amendments to a site plan approved under the FDPA track shall be reviewed based on the criteria set forth in Section 10-7.411. Concurrency review and any anticipated mitigation efforts will need to be satisfied prior to approval of the site plan.

SUBMITTAL REQUIREMENTS

According to the information we have been provided, your project is a Type ____ level site plan. Should the level of site plan change during the course of this process, we will instruct you accordingly. Application checklists, review schedules, and a submittal instruction package are included to facilitate your application process. Application submittals for Pre-Application Meetings (Type D), Application Review Meetings (ARM) or Development Review Committee (DRC) Meetings are generally required two weeks prior to the scheduled meeting. The submittal schedule may be viewed online at http://cms.leoncountyfl.gov/Home/Departments/DevelopmentSupportandEnvironmentalManagement/BuildingPlansReviewandInspection/LegalNoticesandPublicMeetings.

We encourage you to spend some time reviewing this important information and to consult with the Leon County Development Services staff should you have any questions while completing your application. The Development Services staff may be contacted at (850) 606-1300 or at 435 North Macomb Street, 2nd Floor, Tallahassee, FL, 32301.

FDPA Submittal Requirements:
In addition to a completed site and development plan application, the following information needs to be submitted by the applicant:

1. Affidavit of Ownership/Agent Designation	
2. Permitted Use Verification (determined eligible or conditional)	VC # 150071
3. Natural Features Inventory (approved)	LEA # 150037
4. Environmental Management Permit (EMP) Application	LEM # TBD
5. Application for Concurrency Review	LCM # 150024

CPA Submittal Requirements:
In addition to a completed site and development plan application, the following information needs to be submitted by the applicant:

1. Affidavit of Ownership/Agent Designation	
2. Permitted Use Verification (determined eligible or conditional)	VC #
3. Natural Features Inventory (approved)	LEA #
4. Environmental Impact Analysis (EIA) Application	LEA #
5. Application for Concurrency Review	LCM #

Additional attachments if applying for a Type C level site plan:

- Lobbyist Registration Form

Additional attachments if applying for a Type D level site plan:

- Lobbyist Registration Form
- Type D Site Plan Guide

NOTE: Comprehensive Plan requirements prevail in the event of procedural conflicts with the Land Development Code language.

DEPARTMENT OF DEVELOPMENT SUPPORT & ENVIRONMENTAL MANAGEMENT

APPLICATION FOR SITE AND DEVELOPMENT PLAN REVIEW

D - 4

Leon County
Board of County Commissioners

Department of Development Support & Environmental Management
435 North Macomb St., 2nd Floor
Tallahassee, FL 32301

Phone#: (850) 606-1300
Fax#: (850) 606-1301
Website: www.leonpermits.org

Level of Site Plan:
- ☐ Type A Development
- ☒ Type B Development
- ☐ Type C Development
- ☐ Type D Development

Review Process :
- ☐ Concept Plan Approval (CPA)
- ☒ Final Design Plan Approval (FDPA)
- ☐ Planned Unit Development (PUD)

This application must be completed and returned with all attachments referenced in items below to the Leon County Development Support and Environmental Management (DSEM) Department, 435 North Macomb Street, 2nd Floor, Tallahassee, FL, 32301. The completed application will be used by DSEM staff to review your development proposal for consistency with the Comprehensive Plan and demonstrations of compliance with the County Land Development Regulations prior to approval, approval with conditions or denial of the application.

Application for: Application Review Meeting ( ) Development Review Committee ( ) Planned Unit Development ( )

Project Name: Brookside Village Residential Subdivision

1. Applicant

Name:	Address:	Phone#: 850-402-1111
Golden Oak Land Group, LLC,	4708 CAPITAL CIRCLE NW	Fax#:
City: Tallahassee, FL. 32303	State:	Zip:
Email Address: sghazvini@sandcofl.com		

2. Agent/Representative

Name:	Address:	Phone#: 850-999-4241
Urban Catalyst Consultants	2840 Pablo Ave	Fax#:
City: Tallahassee, FL. 32308	State:	Zip:
Email Address: smarston@ucceng.com		

3. Property Owner

Name:	Address:	Phone#:
same as applicant		Fax#:
City:	State:	Zip:
Email Address:		

4. Property Information:

Future Land Use Designation:	Zoning Designation:
Bradfordville Mixed Use	Killearn Lakes DRI
Property Tax I.D. #'s: 14-19-20-001-0000	

Acreage of Property (consistent with legal description and boundary survey):
35.18
Type of Proposed Development and Nature of Request (be as specific as possible):
The intent of this project is to develop the upland portion of the property as a residential subdivision and maintain the environmentally sensitive areas in a conservation easement. The subdivision will be marketed and is intended to be developed as a 55+ Active Adult Community. This development will be designed with smaller homes for empty nesters and people transitioning to downsizing residences.

5. Project Information:

Type of Proposed Development and Nature of Request (be as specific as possible):	
See Site Plan Narrative.	
Number of existing residential units: 3	
Number of existing non-residential buildings/structures:	
Proposed number of non-residential buildings/structures: 0	Total area of buildings/structures (s.f.): 0
Proposed number of residential dwelling units: 64	Type of residential unit(s): single family detached
Does the proposal include subdivision of the property? Yes	If yes, number of proposed lots: 64
Proposed impervious surface area (s.f.):	
Proposed building/structure height:	

6. Other Information:

Variances/Vested Rights Claim/Approved Deviations from Development Standards, existing or applied for, on the subject property (describe and attach appropriate documentation):

n/a

Utility Providers:

Sanitary Sewage Disposal:	☐ On-site Septic System(s)	☒ City of Tallahassee	☐ Talquin Electric Cooperative	☐ Other*
Water Supplied By:	☐ On-site Potable Well(s)	☒ City of Tallahassee	☐ Talquin Electric Cooperative	☐ Other*
Electric Provider:		☒ City of Tallahassee	☐ Talquin Electric Cooperative	☐ Other*

* Please specify:_____

7. FDPA/Type D Site Plan Checklist:

One (1) original set of plans (signed and sealed) are needed for agenda submittal in addition to the electronic plan uploaded to Project Dox, including:

- ☒ Completed site and development plan application for the Application Review Meeting
- ☒ Affidavit of Ownership and Designation of Agent form
- ☒ Permitted Use Verification (PUV) determined 'Eligible' or 'Conditional'
- ☒ Completed application for Concurrency Management Determination
- ☒ Completed School Impact Analysis Form (for residential projects only)
- ☒ Approved Natural Features Inventory (NFI)
- ☒ Environmental Management Permit (EMP) – EMP application submittal required at the time of ARM submittal
- ☒ Site and development plans for review under the FDPA track shall include the following:
  (The specific submittal requirements outlined below may be waived by the County Administrator or designee if the applicant provides adequate documentation as to the inapplicability to the proposed development)

1) Title block containing the following:
   i. Name of proposed development.
   ii. Date of preparation.
   iii. Scale of the site and development plan, both written and graphic.
2) A signed and sealed boundary survey and legal description (by a professional surveyor licensed to practice in the State of Florida).
3) Tax identification number(s) for parcel(s) that are the subject of the application.
4) Total acreage of the parcel(s) that are subject of application.
5) A vicinity map with north arrow.
6) Names, addresses and telephone numbers of all owners of the parcel(s), developers, optionees and agents.
7) Location and type of proposed easements, including legal access.
8) Dimension of all proposed lots to the nearest foot.
9) Lot and block numbers, if applicable. If a re-subdivision of an existing plat is proposed, the numbering must be consistent with the existing system.
10) A circulation diagram or illustrative plan showing vehicular and pedestrian movements, including location and dimensions of access points, sidewalks, any special engineering features, and traffic control devices, if any.
11) Proposed changes to existing topography.
12) Location of stormwater management facilities, including all conveyances and drainage easements.
13) Location and type of buffers and conservation easements to be provided.
14) Number of spaces and location of parking facilities or other impervious surfaces, including calculation of the square footage of all impervious areas. This information should be provided in tabular form.
15) Location and depth of setbacks. This information should be provided in tabular form.
16) Location and use of temporary structures as defined in Section 10-7.109 of the Land Development Code.
17) Location and generalized footprint of each building existing or to be constructed by the applicant. For non-residential structures, a calculation of the gross square footage for each, including floor area ratios and height of any structure proposed. Existing buildings should be labeled as “to be removed” or “to remain”.
18) Location and footprint of each type of infrastructure to be constructed.
19) Areas to be protected by a conservation or preservation easement, or other method acceptable to the County.
20) If the development fronts on a street or roadway, include each street or roadway and street or roadway name.
21) Street plans, locations, designs, and names assigned in accordance with County regulations shall be depicted and described.
22) If the applicant will construct them, location and description of all structures to be built by the developer, and if common facilities are to be constructed, how they will be maintained.
23) Location and type of recreation facilities.
24) Refuse collection areas, and location and type of screening, if proposed.
25) Where the site and development plan covers only a portion of the landowner’s parcel, a map depicting all of the landowner’s contiguous property and proposed use for the balance of the property not included in the site which is the subject of the application.

26) Proposed build-out date of the infrastructure for the development in its entirety, and if the development will be built in phases, a development scheduled and proposed build out date for each phase. The proposed phasing schedule should also be noted graphically on the plan.

27) A utility service plan addressing proposed water supply, electric power supply and method and location of sewage disposal.

28) All lot lines, parcel tax identification numbers, roads, access easements on the subject parcel, structures and paved areas within 300 feet of the parcel boundaries.

☒ A site map depicting the existing natural and developed features on the parcels, which are the subject of the application, shall also be submitted. The information submitted shall include, and be consistent with, the provisions of this section:

1) Location of all wooded areas, differentiating between native forests, high quality successional forests and mature successional forests.
2) Location of any listed species and their habitats, as defined by the Environmental Management Act (EMA), and their occurrences on-site.
3) For multifamily residential and all non-residential site plans, identify trees defined as protected by the EMA which are impacted by the proposed development.
4) Location of wetlands as defined by the EMA.
5) Conservation and preservation areas as set forth in the Comprehensive Plan and the EMA.
6) Location of sinkholes and other karst features.
7) Location of all water bodies, watercourses, drainage ditches, canals, and other surface water features.
8) Location and type of known hazardous materials, hazardous wasteland, and underground storage tanks.
9) Location of 100 year floodplain.
10) Location of other natural features.
11) An aerial photograph showing the location of the site and adjacent properties within 300 feet of the site. The boundary of the subject property should be outlined or highlighted on the aerial photograph.
12) A conceptual landscaping plan, including a planting plan for public right-of-way, common areas, and buffers or open space areas showing types, sizes, and spacing of trees and other vegetation.
13) Location of closed basins and natural drainage divides.
14) Proposed covenants, grants, easements, dedications, and restrictions to be imposed on the land, buildings, and/or structure, including proposed easements for public utilities and instruments relating to the use and maintenance of common natural areas, open spaces, private streets, and other private infrastructure shall be furnished with an application. All such documents should be reviewed and approved by the County Attorney as to form and sufficiency consistent with the minimum requirements of the LDC, prior to action on the application. Such instruments shall allow access of public vehicles for public safety or maintenance purposes.

☐ For non-residential development, the applicant should also provide the following information consistent with the provisions of this Section:

1) Names and amounts of hazardous or toxic materials or wastes to be used or produced on-site.
2) Types and amounts of radioactive materials or wastes, explosives, or flammable materials to be used or produced on-site.
3) Types and amounts of smoke, dust, particulate matter, noxious or odorous gases or other pollution of the air produced on-site.
4) Types and amounts of materials identified in Section 10-7.402(b)(iii)(a), (b), and (c), which can be expected to be moved off-site.
5) Noise levels expected at the site boundaries.
6) The types of manufacturing, production, processing or other industrial activities which will take place.
7) Additional information as may be required by the County to clarify relevant points.

8. CPA Site Plan Checklist:

One (1) original set of plans (signed and sealed) are needed for agenda submittal in addition to the electronic plan uploaded to Project Dox, including:

- ☐ Completed site and development plan application for the Application Review Meeting
- ☐ Affidavit of Ownership and Designation of Agent form
- ☐ Permitted Use Verification (PUV) determined 'Eligible' or 'Conditional'
- ☐ Completed application for Concurrency Management Determination
- ☐ Completed School Impact Analysis Form (for residential projects only)
- ☐ Approved Natural Features Inventory (NFI)
- ☐ Environmental Impact Analysis (EIA) – EIA application submittal required at the time of ARM submittal
- ☐ Site and development plans for review under the CPA track shall include the following:
  (The specific submittal requirements outlined below may be waived by the County Administrator or designee if the applicant provides adequate documentation as to the inapplicability to the proposed development)

1) Title block containing the following:
   i. Name of proposed development.
   ii. Date of preparation.
   iii. Scale of the site and development plan, both written and graphic.
2) A signed and sealed boundary survey and legal description (by a professional surveyor licensed to practice in the State of Florida).
3) Tax identification number(s) for parcel(s) that are the subject of the application.
4) Total acreage of the parcel(s) that are subject of application.
5) A vicinity map with north arrow.
6) Names, addresses and telephone numbers of all owners of the parcel(s), developers, optionees and agents.
7) Location of proposed land uses, open space, conservation or preservation areas and all other natural features (as identified with the NFI).
8) Location and type of known hazardous materials, hazardous wasteland, and underground storage tanks.
9) An itemized list of proposed land uses.
10) The minimum and maximum number of allowable residential units (and calculated gross density) and/or non-residential development intensity (as measured in gross building square footage).
11) Development and design standards including, but not limited to: lot dimensions and size, building setbacks, building heights, dimensions of internal streets, sidewalks and any other transportation facilities, and buffering
12) A circulation diagram or illustrative plan showing vehicular and pedestrian movements, including location and dimensions of access points, sidewalks, any special engineering features, and traffic control devices, if any
13) Proposed covenants, grants, easements, dedications, and restrictions to be imposed on the land, buildings, and/or structure, including proposed easements for public utilities and instruments relating to the use and maintenance of common natural areas, open spaces, private streets, and other private infrastructure shall be furnished with an application.
14) Proposed build-out date of the infrastructure for the development in its entirety, and if the development will be built in phases, a development scheduled and proposed build out date for each phase. The proposed phasing schedule should also be noted graphically on the plan.

PLAN SUBMITTALS

Site and development plans for review under the CPA track should be limited to four (4) plan sheets including a cover sheet with location map, boundary survey with existing conditions, an environmental conditions sheet, and a conceptual plan sheet that establishes the allowable uses and development intensity/density, vehicular and pedestrian circulation (including sidewalk locations), open space (parks, recreational areas, etc.), conservation areas, as well as any corresponding development and design standards for all lands included in the application.

Site and development plans for review under the FDPA track should be limited to eight (8) plan sheets including a cover sheet with location map, boundary survey with existing conditions with contours, grading plan with tree survey, site plan layout including paving and structures and preserves/conservation areas, a drainage and utilities sheet, tree removal plan, a landscape plan, and details sheet. Each sheet should include a tabular summary of the applicable development information as noted above. Other sheets may be required if requested by the reviewing agency. Site plan submittals must follow the deadlines set forth in the site plan submittal and meeting dates posted on the Department website.

Digital Submittals: Leon County accepts and reviews plan submittals electronically. Applicants may submit digital plans or electronic files in lieu of paper copies to the Department of Development Support and Environmental Management. Digital submittals shall contain all of the information included with this application and any supplemental information or approvals needed to schedule the application for review. Applications will not be scheduled for review until such time all applicable review fees have been collected. Digital submittals must follow the deadlines set forth in the site plan submittal and meeting dates posted on the Department website. Documents will only be accepted in Adobe .pdf format. Digital submittals should be coordinated with the administrative representative that handles site plan submittals. For additional information, please contact Development Services at 850-606-1300.

☐ Please be advised that, according to Florida Statute 197.192, all property taxes shall be paid prior to the final approval and recording by the Clerk of Court in the public records of the County any proposed subdivision of land, or declaration of condominium of land. Therefore, tax receipts or other documentation from the Leon County Tax Collector's Office must be provided with this submittal to demonstrate compliance with Florida Statute 197.192. Should you have any questions regarding compliance with this Statute, contact the Leon County Tax Collector's Office at (850) 488-4735.

☐ Application fees:

Type A:
Non-residential - $2,436 plus $.85 per square foot of building area ($6,000 max.), plus $950 direct notice fee
Residential - $4,476 plus $96 per dwelling unit ($6,000 max.), plus $950 direct notice fee

Type B:
Non-residential - $3,828 plus $.56 per square foot of building area ($12,000 max.), plus $1,690 direct notice fee
Residential - $6,024 plus $78 per dwelling unit ($12,000 max.), plus $1,690 direct notice fee

Type C:
Non-residential - $3,756 plus $.55 per square foot of building area ($12,000 max.), plus $2,640 direct notice fee
Residential - $4,500 plus $48 per unit ($12,000 max.), plus $2,640 direct notice fee

Type D:
Residential or Non-residential - $3,000 plus $2 per dwelling unit or $12 per acre, plus $2,640 direct notice fee
Density or Concept Plan Revisions - $4,800 (plus $2,640 direct notice fee)
Other Minor Revisions - $1,500

See Natural Features Inventory and Concurrency Applications for their respective fees.

Urban Catalyst Consultants

2840 Pablo Avenue
Tallahassee, FL 32308
(850) 999-4241

Site Plan Narrative

Tax ID 14-19-20-001-0000

The project site is located at 550 Ox Bottom Road in Northeast Leon County. The parcel is located on the north side of Ox Bottom Road, east of the Ox Bottom Manner Subdivision and west of the Moore Pond Subdivision. The parcel comprises of 35.18 acres of which has an approved Natural Features Inventory LEA 150037. The property has been used for agriculture pursuits in the past with improved pasture land. In the 1960's two water reservoirs were constructed in the middle of the site as part of the agricultural practices. As time pasted and the agricultural activities diminished, the vegetative communities matured which created a unique environmental feature. There are three dwelling units and several accessory buildings that exist on the property.

The intent of this project is to develop the upland portion of the property as a residential subdivision and maintain the environmentally sensitive areas in a conservation easement. The subdivision will be marketed and is intended to be developed as a 55+ Active Adult Community. This development will be designed with smaller homes for empty nesters and people transitioning to downsizing residences.

The project proposes 64 residential lots which range in size from 1/8 acre to 2+ acres. Majority of the single family detached units will be located on 1/8-1/4 acre lots. Since the environmental features fall within the middle of the site there will be a horseshoe shaped road on either side of the sensitive features, which will be connected to Ox Bottom Rd. The residential lots will be constructed adjacent the proposed road. There will be two residential lots that will be larger, these lots are located between the Moore Pond Subdivision and the remainder of the subdivision. The larger lots will be provided access through the proposed development. These lots will create a buffer from this development to the Moore Pond development. There will be a 25' buffer around the perimeter of the property. There already is a well-established vegetative buffer around the majority of the property which will be enhanced to meet the requirements of the Type-B buffer

The environmental survey included classification and mapping of the vegetative communities (as described by the Florida Land Use, Cover and Forms Classification System-FLUCCS) and the review of any environmental features onsite, such as wetlands, listed species, watercourses, karst features or protected species. A brief description of the communities is provided in the Natural Features Inventory Permit. The property is included within the Lake Lafayette Basin and within the Moore Pond CB Watershed. Other features on the parcel include floodplain, wetlands, a watercourse, a waterbody, native forest and severe and significant slopes. The majority of the environmentally significant features are included in the 11.51 conservation easement.

The project site lies within the Moore Pond Closed Basin and ultimately drains to Moore Pond. The project is designed to accommodate the closed basin requirements. In addition there are two water reservoirs that currently exists on site. The outfall structures within these reservoirs will be repaired as part of this project.

The project has received preliminary approval from traffic concurrency and school concurrency (LCM 150024).

The proposed water, sewer, electrical and gas will be provided by the City of Tallahassee. The City of Tallahassee has reviewed and approved the concept water and sewer plan.

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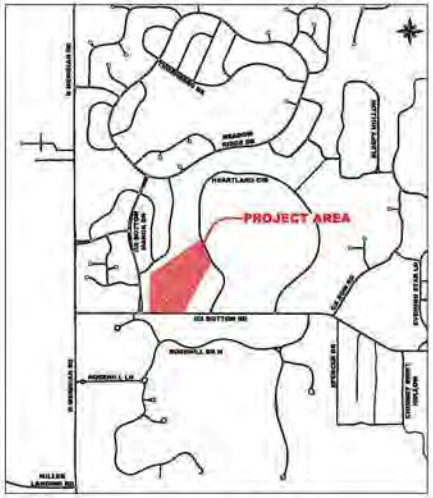
BROOKSIDE VILLAGE

FDPA TRACK PERMIT SUBMITTAL

INDEX OF SHEETS

C-100	COVER
C-101	GENERAL NOTES
C-102-106	EXISTING CONDITIONS
C-107	EROSION CONTROL PLAN - PHASE 1
C-108	EROSION CONTROL PLAN - PHASE 2
C-109-111	PRELIMINARY PLAT
C-112	SITE LAYOUT PLAN
C-113	SIGNAGE AND MARKINGS PLAN
C-114-115	GRADING & DRAINAGE PLAN
C-116	UTILITY PLAN
C-117-118	SANITARY SEWER PROFILE
C-119	DRIVEWAY PLAN AND PROFILE
C-120-124	ROADWAY PLAN AND PROFILE
C-125	DRAINAGE STRUCTURES
C-126-127	ROADWAY CROSS SECTIONS
C-128	POND 100 PLAN AND DETAILS
C-129	POND 200 PLAN AND DETAILS
C-130	TREE REMOVAL PLAN
C-131	LANDSCAPE PLAN

ZONING: RP - RESIDENTIAL PRESERVATION
TAX ID: 14-19-20-001-0000



LOCATION MAP
N.T.S.

NOVEMBER 18, 2015

LEON COUNTY, FLORIDA

TYPE B FDPA TRACK
SITE PLAN APPROVAL

Leon County Public Works Dept. — Date

Leon County Department of Development Support and Environmental Management — Date

Tallahassee-Leon County Planning Dept. — Date

PREPARED FOR:
GOLDEN OAK LAND GROUP LLC
4708 CAPITAL CIRCLE NW
TALLAHASSEE, FL 32303

PREPARED BY:
URBAN CATALYST CONSULTANTS
2840 PABLO AVENUE
TALLAHASSEE, FL 32308
(850) 999-4241
www.ucceng.com

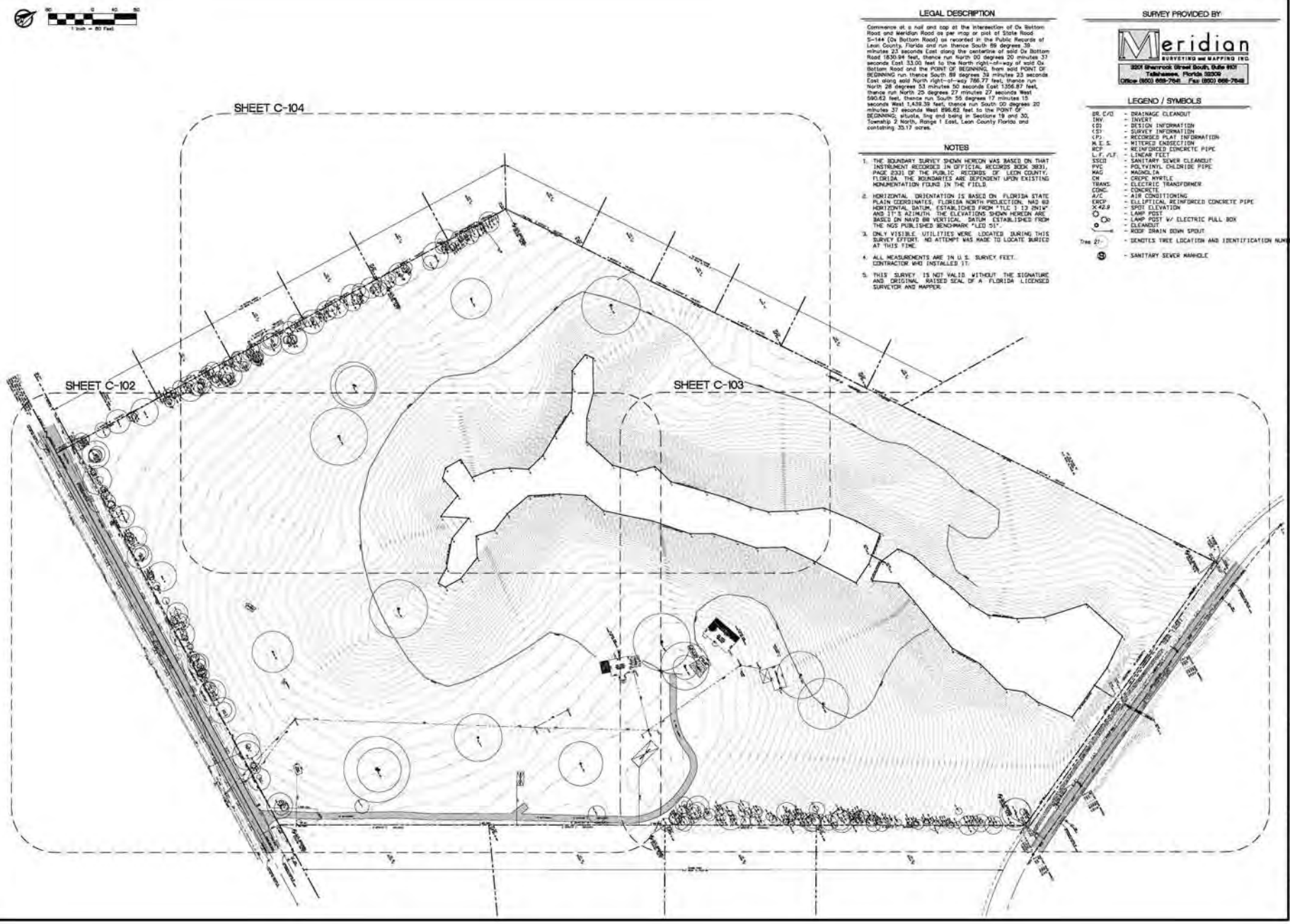
ENGINEER OF RECORD:

SEAN R. MARSTON, P.E.
FLORIDA LICENSE No. PE – 50987
CORPORATION CERTIFICATE OF AUTHORIZATION No. LB 30572

SEAN R. MARSTON
PROFESSIONAL ENGINEER

DATE OF SIGNATURE

URBAN CATALYST CONSULTANTS, INC.
2840 PABLO AVENUE
TALLAHASSEE, FLORIDA, 32308
PHONE: (850) 999-4241
WWW.UCCENG.COM
FL CA 00030572



LEGAL DESCRIPTION

Commence at a nail and cap at the intersection of Ox Bottom Road and Meridian Road as per map or plat of State Road S-144 (Ox Bottom Road) as recorded in the Public Records of Leon County, Florida and run thence South 89 degrees 39 minutes 23 seconds East along the centerline of said Ox Bottom Road 1830.94 feet, thence run North 00 degrees 20 minutes 37 seconds East 33.00 feet to the North right-of-way of said Ox Bottom Road and the POINT OF BEGINNING, from said POINT OF BEGINNING run thence South 89 degrees 39 minutes 23 seconds East along said North right-of-way 786.77 feet, thence run North 28 degrees 53 minutes 50 seconds East 1356.87 feet, thence run North 25 degrees 27 minutes 27 seconds West 590.62 feet, thence run South 55 degrees 17 minutes 15 seconds West 1,439.39 feet, thence run South 00 degrees 20 minutes 37 seconds West 896.82 feet to the POINT OF BEGINNING; situate, lying and being in Sections 19 and 30, Township 2 North, Range 1 East, Leon County Florida and containing 35.17 acres.

NOTES

1. THE BOUNDARY SURVEY SHOWN HEREON WAS BASED ON THAT INSTRUMENT RECORDED IN OFFICIAL RECORDS BOOK 3831, PAGE 2331 OF THE PUBLIC RECORDS OF LEON COUNTY, FLORIDA. THE BOUNDARIES ARE DEPENDENT UPON EXISTING MONUMENTATION FOUND IN THE FIELD.
2. HORIZONTAL ORIENTATION IS BASED ON FLORIDA STATE PLAIN COORDINATES, FLORIDA NORTH PROJECTION, NAD 83 HORIZONTAL DATUM, ESTABLISHED FROM "TLC 1 13 2N1W" AND IT'S AZIMUTH. THE ELEVATIONS SHOWN HEREON ARE BASED ON NAVD 88 VERTICAL DATUM ESTABLISHED FROM THE NGS PUBLISHED BENCHMARK "LEO 51".
3. ONLY VISIBLE UTILITIES WERE LOCATED DURING THIS SURVEY EFFORT. NO ATTEMPT WAS MADE TO LOCATE BURIED AT THIS TIME.
4. ALL MEASUREMENTS ARE IN U.S. SURVEY FEET. CONTRACTOR WHO INSTALLED IT.
5. THIS SURVEY IS NOT VALID WITHOUT THE SIGNATURE AND ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.

SURVEY PROVIDED BY

Meridian
SURVEYING and MAPPING INC.
3201 Shamrock Street South, Suite #101
Tallahassee, Florida 32309
Office (850) 668-7641 Fax (850) 668-7648

LEGEND / SYMBOLS

DR. C/O	- DRAINAGE CLEANOUT
INV.	- INVERT
(D)	- DESIGN INFORMATION
(S)	- SURVEY INFORMATION
(P)	- RECORDED PLAT INFORMATION
M. E. S.	- MITERED ENDSECTION
RCP	- REINFORCED CONCRETE PIPE
L.F. /LF.	- LINEAR FEET
SSCO	- SANITARY SEWER CLEANOUT
PVC	- POLYVINYL CHLORIDE PIPE
MAG	- MAGNOLIA
CM	- CREPE MYRTLE
TRANS.	- ELECTRIC TRANSFORMER
CONC.	- CONCRETE
A/C	- AIR CONDITIONING
ERCP	- ELLIPTICAL REINFORCED CONCRETE PIPE
X 42.9	- SPOT ELEVATION
	- LAMP POST
	- LAMP POST W/ ELECTRIC PULL BOX
	- CLEANOUT
	- ROOF DRAIN DOWN SPOUT
Tree 27	- DENOTES TREE LOCATION AND IDENTIFICATION NUMBER
	- SANITARY SEWER MANHOLE

URBAN CATALYST CONSULTANTS, INC.
2840 PABLO AVENUE
TALLAHASSEE, FLORIDA, 32308
PHONE: (850) 999-4241
WWW.UCCENG.COM
FL CA 00030572

DATE	BY	REVISIONS

BROOKSIDE VILLAGE
RESIDENTIAL SUBDIVISION

EXISTING CONDITIONS
(OVERALL)

LEON COUNTY FLORIDA

SEAN K. MARSTON, P.E.
LICENSE NUMBER 55987

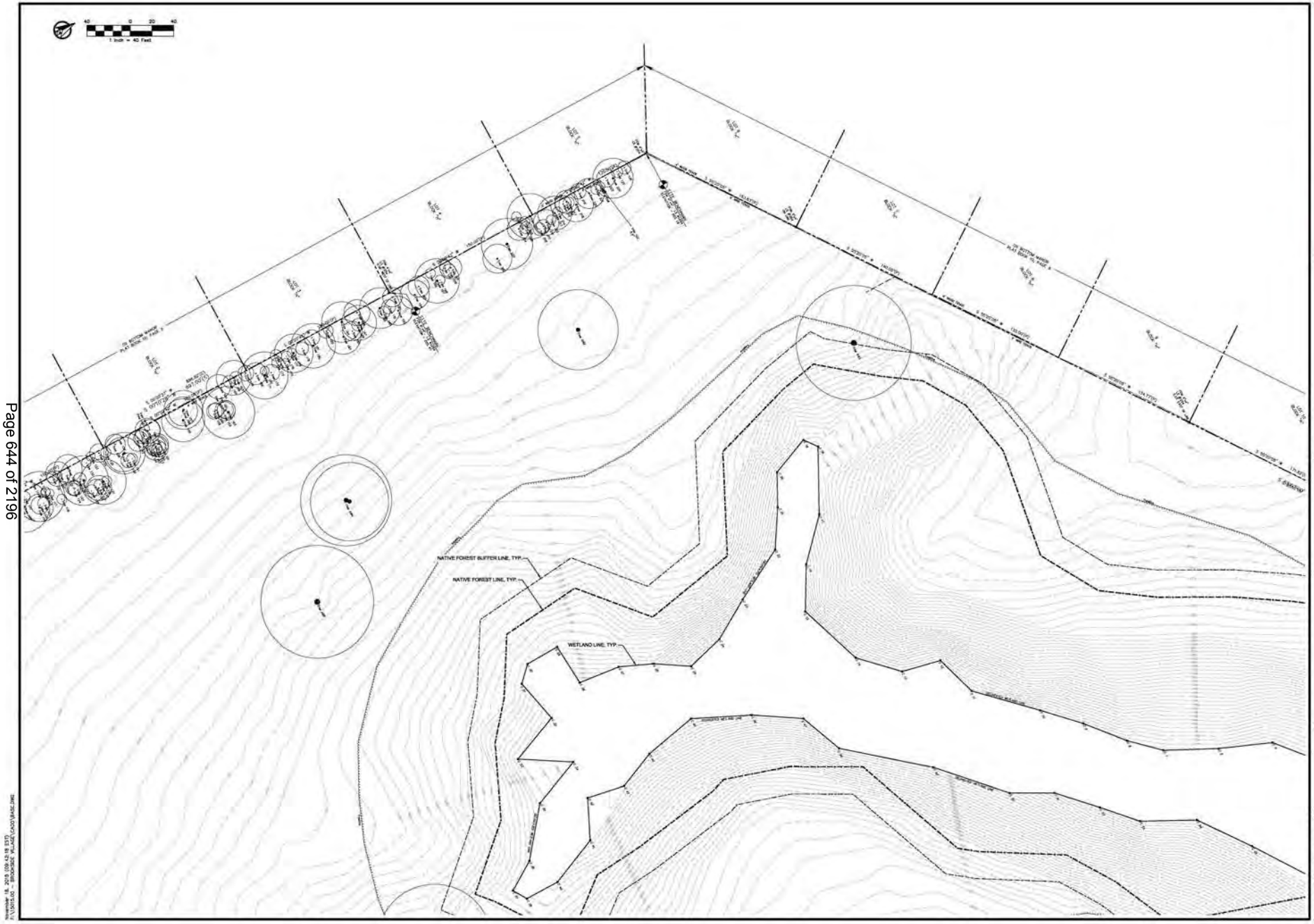
DRAWN BY: W.E.C.
CHECKED BY: S.K.M.
DATE: 11/18/15
HORZ. SCALE: 1"=80'
VERT. SCALE:

SHEET C-102
PROJECT No. 15015.00

November 18, 2015 (09:42:18 EST)
A:\15015.00 - BROOKSIDE VILLAGE\CADD\BASE.DWG

WETLAND LINE, TYP.
NATIVE FOREST BUFFER LINE, TYP.
NATIVE FOREST LINE, TYP.
OX BOTTOM ROAD
BROOKSIDE VILLAGE
RESIDENTIAL SUBDIVISION
EXISTING CONDITIONS
(SOUTH)
LEON COUNTY
FLORIDA
DATE
BY
REVISIONS
URBAN CATALYST CONSULTANTS, INC.
2840 PABLO AVENUE
TALLAHASSEE, FLORIDA, 32308
PHONE: (850) 999-4241
WWW.UCCENG.COM
FL CA 00030572
SEAN K. MARSTON, P.E.
LICENSE NUMBER 75997
DRAWN BY: W.E.C.
CHECKED BY: S.K.M.
DATE: 11/18/15
HORZ. SCALE: 1"=40'
VERT. SCALE:
SHEET C-103
PROJECT No. 15015.00

BROOKSIDE VILLAGE
RESIDENTIAL SUBDIVISION
EXISTING CONDITIONS
(NORTH)
LEON COUNTY
FLORIDA
REVISIONS
DATE
BY
URBAN CATALYST CONSULTANTS, INC.
2840 PABLO AVENUE
TALLAHASSEE, FLORIDA, 32308
PHONE: (850) 999-4241
WWW.UCCENG.COM
FLCA 0003057 2
SEAN E. MARTIN, P.E.
LICENSE NUMBER 75872
DRAWN BY: W.E.C.
CHECKED BY: S.X.M.
DATE: 11/18/15
HORZ. SCALE: 1"=40'
VERT. SCALE:
SHEET C-104
PROJECT No. 15015.00
NATIVE FOREST LINE, TYP
NATIVE FOREST BUFFER LINE, TYP
WETLAND LINE, TYP



URBAN CATALYST CONSULTANTS, INC.
2840 PABLO AVENUE
TALLAHASSEE, FLORIDA, 32308
PHONE: (850) 999-4241
WWW.UCCENG.COM
FL CA 00030572

DATE	BY	REVISIONS

BROOKSIDE VILLAGE
RESIDENTIAL SUBDIVISION

EXISTING CONDITIONS
(WEST)

LEON COUNTY FLORIDA

SEAN K. MARSTON, P.E.
LICENSE NUMBER 53987

DRAWN BY: W.E.C.
CHECKED BY: S.K.M.
DATE: 11/18/15
HORZ. SCALE: 1"=40'
VERT. SCALE:

SHEET C-105
PROJECT No. 15015.00

November 18, 2015 09:42:18 EST
P:\15015.00 - BROOKSIDE VILLAGE\UCCCP\PRELIM\C-105.DWG

ID #	Scientific Name	Common Name	DBH (in)
AV 1	Quercus virginiana	Live Oak	40, 60
AV 2	Quercus virginiana	Live Oak	37
AV 3	Quercus virginiana	Live Oak	32
AV 4	Quercus virginiana	Live Oak	36, 42
AV 5	Quercus virginiana	Live Oak	30
AV 6	Quercus virginiana	Live Oak	25.5
AV 7	Quercus virginiana	Live Oak	32
AV 8	Quercus virginiana	Live Oak	42
AV 9	Quercus virginiana	Live Oak	40
AV 10	Quercus virginiana	Live Oak	42.5
AV 11	Quercus virginiana	Live Oak	46.5
AV 12	Quercus virginiana	Live Oak	43
AV 13	Quercus virginiana	Live Oak	41.5
AV 14	Quercus virginiana	Live Oak	43.5, 22
AV 15	Quercus virginiana	Live Oak	42
1	Pinus taeda	Loblolly Pine	20.0
2	Prunus serotina	Black Cherry	4.4
3	Prunus serotina	Black Cherry	7.4
4	Prunus serotina	Black Cherry	4.9
5	Quercus nigra	Water Oak	8.8
6	Quercus nigra	Water Oak	5.5
7	Quercus nigra	Water Oak	26.8
8	Carya illinoinensis	Pecan	4.5
9	Pinus elliottii	Slash Pine	22.7
10	Pinus elliottii	Slash Pine	23.7
11	Quercus nigra	Water Oak	14.1
12	Quercus laurifolia	Laurel Oak	9.8
13	Pinus taeda	Loblolly Pine	28.6
14	Quercus nigra	Water Oak	9.9
15	Prunus serotina	Black Cherry	10.2
16	Quercus nigra	Water Oak	9.5
17	Quercus nigra	Water Oak	7.9
18	Quercus laurifolia	Laurel Oak	5.1
19	Quercus nigra	Water Oak	11.2
20	Quercus laurifolia	Laurel Oak	9.9
21	Quercus laurifolia	Laurel Oak	8.9
22	Quercus laurifolia	Laurel Oak	5.1
23	Prunus serotina	Black Cherry	4.7
24	Quercus laurifolia	Laurel Oak	11.3
25	Pinus elliottii	Slash Pine	19.4
26	Quercus virginiana	Live Oak	14.2
27	Liquidambar styraciflua	Sweet Gum	9.9
28	Liquidambar styraciflua	Sweet Gum	11.0
29	Carya illinoinensis	Pecan	5.1
30	Myrica cerifera	Wax Myrtle	4.9
31	Myrica cerifera	Wax Myrtle	5.1
32	Pinus taeda	Loblolly Pine	4.1
33	Quercus laurifolia	Laurel Oak	20.3
34	Quercus laurifolia	Laurel Oak	10.3
35	Quercus virginiana	Live Oak	16.0
36	Myrica cerifera	Wax Myrtle	3.8
37	Pinus taeda	Loblolly Pine	4.4
38	Quercus nigra	Water Oak	5.1
39	Pinus taeda	Loblolly Pine	9.9
40	Quercus nigra	Water Oak	19.2
41	Myrica cerifera	Wax Myrtle	6.3
42	Myrica cerifera	Wax Myrtle	4.3
43	Quercus alba	White Oak	6.3
44	Myrica cerifera	Wax Myrtle	6.3
45	Myrica cerifera	Wax Myrtle	4.3
46	Quercus virginiana	Live Oak	35.7
47	Myrica cerifera	Wax Myrtle	3.9
48	Myrica cerifera	Wax Myrtle	3.6
49	Myrica cerifera	Wax Myrtle	3.8
50	Myrica cerifera	Wax Myrtle	5.3
51	Myrica cerifera	Wax Myrtle	5.0
52	Pinus echinata	Shortleaf Pine	14.6
53	Quercus alba	White Oak	10.9
54	Pinus taeda	Loblolly Pine	22.4
55	Pinus elliottii	Slash Pine	20.3
56	Myrica cerifera	Wax Myrtle	5.4
57	Quercus nigra	Water Oak	5.2
58	Myrica cerifera	Wax Myrtle	4.0
59	Quercus laurifolia	Laurel Oak	7.8
60	Quercus laurifolia	Laurel Oak	8.0
61	Myrica cerifera	Wax Myrtle	4.0
62	Quercus nigra	Water Oak	5.4
63	Pinus elliottii	Slash Pine	20.0
64	Quercus nigra	Water Oak	10.9
65	Myrica cerifera	Wax Myrtle	7.9
66	Myrica cerifera	Wax Myrtle	5.1
67	Quercus nigra	Water Oak	11.0
68	Quercus nigra	Water Oak	9.5
69	Prunus serotina	Black Cherry	6.5
70	Myrica cerifera	Wax Myrtle	6.0
71	Myrica cerifera	Wax Myrtle	4.3
72	Myrica cerifera	Wax Myrtle	4.3
73	Prunus serotina	Black Cherry	7.1
74	Pinus elliottii	Slash Pine	26.1
75	Myrica cerifera	Wax Myrtle	6.3
76	Myrica cerifera	Wax Myrtle	4.8
77	Myrica cerifera	Wax Myrtle	4.4
78	Myrica cerifera	Wax Myrtle	4.1
79	Pinus taeda	Loblolly Pine	25.0
80	Quercus virginiana	Live Oak	14.5
81	Quercus virginiana	Live Oak	12.9
82	Quercus virginiana	Live Oak	11.7
83	Quercus virginiana	Live Oak	9.4
84	Pinus taeda	Loblolly Pine	21.2
85	Quercus virginiana	Live Oak	4.7
86	Quercus virginiana	Live Oak	7.9
87	Pinus taeda	Loblolly Pine	13.5
88	Quercus nigra	Water Oak	4.6
89	Prunus serotina	Black Cherry	7.1
90	Quercus alba	White Oak	14.0
91	Pinus elliottii	Slash Pine	22.6
92	Quercus nigra	Water Oak	4.3
93	Quercus laurifolia	Laurel Oak	8.5
94	Quercus nigra	Water Oak	5.0
95	Quercus laurifolia	Laurel Oak	4.3
96	Quercus nigra	Water Oak	24.5
97	Quercus laurifolia	Laurel Oak	5.9
98	Pinus taeda	Loblolly Pine	7.7
99	Pinus taeda	Loblolly Pine	5.1
100	Liquidambar styraciflua	Sweet Gum	4.1
101	Prunus serotina	Black Cherry	4.8
102	Prunus serotina	Black Cherry	9.2
103	Quercus nigra	Water Oak	4.1
104	Pinus taeda	Loblolly Pine	7.5
104a	Pinus taeda	Loblolly Pine	4.3
105	Prunus serotina	Black Cherry	10.0
105a	Pinus taeda	Loblolly Pine	4.3
106	Liquidambar styraciflua	Sweet Gum	13.3
107	Pinus taeda	Loblolly Pine	5.3
108	Prunus serotina	Black Cherry	4.3
109	Pinus taeda	Loblolly Pine	24.4
110	Prunus serotina	Black Cherry	5.6
111	Liquidambar styraciflua	Sweet Gum	12.5
112	Prunus serotina	Black Cherry	8.2
113	Quercus nigra	Water Oak	5.1
114	Pinus taeda	Loblolly Pine	24.0
115	Quercus nigra	Water Oak	4.9
116	Quercus nigra	Water Oak	4.1
117	Quercus nigra	Water Oak	8.1
118	Quercus nigra	Water Oak	4.6
119	Pinus taeda	Loblolly Pine	4.3
120	Pinus taeda	Loblolly Pine	4.3
121	Pinus taeda	Loblolly Pine	10.2
122	Liquidambar styraciflua	Sweet Gum	6.9
123	Liquidambar styraciflua	Sweet Gum	5.0
124	Liquidambar styraciflua	Sweet Gum	9.8
125	Pinus taeda	Loblolly Pine	16.9
126	Quercus nigra	Water Oak	5.8
127	Pinus taeda	Loblolly Pine	22.5
128	Quercus virginiana	Live Oak	9.6
129	Quercus nigra	Water Oak	5.0
130	Quercus nigra	Water Oak	8.6
131	Prunus serotina	Black Cherry	11.6
132	Quercus nigra	Water Oak	4.3
133	Quercus nigra	Water Oak	4.3
134	Quercus nigra	Water Oak	9.1
135	Quercus nigra	Water Oak	4.1
136	Pinus taeda	Loblolly Pine	21.0

ID #	Scientific Name	Common Name	DBH (in)
137	Quercus nigra	Water Oak	4.2
138	Pinus taeda	Loblolly Pine	9.3
139	Pinus taeda	Loblolly Pine	19.1
140	Pinus taeda	Loblolly Pine	16.0
141	Quercus nigra	Water Oak	5.0
142	Liquidambar styraciflua	Sweet Gum	6.8
143	Pinus taeda	Loblolly Pine	9.4
144	Pinus taeda	Loblolly Pine	8.7
145	Pinus taeda	Loblolly Pine	9.4
146	Pinus taeda	Loblolly Pine	11.7
147	Pinus taeda	Loblolly Pine	9.6
148	Quercus nigra	Water Oak	9.5
149	Pinus taeda	Loblolly Pine	5.0
150	Pinus taeda	Loblolly Pine	7.6
151	Pinus taeda	Loblolly Pine	4.4
152	Pinus taeda	Loblolly Pine	11.6
153	Quercus laurifolia	Laurel Oak	4.9
154	Quercus nigra	Water Oak	4.5
155	Pinus taeda	Loblolly Pine	19.8
156	Pinus taeda	Loblolly Pine	13.4
157	Pinus taeda	Loblolly Pine	17.9
158	Prunus serotina	Black Cherry	7.0
159	Prunus serotina	Black Cherry	7.1
160	Quercus nigra	Water Oak	9.3
161	Quercus nigra	Water Oak	7.5
162	Quercus nigra	Water Oak	9.4
163	Pinus taeda	Loblolly Pine	24.7
164	Quercus nigra	Water Oak	10.6
165	Quercus laurifolia	Laurel Oak	9.5
166	Pinus taeda	Loblolly Pine	16.0
167	Pinus taeda	Loblolly Pine	9.7
168	Pinus taeda	Loblolly Pine	7.2
169	Quercus nigra	Water Oak	10.1
170	Quercus nigra	Water Oak	4.1
171	Pinus taeda	Loblolly Pine	21.7
172	Prunus serotina	Black Cherry	7.7
173	Quercus nigra	Water Oak	4.4
174	Pinus taeda	Loblolly Pine	26.2
175	Quercus nigra	Water Oak	4.2
176	Carya sp.	Hickory	4.1
177	Prunus serotina	Black Cherry	4.3
178	Pinus taeda	Loblolly Pine	17.8
179	Quercus nigra	Water Oak	5.4
180	Pinus taeda	Loblolly Pine	20.5
181	Quercus nigra	Water Oak	7.2
182	Quercus nigra	Water Oak	6.5
183	Quercus nigra	Water Oak	15
184	Quercus nigra	Water Oak	18.7
185	Quercus nigra	Water Oak	9
186	Quercus nigra	Water Oak	5.7
187	Quercus nigra	Water Oak	15.1
188	Quercus nigra	Water Oak	10
189	Quercus laurifolia	Laurel Oak	18.8
190	Liquidambar styraciflua	Sweet Gum	5.6
191	Quercus nigra	Water Oak	4.4
192	Quercus laurifolia	Laurel Oak	13.4
193	Quercus nigra	Water Oak	9
194	Quercus nigra	Water Oak	13.5
195	Quercus nigra	Water Oak	9.9
196	Quercus nigra	Water Oak	4.5
197	Pinus taeda	Loblolly Pine	20.9
198	Pinus taeda	Loblolly Pine	6.5
199	Pinus taeda	Loblolly Pine	9.3
200	Prunus serotina	Black Cherry	6
201	Prunus serotina	Black Cherry	10.1
202	Quercus nigra	Water Oak	12.3
203	Pinus echinata	Shortleaf Pine	14.5
204	Prunus serotina	Black Cherry	10.5
205	Quercus laurifolia	Laurel Oak	4.4
206	Quercus alba	White Oak	4.4
207	Quercus nigra	Water Oak	21
208	Quercus nigra	Water Oak	5.5
209	Quercus laurifolia	Laurel Oak	5.8
210	Quercus laurifolia	Laurel Oak	6.3
211	Quercus laurifolia	Laurel Oak	11.8
212	Quercus laurifolia	Laurel Oak	4.9
213	Prunus serotina	Black Cherry	15.2
214	Quercus laurifolia	Laurel Oak	4.5
215	Quercus laurifolia	Laurel Oak	7.7
216	Prunus serotina	Black Cherry	10.6
217	Quercus laurifolia	Laurel Oak	5
218	Quercus falcata	Red Oak	15.8
219	Quercus laurifolia	Laurel Oak	7
220	Liquidambar styraciflua	Sweet Gum	13.9
221	Quercus nigra	Water Oak	4.6
222	Quercus nigra	Water Oak	3.6
223	Quercus nigra	Water Oak	4.7
224	Pinus echinata	Shortleaf Pine	18.5
225	Quercus nigra	Water Oak	5.1
226	Quercus nigra	Water Oak	5.1
227	Morus sp.	Mulberry	10.8
228	Quercus nigra	Water Oak	4.2
229	Prunus serotina	Black Cherry	6.3
230	Pinus taeda	Loblolly Pine	15.6
231	Pinus taeda	Loblolly Pine	24.9
232	Liquidambar styraciflua*	Sweet Gum	11.6
233	Cinnamomum camphora*	Camphor*	10.4
234	Cinnamomum camphora*	Camphor*	10.1
235	Cinnamomum camphora*	Camphor*	8.1
236	Cinnamomum camphora*	Camphor*	4.4
237	Liquidambar styraciflua*	Sweet Gum	13.3
238	Quercus nigra	Water Oak	11.3
239	Quercus nigra	Water Oak	11.3
240	Quercus nigra	Water Oak	4.2
241	Carya sp.	Hickory	13.3
242	Pinus taeda	Loblolly Pine	18.6
243	Liquidambar styraciflua	Sweet Gum	9
244	Quercus laurifolia	Laurel Oak	13.5
245	Liquidambar styraciflua	Sweet Gum	5.4
246	Liquidambar styraciflua	Sweet Gum	14.6
247	Pinus taeda	Loblolly Pine	21.2
248	Prunus serotina	Black Cherry	9
249	Quercus nigra	Water Oak	17.6
250	Quercus nigra	Water Oak	16.4
251	Quercus nigra	Water Oak	7.9
252	Quercus nigra	Water Oak	11.8
253	Quercus nigra	Water Oak	5.1
254	Quercus nigra	Water Oak	5
255	Quercus nigra	Water Oak	7.3
256	Quercus nigra	Water Oak	4.5
257	Prunus serotina	Black Cherry	5.5
258	Quercus nigra	Water Oak	5.6
259	Liquidambar styraciflua	Sweet Gum	4.5
260	Quercus laurifolia	Laurel Oak	25.8
261	Liquidambar styraciflua	Sweet Gum	6
262	Liquidambar styraciflua	Sweet Gum	4.5
263	Liquidambar styraciflua	Sweet Gum	4.5
264	Liquidambar styraciflua	Sweet Gum	6
265	Liquidambar styraciflua	Sweet Gum	9.6
266	Quercus nigra	Water Oak	6.5
267	Liquidambar styraciflua	Sweet Gum	9.5
268	Liquidambar styraciflua	Sweet Gum	4.9
269	Prunus serotina	Black Cherry	10.7
270	Pinus elliottii	Slash Pine	19.6
271	Quercus nigra	Water Oak	4.5
272	Liquidambar styraciflua	Sweet Gum	5.3
273	Liquidambar styraciflua	Sweet Gum	5.8
274	Liquidambar styraciflua	Sweet Gum	5.6
275	Liquidambar styraciflua	Sweet Gum	7.9
276	Liquidambar styraciflua	Sweet Gum	5.1
277	Liquidambar styraciflua	Sweet Gum	5.6
278	Liquidambar styraciflua	Sweet Gum	5.3
279	Morus sp.	Mulberry	7.2
280	Morus sp.	Mulberry	4.2
281	Quercus nigra	Water Oak	4.2
282	Quercus nigra	Water Oak	18.1
283	Prunus serotina	Black Cherry	7.2
284	Liquidambar styraciflua	Sweet Gum	5.4
285	Quercus laurifolia	Laurel Oak	5.4
286	Quercus laurifolia	Laurel Oak	5.9
287	Quercus nigra	Water Oak	5.9

ID #	Scientific Name	Common Name	DBH (in)
288	Liquidambar styraciflua	Sweet Gum	4.6
289	Quercus nigra	Water Oak	5.3
290	Liquidambar styraciflua	Sweet Gum	6.3
291	Quercus laurifolia	Laurel Oak	12.2
292	Quercus laurifolia	Laurel Oak	14.6
293	Liquidambar styraciflua	Sweet Gum	13.2
294	Pinus taeda	Loblolly Pine	14.2
295	Prunus serotina	Black Cherry	5.2
296	Prunus serotina	Black Cherry	7.2
297	Liquidambar styraciflua	Sweet Gum	4.3
298	Quercus nigra	Water Oak	14
299	Magnolia grandiflora	Southern Magnolia	5.2
300	Prunus serotina	Black Cherry	5.3
301	Quercus laurifolia	Laurel Oak	18.4
302	Quercus laurifolia	Laurel Oak	20.7
303	Pinus elliottii	Slash Pine	5.1
304	Liquidambar styraciflua	Sweet Gum	4.1
305	Prunus serotina	Black Cherry	5.6
306	Pinus taeda	Loblolly Pine	3.1
307	Pinus taeda	Loblolly Pine	3.2
308	Pinus taeda	Loblolly Pine	3.2
309	Pinus taeda	Loblolly Pine	3.5
310	Liquidambar styraciflua	Sweet Gum	3.3
311	Liquidambar styraciflua	Sweet Gum	3.3
312	Quercus nigra	Water Oak	7.5
313	Liquidambar styraciflua	Sweet Gum	4
314	Quercus laurifolia	Laurel Oak	4.7

URBAN CATALYST CONSULTANTS, INC.
2840 PABLO AVENUE
TALLAHASSEE, FLORIDA, 32308
PHONE: (850) 926-4241
WWW.UCCENG.COM
FL CA 00030572

REVISIONS:

DATE	BY

BROOKSIDE VILLAGE
RESIDENTIAL SUBDIVISION

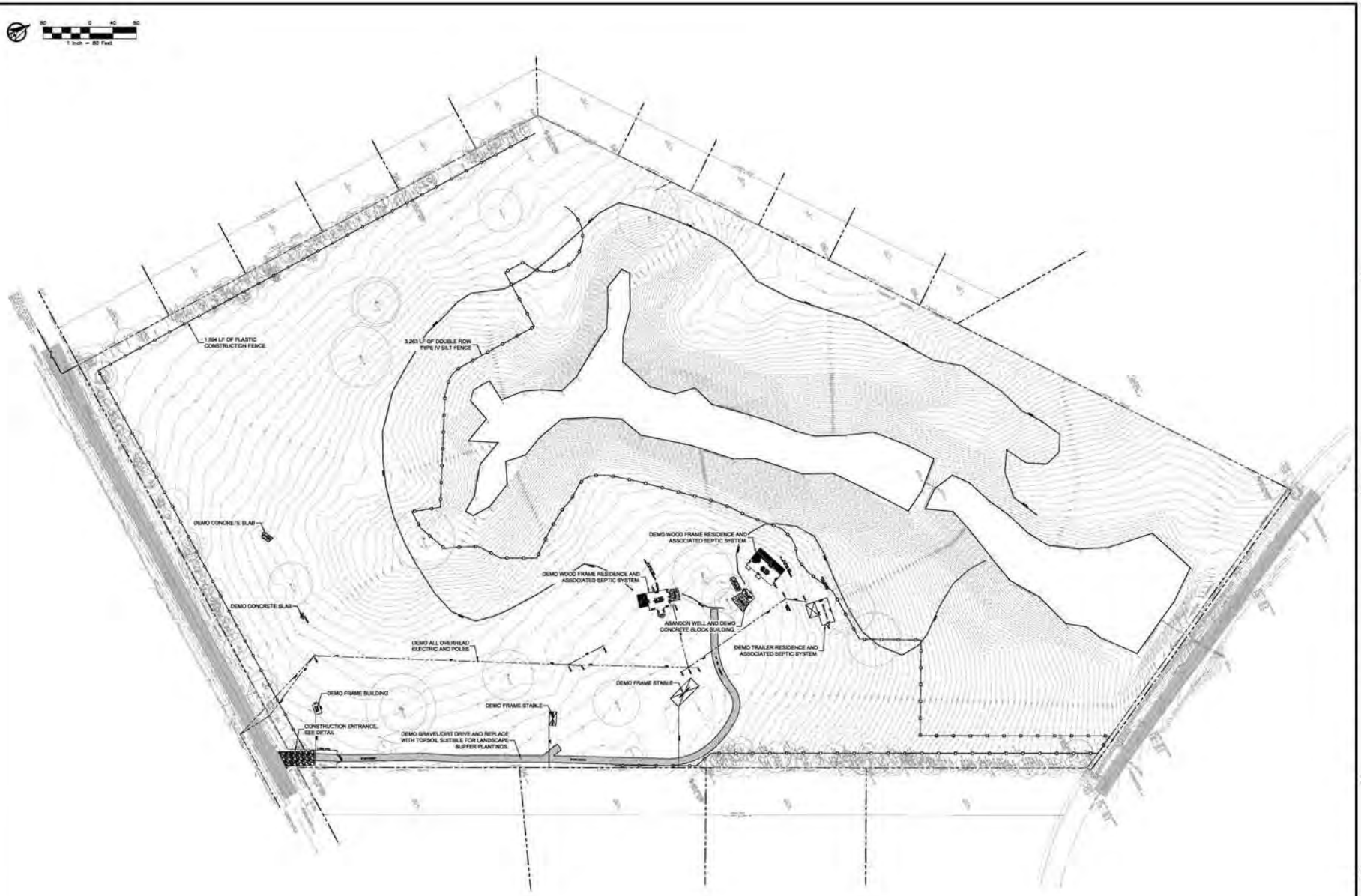
EXISTING CONDITIONS
(TREE TABLE)

LEON COUNTY FLORIDA

SEAN K. MARSTON, P.E.
LICENSE NUMBER: 59867

DRAWN BY: W.E.C.
CHECKED BY: S.K.M.
DATE: 11/18/15
HORZ. SCALE:
VERT. SCALE:

SHEET C-106
PROJECT No. 13013.00



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2840 PABLO AVENUE
TALLAHASSEE, FLORIDA, 32308
PHONE: (850) 999-4241
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FL CA 00030572

DATE	BY	REVISIONS

BROOKSIDE VILLAGE
RESIDENTIAL SUBDIVISION

EROSION CONTROL PLAN
PHASE 1

LEON COUNTY FLORIDA

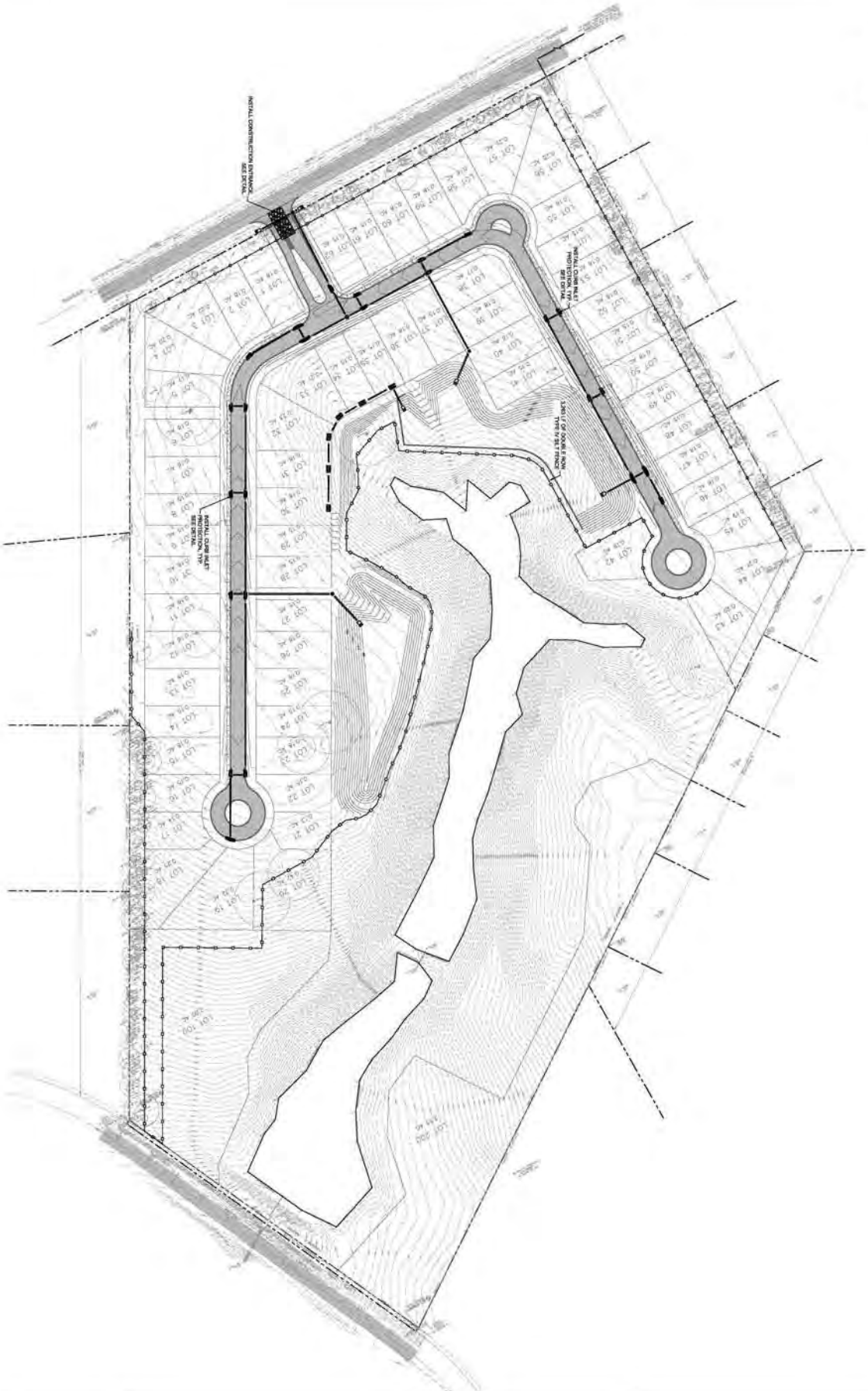
SEAN K. MARSTON, P.E.
LICENSE NUMBER 53987

DRAWN BY: W.E.C.
CHECKED BY: S.K.M.
DATE: 11/18/15
HORZ. SCALE: 1"=80'
VERT. SCALE:

SHEET C-107
PROJECT No. 15015.00

November 18, 2015 09:42:18 EST
P:\15015.00 - BROOKSIDE VILLAGE\CAD\15015.DWG

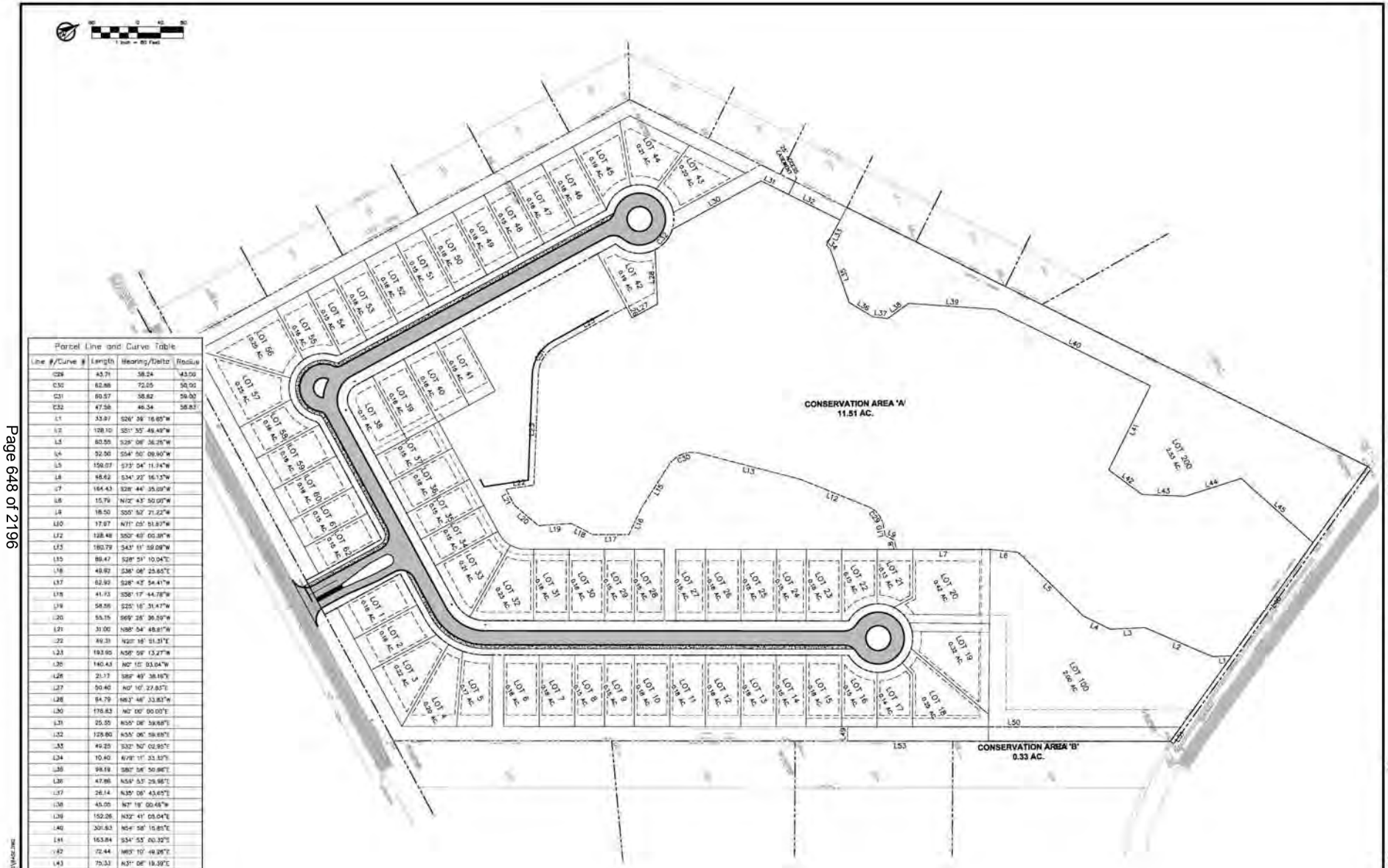
November 18, 2015 (09:42:18 EST)
F:\15015.00 - BROOKSIDE VILLAGE\CADD\BASE.DWG



SHEET C-108	DRAWN BY: W.E.C.	SEAN K. MARSTON, P.E. LICENSE NUMBER 70997	BROOKSIDE VILLAGE RESIDENTIAL SUBDIVISION
PROJECT No. 15015.00	CHECKED BY: S.K.M.		EROSION CONTROL PLAN PHASE 2
	DATE: 11/18/15		
	HORIZ. SCALE: VERT. SCALE: 1"=80'		LEON COUNTY FLORIDA

DATE	BY	REVISIONS

URBAN CATALYST CONSULTANTS, INC.
2840 PABLO AVENUE
TALLAHASSEE, FLORIDA, 32308
PHONE: (850) 999-4241
WWW.UCCENG.COM
FL CA 00030572



Parcel Line and Curve Table			
Line #/Curve #	Length	Bearing/Delta	Radius
C29	43.71	38.24	43.00
C30	62.88	72.05	50.00
C31	60.57	38.82	59.00
C32	47.58	46.34	58.83
L1	33.97	S26° 39' 16.65"W	
L2	128.10	S51° 35' 49.49"W	
L3	80.55	S25° 08' 36.25"W	
L4	52.50	S54° 50' 09.90"W	
L5	159.07	S73° 04' 11.74"W	
L6	48.62	S34° 22' 16.13"W	
L7	164.43	S28° 44' 35.09"W	
L8	15.79	N72° 43' 50.00"W	
L9	18.50	S55° 52' 21.22"W	
L10	17.97	N71° 05' 51.87"W	
L12	128.48	S50° 40' 00.38"W	
L13	180.79	S43° 11' 59.09"W	
L15	89.47	S28° 51' 10.04"E	
L16	49.92	S38° 08' 25.65"E	
L17	62.93	S28° 43' 54.41"W	
L18	41.73	S38° 17' 44.78"W	
L19	58.56	S25° 16' 31.47"W	
L20	55.15	S69° 28' 36.59"W	
L21	31.00	N88° 54' 48.81"W	
L22	49.31	N20° 16' 51.31"E	
L23	193.95	N58° 59' 13.27"W	
L25	140.43	N0° 10' 03.04"W	
L26	21.17	S89° 49' 38.16"E	
L27	50.40	N0° 10' 27.83"E	
L28	84.79	N63° 46' 33.83"W	
L30	176.83	N0° 00' 00.00"E	
L31	25.35	N55° 08' 59.68"E	
L32	128.80	N55° 08' 59.68"E	
L33	49.25	S32° 50' 02.95"E	
L34	10.40	N79° 11' 33.32"E	
L35	98.19	S80° 58' 50.86"E	
L36	47.86	N59° 53' 29.95"E	
L37	26.14	N35° 06' 43.65"E	
L38	45.05	N7° 19' 00.46"W	
L39	152.26	N32° 41' 05.04"E	
L40	301.63	N54° 58' 15.85"E	
L41	163.84	S34° 53' 00.32"E	
L42	72.44	N63° 10' 49.26"E	
L43	75.33	N31° 06' 19.39"E	
L44	102.55	N10° 56' 37.56"E	
L45	188.31	N70° 28' 17.86"E	
L46	243.14	S25° 38' 37.69"E	
L49	25.00	N61° 18' 05.59"W	
L50	581.71	N28° 43' 54.41"E	
L51	30.75	S25° 39' 12.87"E	
L52	379.99	S28° 42' 29.47"W	
L53	183.80	S28° 46' 50.00"W	

URBAN CATALYST CONSULTANTS, INC.
2840 PABLO AVENUE
TALLAHASSEE, FLORIDA, 32308
PHONE: (850) 999-4241
WWW.UCCENG.COM
FL CA 00030572

DATE	BY	REVISIONS

BROOKSIDE VILLAGE RESIDENTIAL SUBDIVISION

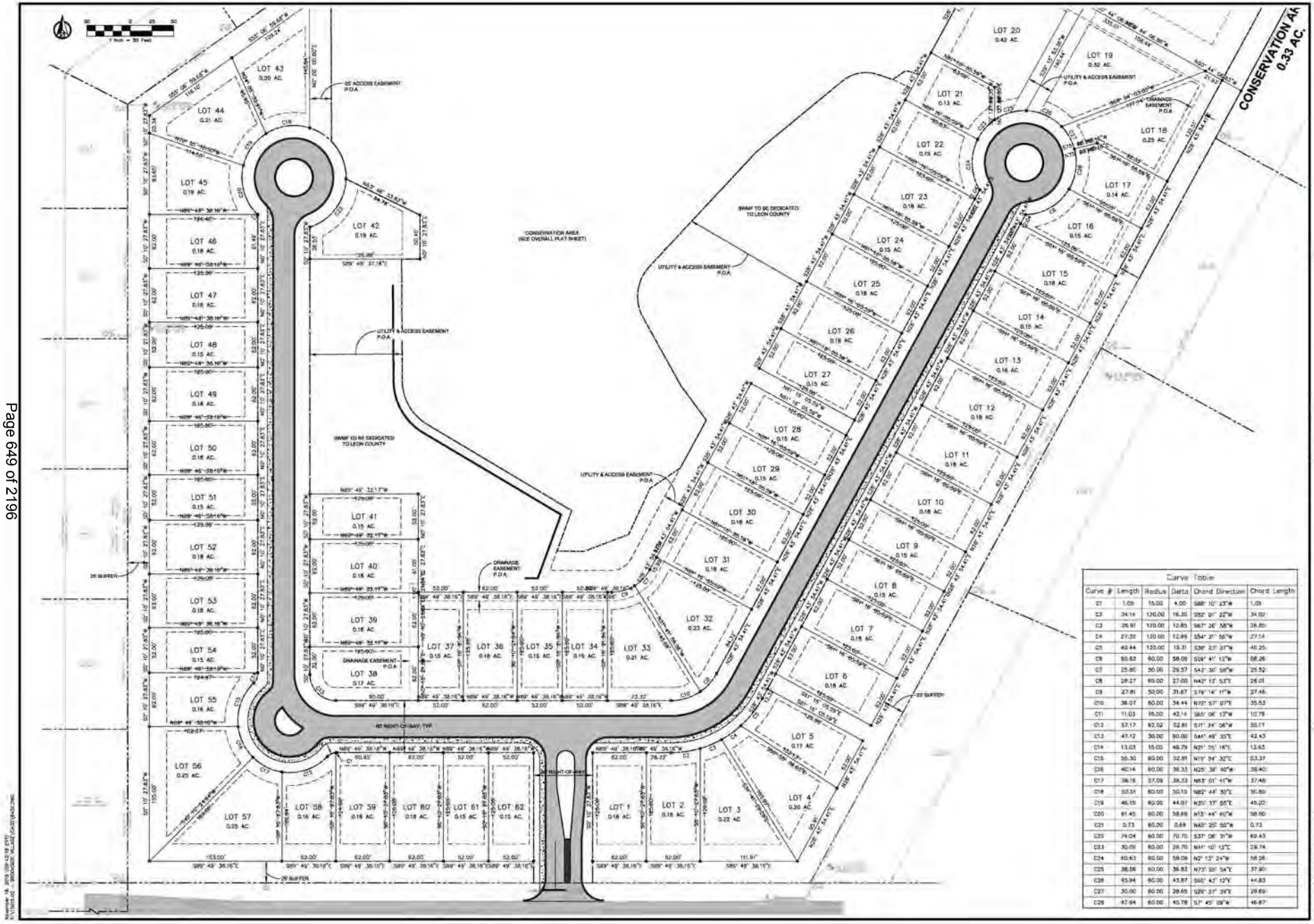
PRELIMINARY PLAT (OVERALL)

LEON COUNTY FLORIDA

SEAN K. MARSTON, P.E.
LICENSE NUMBER 50987

DRAWN BY: W.E.C.
CHECKED BY: S.K.M.
DATE: 11/18/15
HORZ. SCALE: 1"=80'
VERT. SCALE:

SHEET C-109
PROJECT No. 15015.00



Curve Table					
Curve #	Length	Radius	Delta	Chord Direction	Chord Length
C1	1.09	15.00	4.00	S88° 10' 23"W	1.09
C2	34.14	120.00	16.30	S82° 01' 22"W	34.03
C3	26.97	120.00	12.88	S67° 26' 58"W	26.80
C4	27.20	120.00	12.99	S54° 31' 56"W	27.14
C5	40.44	120.00	19.31	S38° 23' 01"W	40.25
C6	60.52	60.00	58.09	S59° 41' 12"W	58.26
C7	25.80	50.00	29.57	S42° 30' 58"W	25.52
C8	28.27	60.00	27.00	N42° 13' 53"E	28.01
C9	27.81	50.00	31.87	S76° 14' 11"W	27.46
C10	38.07	60.00	34.44	N72° 57' 07"E	35.53
C11	11.03	15.00	42.14	S65° 06' 13"W	10.79
C12	57.17	62.02	52.81	S71° 24' 06"W	55.17
C13	47.12	30.00	90.00	S44° 49' 30"E	42.43
C14	13.03	15.00	49.79	N21° 55' 16"E	12.63
C15	55.50	60.00	52.91	N19° 34' 32"E	53.37
C16	40.14	60.00	38.33	N25° 39' 40"W	39.40
C17	38.19	57.00	38.33	N83° 01' 41"W	37.48
C18	52.54	60.00	50.19	N82° 44' 30"E	50.89
C19	46.15	60.00	44.07	N35° 11' 55"E	45.07
C20	61.45	60.00	58.68	N13° 44' 40"W	58.80
C21	0.73	60.00	0.69	N48° 25' 50"W	0.73
C22	74.04	60.00	70.70	S37° 06' 31"W	69.43
C23	30.08	60.00	28.70	N41° 10' 12"E	29.74
C24	60.63	60.00	58.09	N2° 13' 24"W	58.26
C25	38.08	60.00	36.83	N73° 55' 54"E	37.40
C26	45.94	60.00	43.87	S62° 43' 12"E	44.83
C27	30.00	60.00	28.65	S29° 21' 29"E	29.69
C28	47.94	60.00	45.78	S7° 45' 09"W	46.67

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FL CA 00030572

DATE	BY	REVISIONS

BROOKSIDE VILLAGE
RESIDENTIAL SUBDIVISION

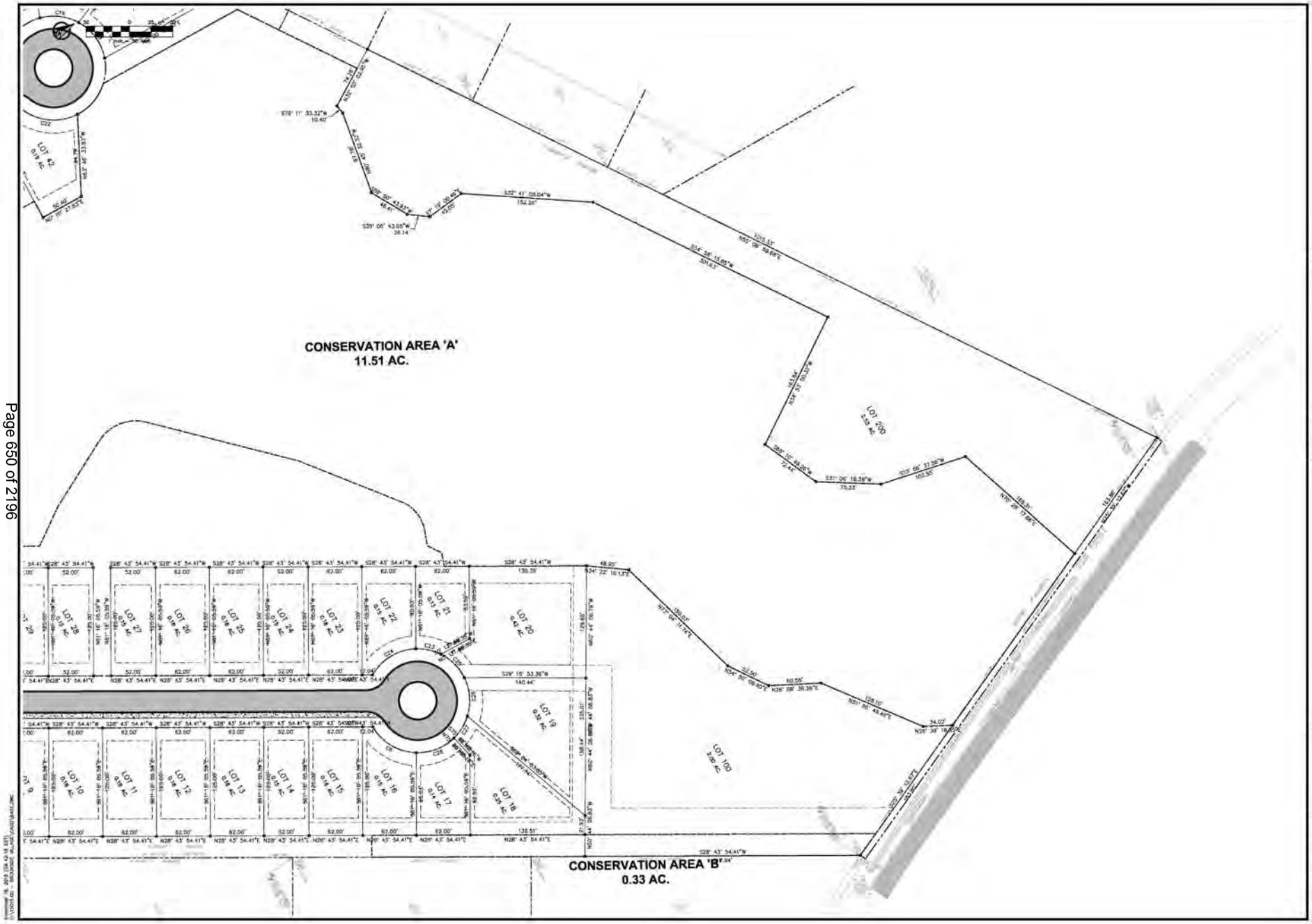
PRELIMINARY PLAT

LEON COUNTY FLORIDA

SEAN K. MARSTON, P.E.
LICENSE NUMBER 53997

DRAWN BY: W.E.C.
CHECKED BY: S.K.M.
DATE: 11/18/15
HORZ. SCALE: 1"=50'
VERT. SCALE:

SHEET C-110
PROJECT No. 15015.00



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2840 PABLO AVENUE
TALLAHASSEE, FLORIDA, 32308
PHONE: (850) 999-4241
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FL CA 00030572

DATE	BY	REVISIONS

BROOKSIDE VILLAGE RESIDENTIAL SUBDIVISION

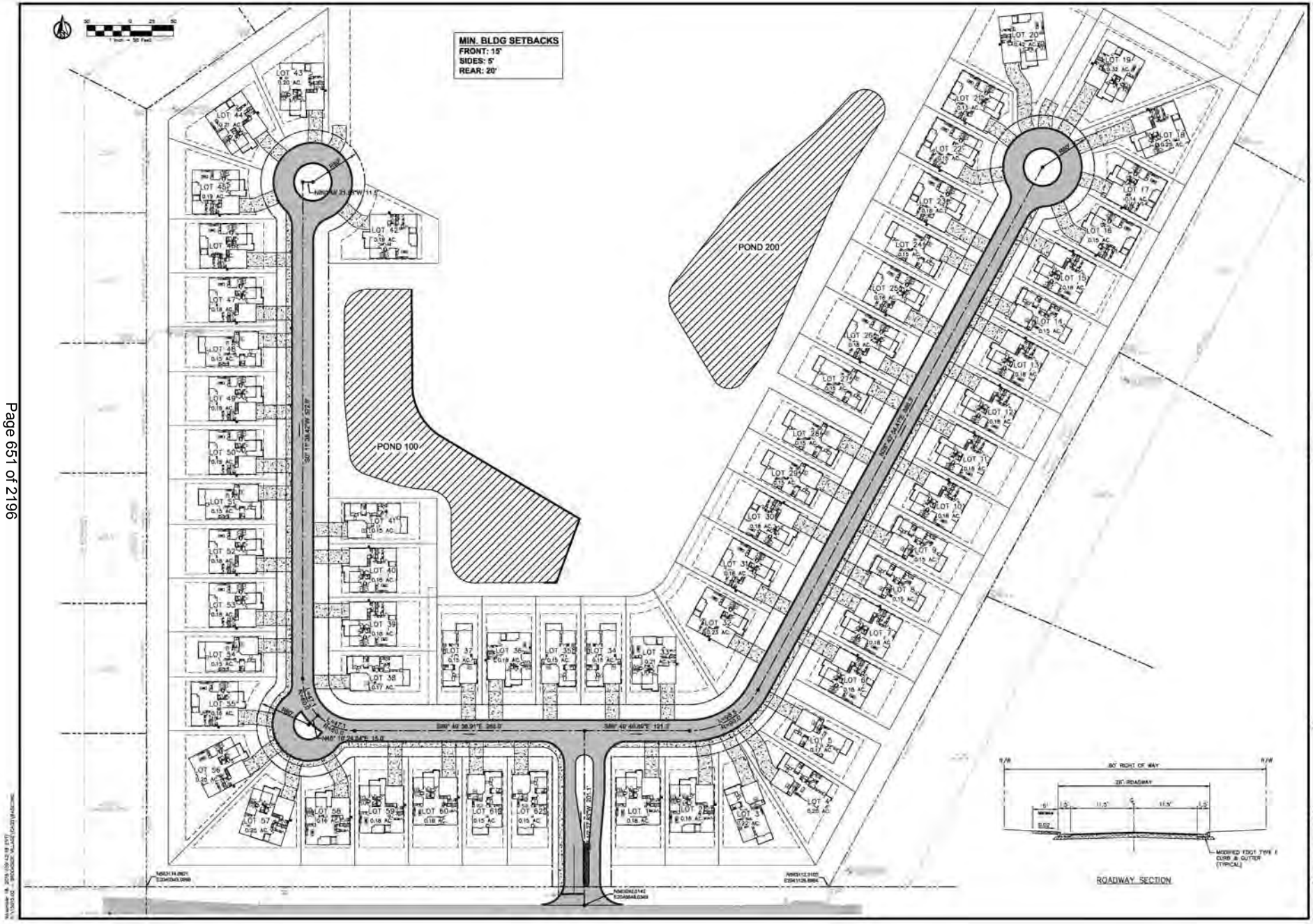
PRELIMINARY PLAT

LEON COUNTY FLORIDA

SEAN K. MARSTON, P.E.
LICENSE NUMBER 53967

DRAWN BY: W.E.C.
CHECKED BY: S.K.M.
DATE: 11/18/15
HORZ. SCALE: 1"=50'
VERT. SCALE:

SHEET: C-111
PROJECT No. 15015.00


MIN. BLDG SETBACKS
FRONT: 15'
SIDES: 5'
REAR: 20'
POND 100
POND 200
ROADWAY SECTION
URBAN CATALYST CONSULTANTS, INC.
2840 PABLO AVENUE
TALLAHASSEE, FLORIDA, 32308
PHONE: (850) 999-4241
WWW.UCCENG.COM
FL CA 00030572
BROOKSIDE VILLAGE
RESIDENTIAL SUBDIVISION
SITE LAYOUT PLAN
LEON COUNTY
FLORIDA
SEAN K. MARSTON, P.E.
LICENSE NUMBER 53987
DRAWN BY: W.E.C.
CHECKED BY: S.K.M.
DATE: 11/18/15
HORZ SCALE: 1"=50'
VERT SCALE:
SHEET C-112
PROJECT No. 15015.00

NOTE: ALL SIGNS AND PAVEMENT MARKINGS SHALL BE IN ACCORDANCE WITH THE MUTCD, FDOT, AND LEON COUNTY SPECIFICATIONS FOR SIGNAGE AND PAVEMENT MARKINGS.

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2840 PABLO AVENUE
TALLAHASSEE, FLORIDA, 32308
PHONE: (850) 999-4241
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DATE	BY	REVISIONS

BROOKSIDE VILLAGE
RESIDENTIAL SUBDIVISION
SIGNAGE AND MARKINGS PLANS

LEON COUNTY FLORIDA

SEAN K. MARSTON, P.E.
LICENSE NUMBER 53987

DRAWN BY: W.E.C.
CHECKED BY: S.K.M.
DATE: 11/18/15
HORZ. SCALE: 1"=50'
VERT. SCALE:

SHEET C-113
PROJECT No. 15015.00

URBAN CATALYST CONSULTANTS, INC.
2840 PABLO AVENUE
TALLAHASSEE, FLORIDA, 32308
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DATE	BY	REVISIONS

BROOKSIDE VILLAGE RESIDENTIAL SUBDIVISION

SITE GRADING PLAN

LEON COUNTY FLORIDA

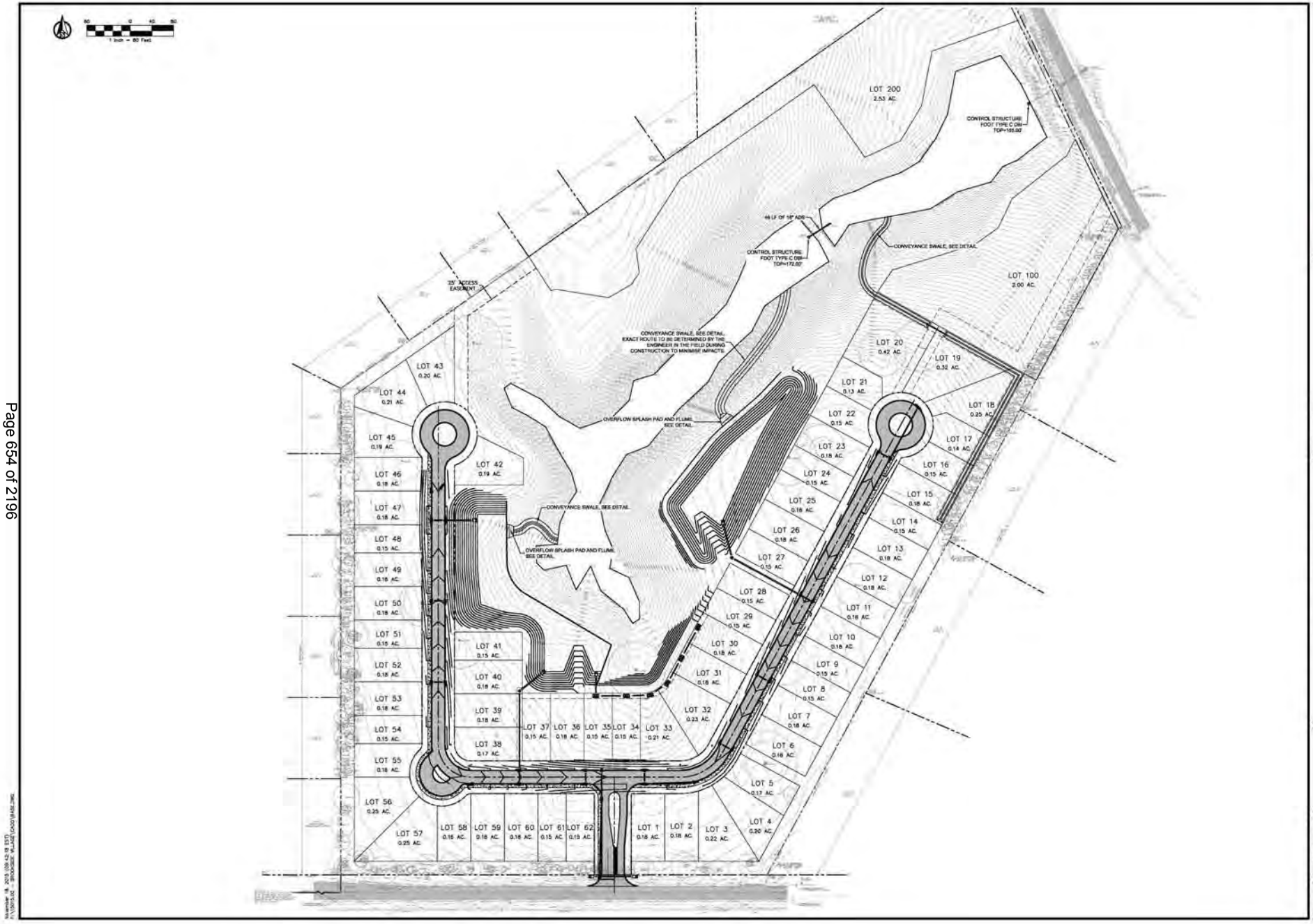
SEAN K. MARSTON, P.E.
LICENSE NUMBER 53987

DRAWN BY:	W.E.C.
CHECKED BY:	S.K.M.
DATE:	11/18/15
HORZ. SCALE:	1"=50'
VERT. SCALE:	

SHEET C-114

PROJECT No. 15015.00

November 18, 2015 09:42:18 EST
V:\15015.00 - BROOKSIDE PLACE\CIVIL\CIVIL\C-114.DWG



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TALLAHASSEE, FLORIDA, 32308
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DATE	BY	REVISIONS

BROOKSIDE VILLAGE RESIDENTIAL SUBDIVISION

SITE GRADING PLAN

LEON COUNTY FLORIDA

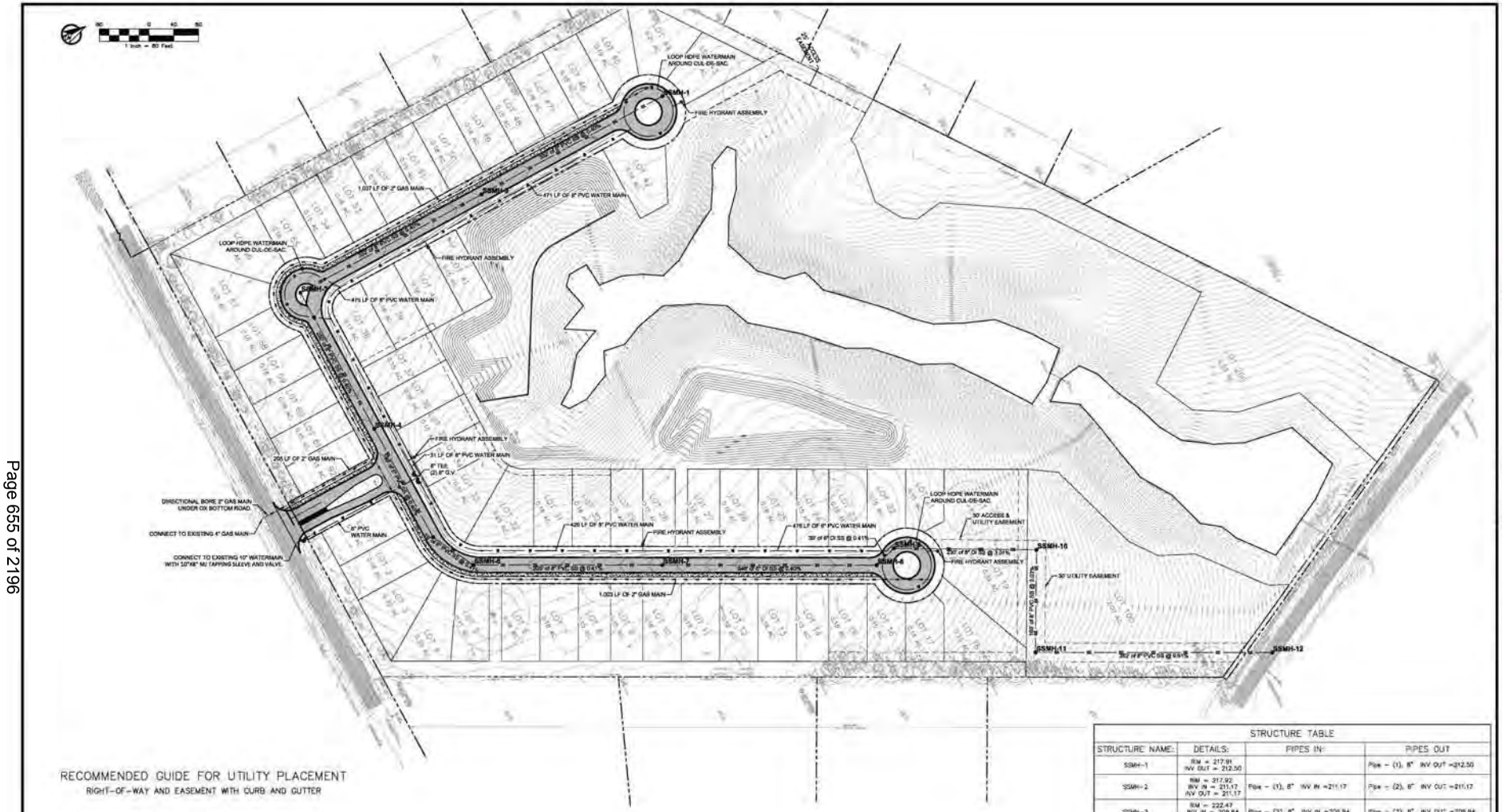
SEAN K. MARSTON, P.E.
LICENSE NUMBER 53987

DRAWN BY:	W.E.C.
CHECKED BY:	S.K.M.
DATE:	11/18/15
HORZ. SCALE:	1"=50'
VERT. SCALE:	

SHEET C-115

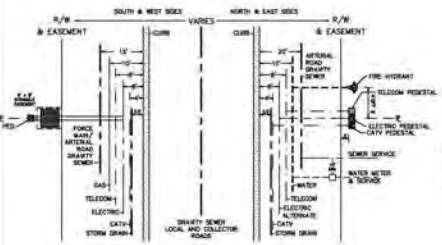
PROJECT No. 15015.00

November 18, 2015 09:42:18 EST
V:\2015\15015.00 BROOKSIDE VILLAGE\DWG\CIVIL\15015.00 BROOKSIDE VILLAGE.dwg

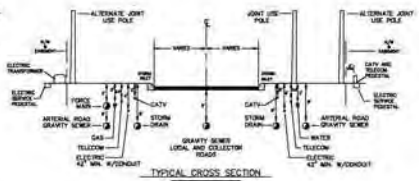


RECOMMENDED GUIDE FOR UTILITY PLACEMENT

RIGHT-OF-WAY AND EASEMENT WITH CURB AND GUTTER



TYPICAL PLAN



TYPICAL CROSS SECTION

NOTES:

1. CONTRACTOR SHALL VERIFY ALL UTILITY LOCATIONS BEFORE CONSTRUCTION.
2. ALL WATER AND SEWER CONSTRUCTION MUST CONFORM TO THE CITY OF TALLAHASSEE "STANDARD SPECIFICATIONS FOR DESIGN AND CONSTRUCTION OF WATER AND WASTEWATER FACILITIES", LATEST EDITION.
3. FIRE MAIN SHALL BE INSTALLED WITH MIN. 36" OF COVER UNDER DRIVING SURFACES AND 30" OF COVER UNDER NON-DRIVING SURFACES.
4. FIRE MAIN PIPING SHALL NOT BE COVERED UNTIL INSPECTED BY THE TALLAHASSEE FIRE DEPARTMENT.
5. FIRE HYDRANT SHALL BE A MINIMUM OF 24" ABOVE GRADE MEASURED TO THE CENTER OF THE STEAMER NOZZLE.
6. STEAMER NOZZLE TO FACE ROADWAY OR NEAREST POINT OF FIRE DEPARTMENT APPARATUS ACCESSIBILITY WHEN PLACED IN SERVICE.
7. WHERE UNDERGROUND UTILITIES CONFLICT WITH PROPOSED PLANTINGS, TREE PLACEMENT SHALL BE A MINIMUM OF TEN FEET FROM THE UNDERGROUND UTILITY OR A ROOT BARRIER OF TWO FEET DEEP SHALL BE INSTALLED.

STRUCTURE TABLE

STRUCTURE NAME:	DETAILS:	PIPES IN:	PIPES OUT
SSMH-1	RIM = 217.91 INV OUT = 212.50		Pipe - (1), 8" INV OUT =212.50
SSMH-2	RIM = 217.92 INV IN = 211.17 INV OUT = 211.17	Pipe - (1), 8" INV IN =211.17	Pipe - (2), 8" INV OUT =211.17
SSMH-3	RIM = 222.47 INV IN = 209.84 INV OUT = 209.84	Pipe - (3), 8" INV IN =209.84	Pipe - (3), 8" INV OUT =209.84
SSMH-4	RIM = 216.78 INV IN = 208.84 INV OUT = 208.84	Pipe - (3), 8" INV IN =208.84	Pipe - (4), 8" INV OUT =208.84
SSMH-5	RIM = 213.60 INV IN = 208.04 INV OUT = 208.04	Pipe - (4), 8" INV IN =208.04	Pipe - (4) (1), 8" INV OUT =208.04
SSMH-6	RIM = 218.03 INV IN = 207.72 INV OUT = 207.72	Pipe - (4) (1), 8" INV IN =207.72	Pipe - (5), 8" INV OUT =207.72
SSMH-7	RIM = 221.52 INV IN = 206.46 INV OUT = 206.46	Pipe - (5), 8" INV IN =206.46	Pipe - (6), 8" INV OUT =206.46
SSMH-8	RIM = 222.98 INV IN = 205.08 INV OUT = 205.08	Pipe - (6), 8" INV IN =205.08	Pipe - (7), 8" INV OUT =205.08
SSMH-9	RIM = 222.52 INV IN = 204.92 INV OUT = 204.92	Pipe - (7), 8" INV IN =204.92	Pipe - (8), 8" INV OUT =204.92
SSMH-10	RIM = 203.73 INV IN = 198.00 INV OUT = 198.00	Pipe - (8), 8" INV IN =198.00	Pipe - (9), 8" INV OUT =198.00
SSMH-11	RIM = 199.31 INV IN = 193.00 INV OUT = 193.00	Pipe - (9), 8" INV IN =193.00	Pipe - (10), 8" INV OUT =193.00
SSMH-12	RIM = 163.60 INV IN = 156.27	Pipe - (10), 8" INV IN =156.27	

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FL CA 00030572

DATE	BY	REVISIONS

BROOKSIDE VILLAGE RESIDENTIAL SUBDIVISION

SITE UTILITY PLAN

LEON COUNTY FLORIDA

SEAN K. MARSTON, P.E.
LICENSE NUMBER 50987

DRAWN BY: W.E.C.
CHECKED BY: S.K.M.
DATE: 11/18/15
HORZ. SCALE: 1"=80'
VERT. SCALE:

SHEET C-116
PROJECT No. 15015.00

November 18, 2015 (09:42:18 EST)
FILENAME: BROOKSIDE PLANS (CIVIL).DWG

November 18, 2015 (09:42:18 EST)
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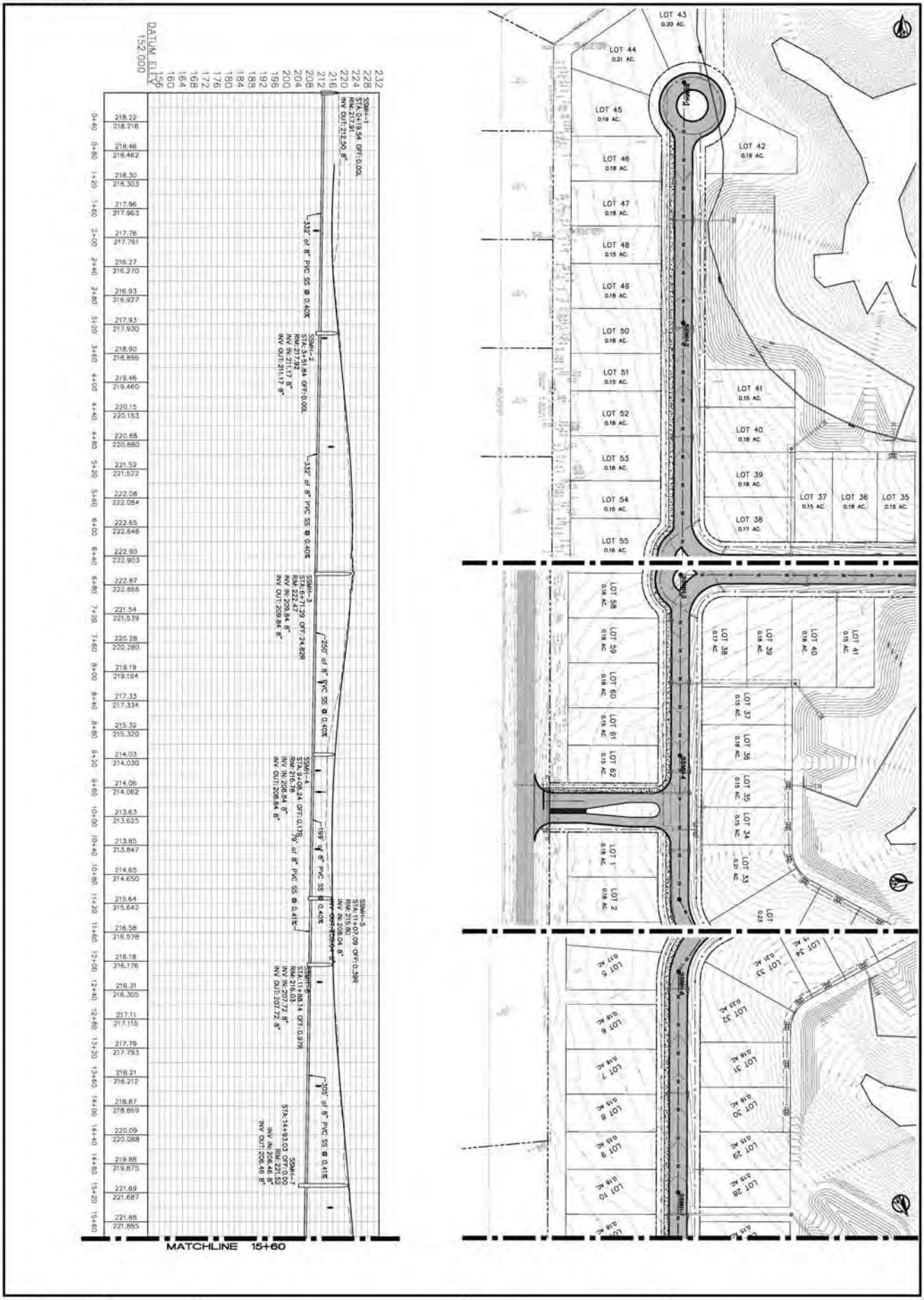

SHEET C-117	DRAWN BY: W.E.C.	SEAN K. MARSTON, P.E. LICENSE NUMBER 55687	BROOKSIDE VILLAGE RESIDENTIAL SUBDIVISION
PROJECT No. 15015.00	CHECKED BY: S.K.M.		SANITARY SEWER PROFILE
	DATE: 11/4/15		LEON COUNTY FLORIDA
	HORZ. SCALE: 1"=60' VERT. SCALE: 1"=15'		DATE BY REVISIONS

URBAN CATALYST CONSULTANTS, INC.
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TALLAHASSEE, FLORIDA, 32308
PHONE: (850) 999-4241
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BROOKSIDE VILLAGE
RESIDENTIAL SUBDIVISION
SANITARY SEWER PROFILE
LEON COUNTY FLORIDA

DATE	BY	REVISIONS

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2840 PABLO AVENUE
TALLAHASSEE, FLORIDA, 32308
PHONE: (850) 999-4241
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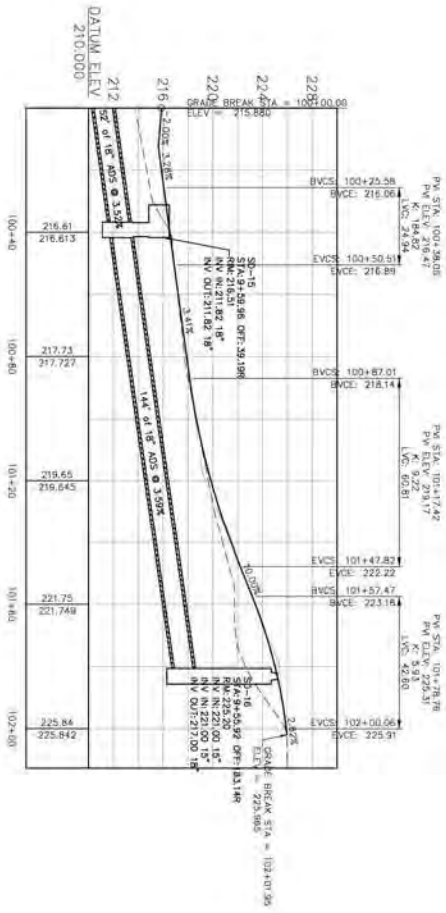
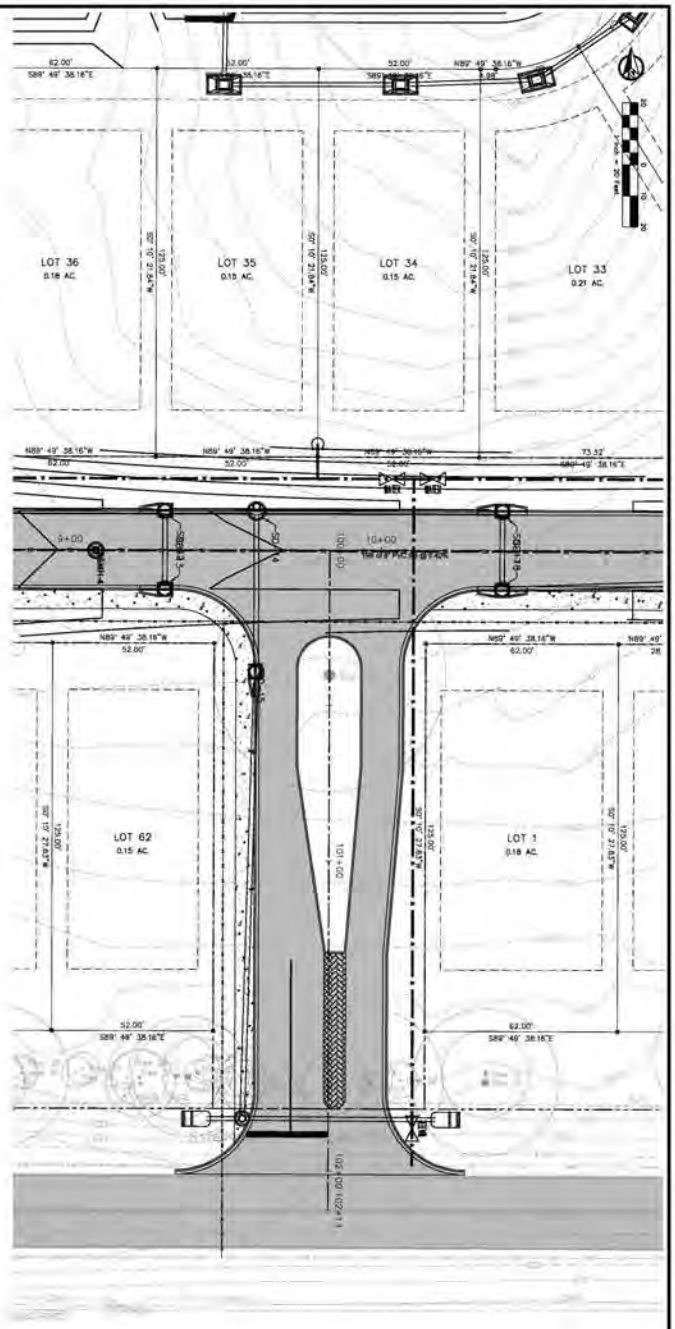
F.L.C.A. 00030572

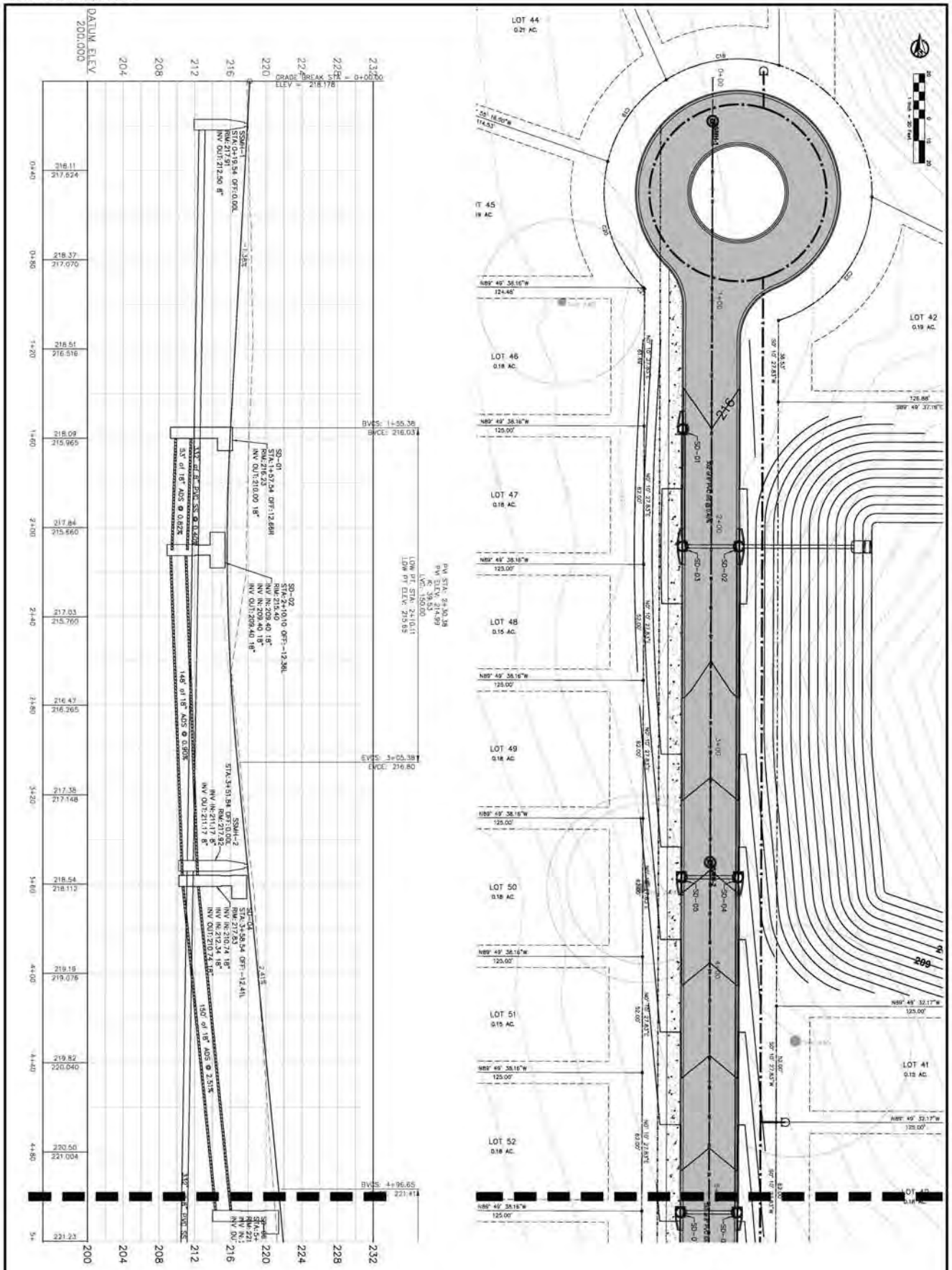
SEAN R. MARSTON, P.E.
LICENSE NUMBER 74872

DRAWN BY: W.E.C.
CHECKED BY: S.X.M.
DATE: 11/4/15
HORZ. SCALE: 1"=60'
VERT. SCALE: 1"=10'
SHEET C-118
PROJECT No. 15015.00

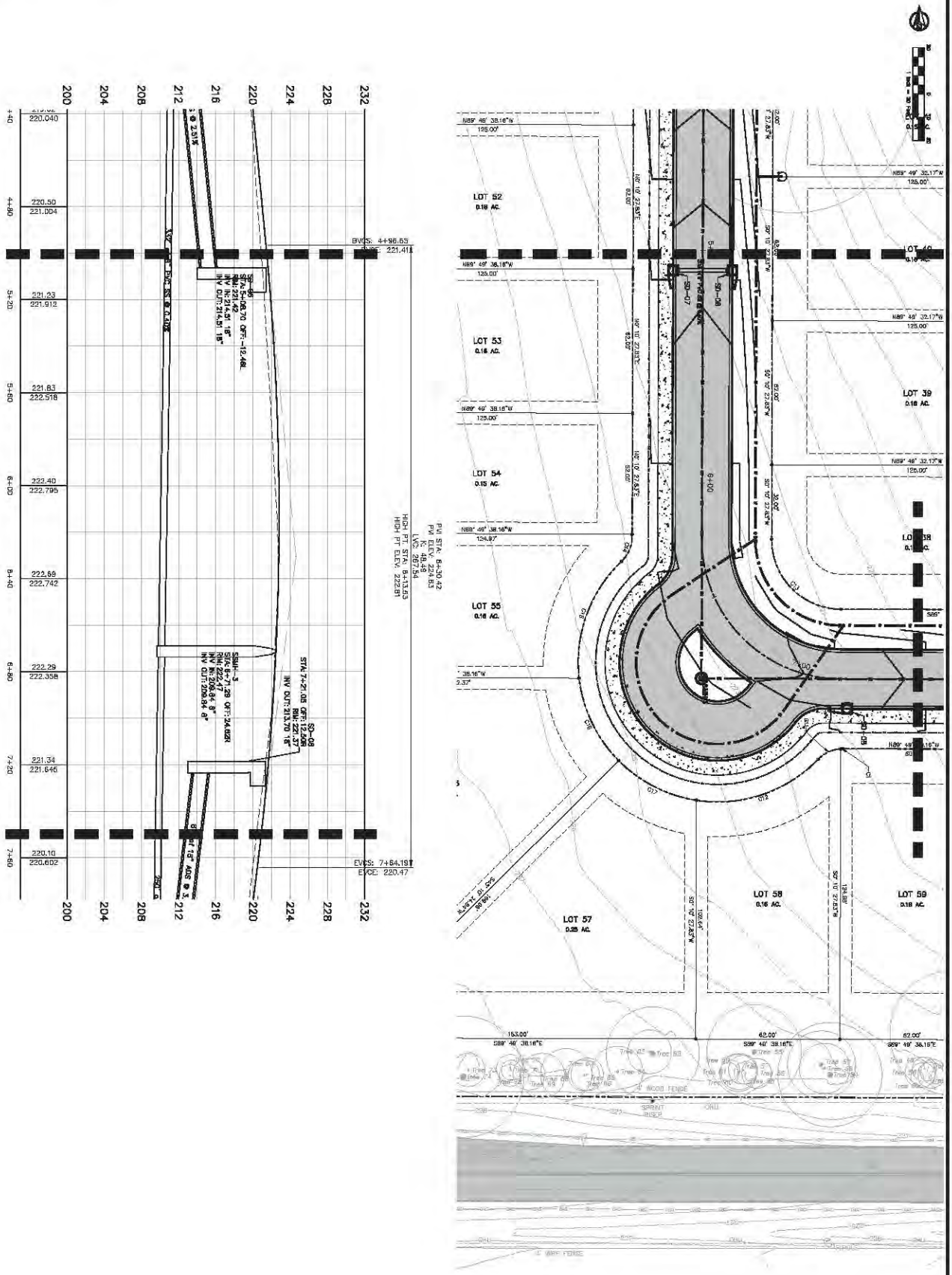




SHEET C-119 PROJECT No. 15015.00	DRAWN BY: W.E.C. CHECKED BY: S.K.M. DATE: 11/18/15 HORZ. SCALE: 1"=20' VERT. SCALE: 1"=5'	SEAN K. MARSTON, P.E. LICENSE NUMBER: 53987	BROOKSIDE VILLAGE RESIDENTIAL SUBDIVISION PLAN AND PROFILE LEON COUNTY FLORIDA	DATE BY REVISIONS	URBAN CATALYST CONSULTANTS, INC. 2840 PABLO AVENUE TALLAHASSEE, FLORIDA, 32308 PHONE: (850) 999-4241 WWW.UCCENG.COM FL CA 00030572



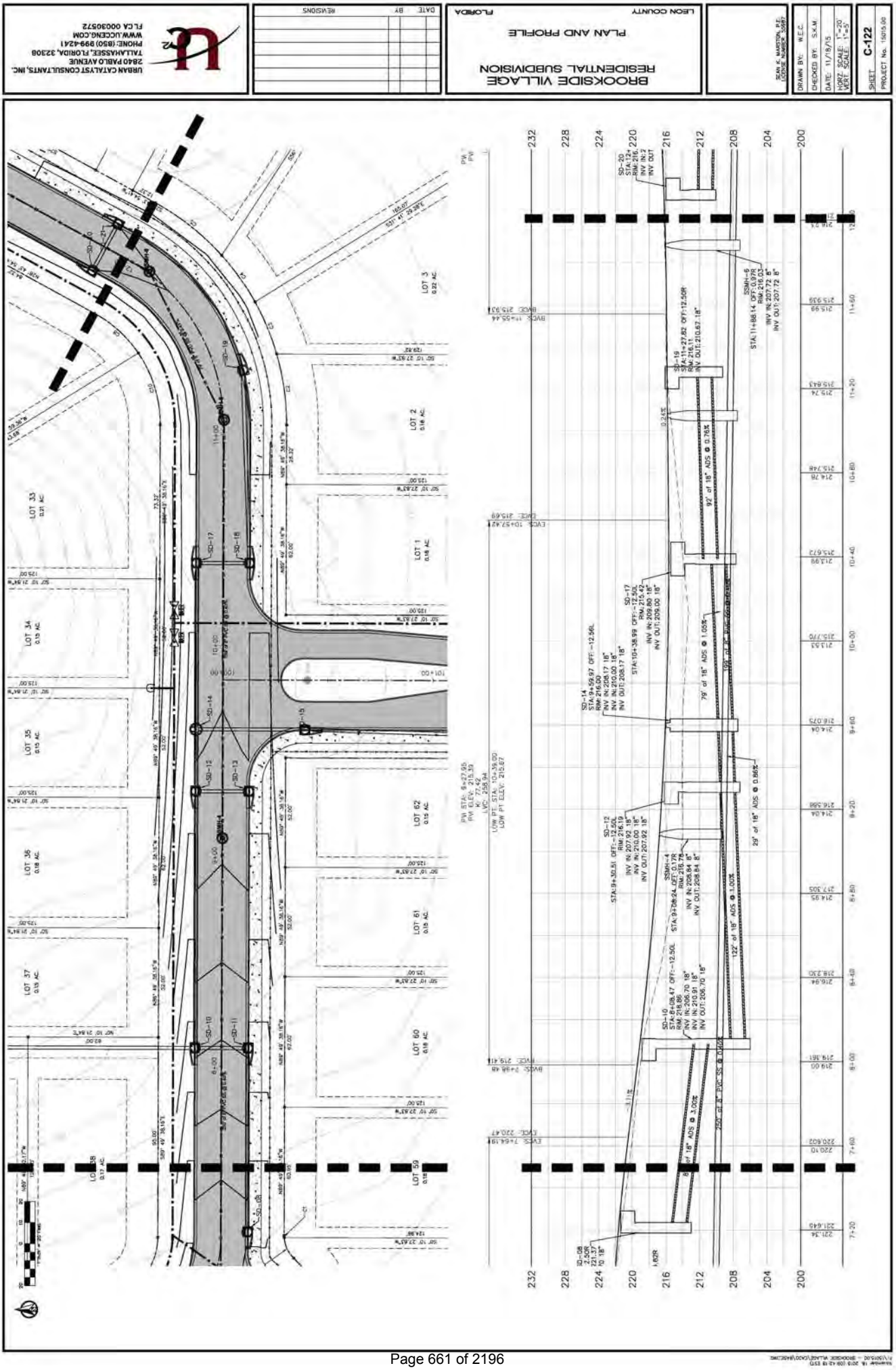
SHEET C-120 PROJECT No. 15015.00	DRAWN BY: W.E.C. CHECKED BY: S.K.M. DATE: 11/18/15 HORZ. SCALE: 1"=20' VERT. SCALE: 1"=5'	SEAN K. MANSTON, P.E. LICENSE NUMBER: 53967	BROOKSIDE VILLAGE RESIDENTIAL SUBDIVISION PLAN AND PROFILE LEON COUNTY FLORIDA	DATE BY REVISIONS	URBAN CATALYST CONSULTANTS, INC. 2840 PABLO AVENUE TALLAHASSEE, FLORIDA, 32308 PHONE: (850) 999-4241 WWW.UCCENG.COM FL CA 00030572



SHEET: C-121	DRAWN BY: W.E.C.	SEAN K. MANSTON, P.E. LICENSE NUMBER: 50667	BROOKSIDE VILLAGE RESIDENTIAL SUBDIVISION
PROJECT No. 15015.00	CHECKED BY: S.K.M.		PLAN AND PROFILE
	DATE: 11/18/15		LEON COUNTY FLORIDA
	HORZ. SCALE: 1"=20' VERT. SCALE: 1"=5'		

DATE	BY	REVISIONS

URBAN CATALYST CONSULTANTS, INC.
2840 PABLO AVENUE
TALLAHASSEE, FLORIDA, 32308
PHONE: (850) 999-4241
WWW.UCCENG.COM
FL CA 00030572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2840 PABLO AVENUE
TALLAHASSEE, FLORIDA, 32308
PHONE: (850) 999-4241
WWW.UCCENG.COM
FLCA 00030572
DATE
BY
REVISIONS
BROOKSIDE VILLAGE
RESIDENTIAL SUBDIVISION
PLAN AND PROFILE
LEON COUNTY
FLORIDA
SEAN K. MARSTON, P.E.
LICENSE NUMBER 30987
DRAWN BY: W.E.C.
CHECKED BY: S.K.M.
DATE: 11/18/15
HORZ. SCALE: 1"=20'
VERT. SCALE: 1"=5'
SHEET C-122
PROJECT No. 15015.00
LOT 33
LOT 34
LOT 35
LOT 36
LOT 37
LOT 38
LOT 59
LOT 60
LOT 61
LOT 62
LOT 1
LOT 2
LOT 3
232
228
224
220
216
212
208
204
200

November 16, 2015 (09:42:18 EST)
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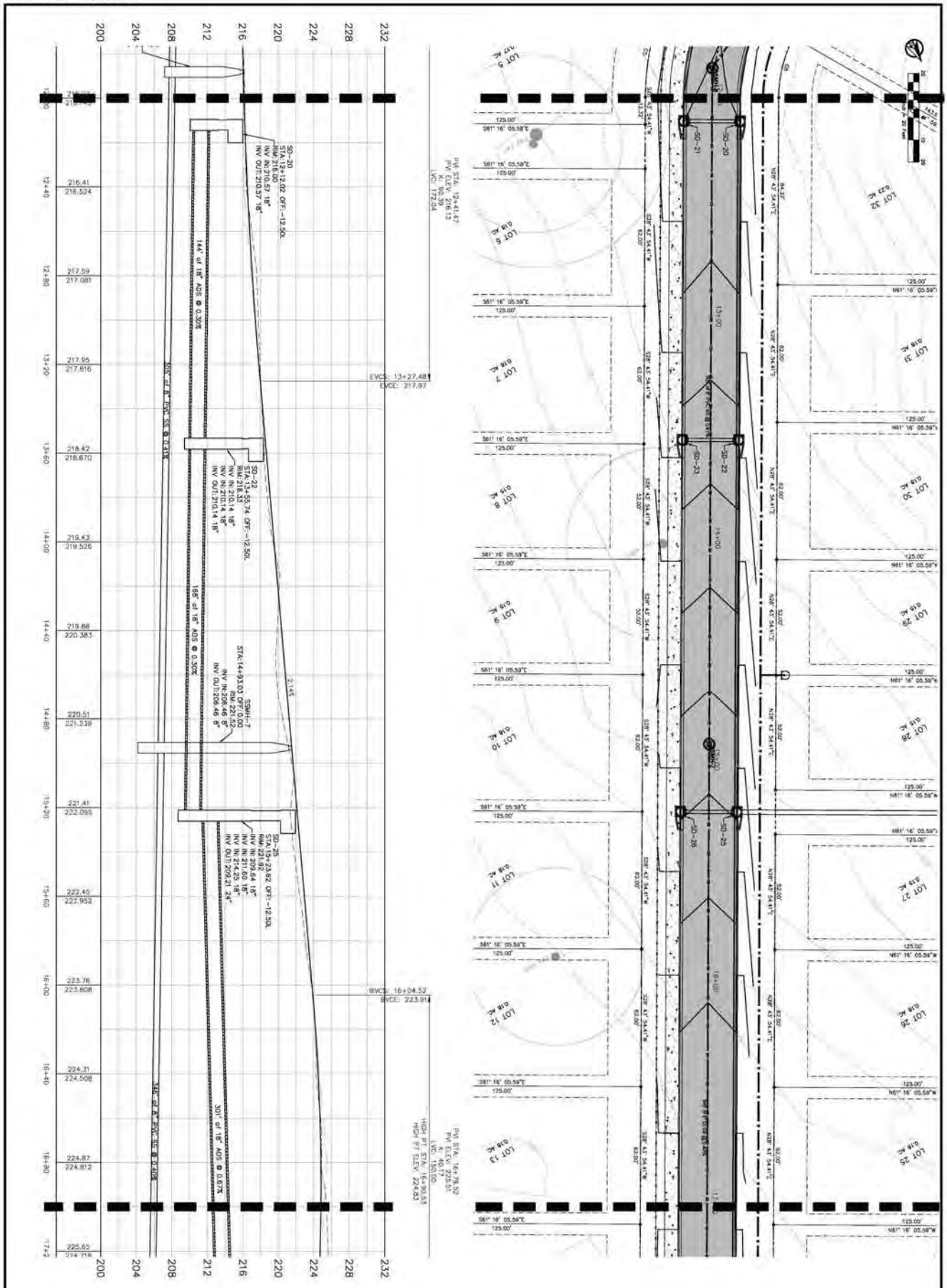
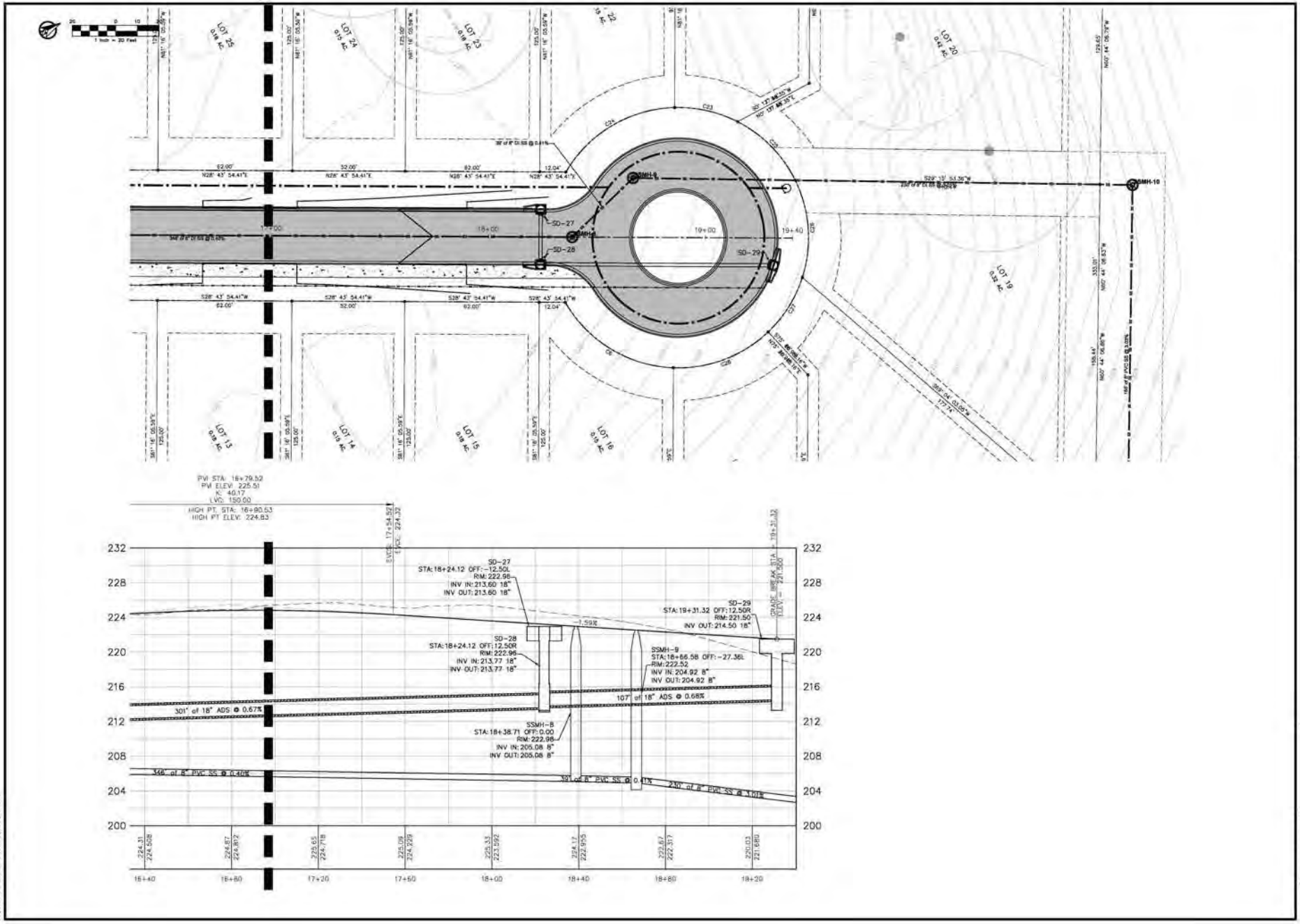


SHEET C-123 PROJECT No. 15015.00	DRAWN BY: W.E.C. CHECKED BY: S.K.M. DATE: 11/18/15 HORZ. SCALE: 1"=20' VERT. SCALE: 1"=5'	SEAN K. MARSTON, P.E. LICENSE NUMBER: 53087	BROOKSIDE VILLAGE RESIDENTIAL SUBDIVISION PLAN AND PROFILE LEON COUNTY FLORIDA	DATE BY REVISIONS	URBAN CATALYST CONSULTANTS, INC. 2840 PABLO AVENUE TALLAHASSEE, FLORIDA, 32308 PHONE: (850) 999-4241 WWW.UCCENG.COM FL CA 00030572



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BROOKSIDE VILLAGE
RESIDENTIAL SUBDIVISION

PLAN AND PROFILE

LEON COUNTY FLORIDA

SEAN K. MARSTON, P.E.
LICENSE NUMBER 55987

DRAWN BY: W.E.C.
CHECKED BY: S.K.M.
DATE: 11/18/15
HORZ. SCALE: 1"=20'
VERT. SCALE: 1"=5'

SHEET C-124
PROJECT No. 15015.00

STRUCTURE TABLE

STRUCTURE NAME:	DETAILS:	PIPES IN:	PIPES OUT
MES-01	MES RIM = 204.71 INV IN = 203.00	Pipe - (10), 18" INV IN =203.00	
MES-02	MES RIM = 205.25 INV IN = 203.00	Pipe - (8), 24" INV IN =203.00	
MES-03	MES RIM = 224.44 INV OUT = 223.00		Pipe - (26), 15" INV OUT =223.00
MES-04	MES RIM = 224.44 INV OUT = 223.00		Pipe - (24), 15" INV OUT =223.00
MES-05	MES RIM = 211.46 INV IN = 209.21	Pipe - (27), 24" INV IN =209.21	
SD-01	P-5 RIM = 216.23 INV OUT = 210.00		Pipe - (30), 18" INV OUT =210.00
SD-02	P-5 RIM = 215.40 INV IN = 209.40 INV IN = 209.40 INV OUT = 208.40	Pipe - (1), 18" INV IN =209.40 Pipe - (2), 18" INV IN =209.40	Pipe - (10), 18" INV OUT =209.40
SD-03	P-5 RIM = 215.82 INV IN = 209.57 INV OUT = 209.57	Pipe - (30), 18" INV IN =209.57	Pipe - (1), 18" INV OUT =208.57
SD-04	P-5 RIM = 217.63 INV IN = 210.74 INV IN = 212.34 INV OUT = 210.74	Pipe - (3), 18" INV IN =210.74 Pipe - (11), 18" INV IN =212.34	Pipe - (2), 18" INV OUT =210.74
SD-05	P-5 RIM = 218.10 INV OUT = 212.51		Pipe - (11), 18" INV OUT =212.51
SD-06	P-5 RIM = 221.42 INV IN = 214.51 INV OUT = 214.51	Pipe - (18), 18" INV IN =214.51	Pipe - (3), 18" INV OUT =214.51
SD-07	P-5 RIM = 221.53 INV OUT = 214.68		Pipe - (18), 18" INV OUT =214.68
SD-08	P-5 RIM = 221.33 INV OUT = 215.70		Pipe - (28), 18" INV OUT =213.70
SD-09	PT MANHOLE RIM = 215.00 INV IN = 205.23 INV OUT = 205.23	Pipe - (16), 18" INV IN =205.23	Pipe - (8), 24" INV OUT =205.23
SD-10	P-5 RIM = 218.66 INV IN = 206.70 INV IN = 210.91 INV OUT = 206.70	Pipe - (4), 18" INV IN =206.70 Pipe - (12), 18" INV IN =210.91	Pipe - (19), 18" INV OUT =206.70
SD-11	P-5 RIM = 218.66 INV IN = 211.08 INV OUT = 211.08	Pipe - (28), 18" INV IN =211.08	Pipe - (12), 18" INV OUT =211.08
SD-12	P-5 RIM = 218.19 INV IN = 207.92 INV IN = 210.03 INV OUT = 207.92	Pipe - (5), 18" INV IN =207.92 Pipe - (13), 18" INV IN =210.03	Pipe - (4), 18" INV OUT =207.92
SD-13	P-5 RIM = 216.16 INV OUT = 210.17		Pipe - (13), 18" INV OUT =210.17
SD-14	JT ECCENTRIC MH RIM = 216.00 INV IN = 208.17 INV IN = 210.00 INV OUT = 208.17	Pipe - (23), 18" INV IN =208.17 Pipe - (31), 18" INV IN =210.00	Pipe - (6), 18" INV OUT =208.17
SD-15	P-5 RIM = 216.51 INV IN = 211.82 INV OUT = 211.82	Pipe - (25), 18" INV IN =211.82	Pipe - (31), 18" INV OUT =211.82
SD-16	PT MANHOLE RIM = 225.20 INV IN = 221.00 INV IN = 221.00 INV OUT = 217.00	Pipe - (24), 15" INV IN =221.00 Pipe - (26), 15" INV IN =221.00	Pipe - (25), 18" INV OUT =217.00
SD-17	P-5 RIM = 215.42 INV IN = 209.80 INV OUT = 209.00	Pipe - (20), 18" INV IN =209.80	Pipe - (23), 18" INV OUT =209.00
SD-18	P-5 RIM = 215.42 INV IN = 209.97 INV OUT = 209.97	Pipe - (29), 18" INV IN =209.97	Pipe - (20), 18" INV OUT =209.97
SD-19	P-5 RIM = 218.11 INV OUT = 210.67		Pipe - (29), 18" INV OUT =210.67
SD-20	P-5 RIM = 218.00 INV IN = 210.57 INV OUT = 210.57	Pipe - (14), 18" INV IN =210.57	Pipe - (6), 18" INV OUT =210.57
SD-21	P-5 RIM = 218.00 INV OUT = 210.82		Pipe - (14), 18" INV OUT =210.82
SD-22	P-5 RIM = 218.33 INV IN = 210.14 INV IN = 210.14 INV OUT = 210.14	Pipe - (6), 18" INV IN =210.14 Pipe - (22), 18" INV IN =210.14	Pipe - (25), 18" INV OUT =210.14
SD-23	P-5 RIM = 218.33 INV OUT = 210.39		Pipe - (22), 18" INV OUT =210.39
SD-24	PT MANHOLE RIM = 214.07 INV IN = 209.84 INV OUT = 209.00	Pipe - (9), 24" INV IN =209.84	Pipe - (27), 24" INV OUT =209.00
SD-25	P-5 RIM = 221.93 INV IN = 209.64 INV IN = 211.60 INV IN = 214.25 INV OUT = 209.21	Pipe - (21), 18" INV IN =209.64 Pipe - (7), 18" INV IN =211.60 Pipe - (15), 18" INV IN =214.25	Pipe - (9), 24" INV OUT =209.21

STRUCTURE TABLE

STRUCTURE NAME:	DETAILS:	PIPES IN:	PIPES OUT
SD-26	P-5 RIM = 221.92 INV OUT = 214.43		Pipe - (15), 18" INV OUT =214.43
SD-27	P-5 RIM = 222.96 INV IN = 213.60 INV OUT = 213.60	Pipe - (16), 18" INV IN =213.60	Pipe - (7), 18" INV OUT =213.60
SD-28	P-5 RIM = 222.96 INV IN = 212.77 INV OUT = 212.77	Pipe - (17), 18" INV IN =213.77	Pipe - (16), 18" INV OUT =213.77
SD-29	P-5 RIM = 221.50 INV OUT = 214.50		Pipe - (17), 18" INV OUT =214.50
Structure - (74)	Precast Ditch Bottom Inlet - Type C (Double Slot) 10 ft. or Less RIM = 0.61 INV IN = -0.62 INV OUT = -0.62	Pipe - (37), 15" INV IN =-0.62	Pipe - (32), 15" INV OUT =-0.62
Structure - (75)	Precast Ditch Bottom Inlet - Type C (Double Slot) 10 ft. or Less RIM = 0.61 INV IN = -0.62 INV OUT = -3.72	Pipe - (32), 15" INV IN =-0.62	Pipe - (33), 15" INV OUT =-3.72
Structure - (76)	Precast Ditch Bottom Inlet - Type C (Double Slot) 10 ft. or Less RIM = 0.00 INV IN = -4.11 INV OUT = -7.21	Pipe - (33), 15" INV IN =-4.11	Pipe - (34), 15" INV OUT =-7.21
Structure - (77)	Precast Ditch Bottom Inlet - Type C (Double Slot) 10 ft. or Less RIM = 0.00 INV IN = -7.68 INV OUT = -10.75	Pipe - (34), 15" INV IN =-7.68	Pipe - (35), 15" INV OUT =-10.75
Structure - (78)	Precast Ditch Bottom Inlet - Type C (Double Slot) 10 ft. or Less RIM = 0.00 INV IN = -11.27 INV IN = -11.27	Pipe - (35), 15" INV IN =-11.27 Pipe - (36), 15" INV IN =-11.27	
Structure - (79)	Side Slope MES with 1:4 Slope - 15 in. Single Round Concrete Pipe RIM = 208.81 INV OUT = 207.38		Pipe - (36), 15" INV OUT =207.38
Structure - (80)	Precast Ditch Bottom Inlet - Type C (Double Slot) 10 ft. or Less RIM = 0.61 INV OUT = -0.62		Pipe - (37), 15" INV OUT =-0.62

Pipe Table

NAME	SIZE	LENGTH	SLOPE	MATERIAL
Pipe - (1)	18"	25.00'	0.68%	
Pipe - (2)	18"	148.44'	0.90%	
Pipe - (3)	18"	150.16'	2.51%	
Pipe - (4)	18"	122.04'	1.00%	
Pipe - (5)	18"	29.45'	0.86%	
Pipe - (6)	18"	143.73'	0.30%	
Pipe - (7)	18"	300.50'	0.67%	
Pipe - (8)	24"	53.27'	4.19%	
Pipe - (9)	24"	144.11'	-0.30%	
Pipe - (10)	18"	52.67'	12.15%	
Pipe - (11)	18"	25.00'	0.68%	
Pipe - (12)	18"	25.00'	0.68%	
Pipe - (13)	18"	25.00'	0.68%	
Pipe - (14)	18"	25.00'	1.00%	
Pipe - (15)	18"	25.00'	0.68%	
Pipe - (16)	18"	25.00'	0.68%	
Pipe - (17)	18"	107.19'	0.68%	
Pipe - (18)	18"	25.00'	0.68%	
Pipe - (19)	18"	146.58'	1.00%	
Pipe - (20)	18"	25.00'	0.68%	
Pipe - (21)	18"	167.87'	0.30%	
Pipe - (22)	18"	25.00'	1.00%	
Pipe - (23)	18"	79.03'	1.05%	
Pipe - (24)	15"	62.92'	3.18%	
Pipe - (25)	18"	144.02'	3.59%	
Pipe - (26)	15"	12.49'	16.01%	
Pipe - (27)	24"	64.39'	-0.33%	
Pipe - (28)	18"	87.41'	5.00%	
Pipe - (29)	18"	91.79'	0.76%	
Pipe - (30)	18"	52.57'	0.82%	
Pipe - (31)	18"	51.74'	3.52%	
Pipe - (32)	15"	53.02'	0.00%	
Pipe - (33)	15"	38.31'	1.00%	
Pipe - (34)	15"	43.89'	1.00%	
Pipe - (35)	15"	56.64'	0.93%	
Pipe - (36)	15"	38.30'	570.90%	
Pipe - (37)	15"	65.02'	0.00%	

URBAN CATALYST CONSULTANTS, INC.
2840 PABLO AVENUE
TALLAHASSEE, FLORIDA, 32308
PHONE: (850) 999-4241
WWW.UCCENG.COM
FL CA 00030572

REVISIONS

DATE	BY

BROOKSIDE VILLAGE
RESIDENTIAL SUBDIVISION

STORM STRUCTURES

LEON COUNTY FLORIDA

SEAN K. MARSTON, P.E.
LICENSE NUMBER 59967

DRAWN BY: W.E.C.
CHECKED BY: S.K.M.
DATE: 11/4/15
HORZ. SCALE: 1"=60'
VERT. SCALE: 1"=10'

SHEET C-125
PROJECT No. 15019.00

November 16, 2015 (09:42:18 EST)
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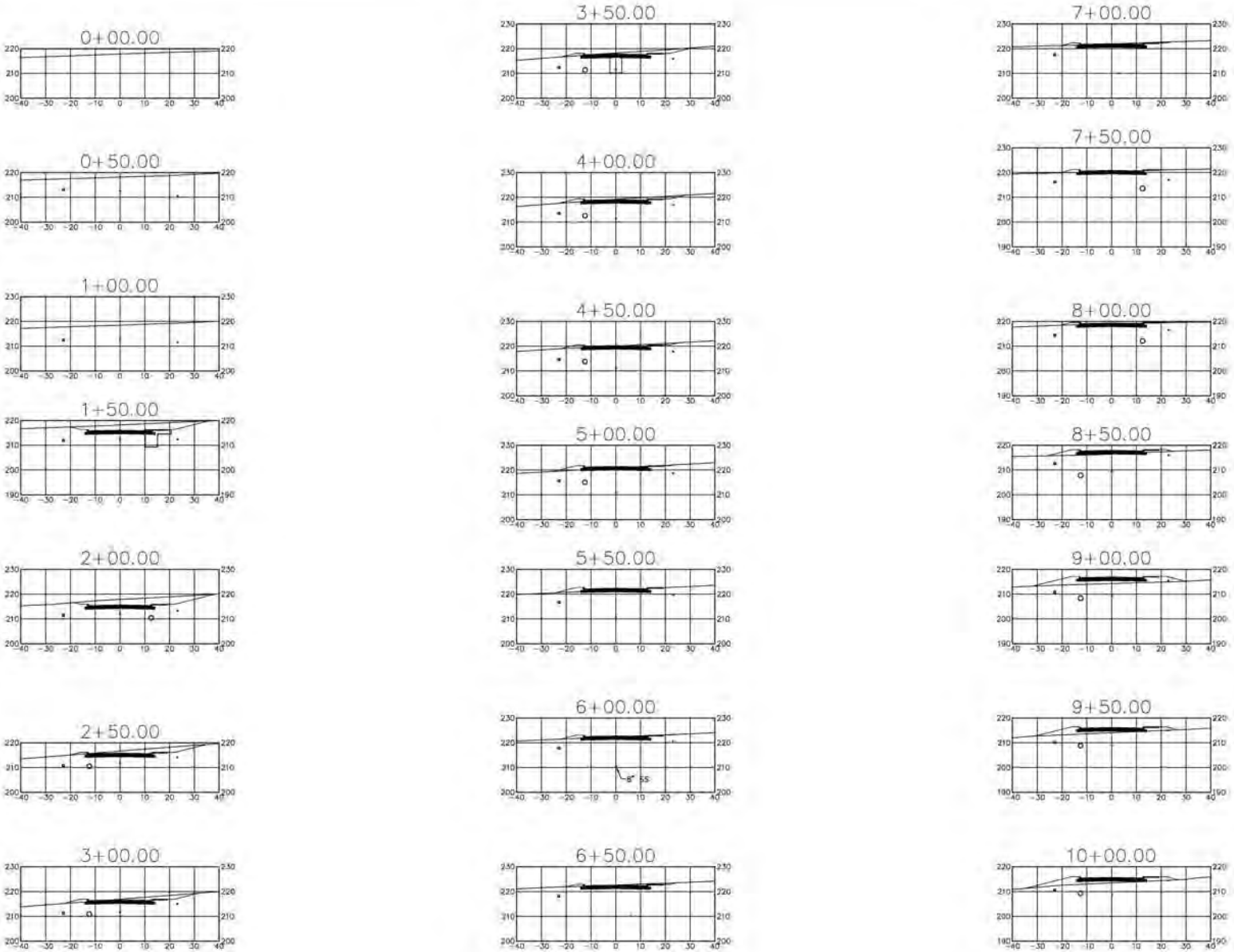


URBAN CATALYST CONSULTANTS, INC.
2840 PABLO AVENUE
TALLAHASSEE, FLORIDA, 32308
PHONE: (850) 999-4241
WWW.UCCENG.COM
FL CA 00030572

DATE	BY	REVISIONS

BROOKSIDE VILLAGE
RESIDENTIAL SUBDIVISION

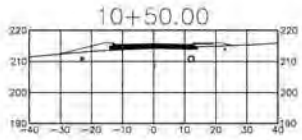
ROADWAY CROSS SECTIONS
(0+00 TO 10+00)

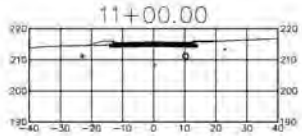
LEON COUNTY FLORIDA

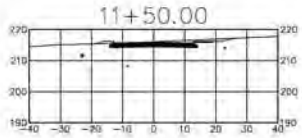
SEAN K. MARSTON, P.E.
LICENSE NUMBER 59867

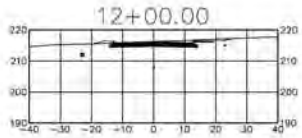
DRAWN BY: W.E.C.
CHECKED BY: S.K.M.
DATE: 11/18/15
HORZ. SCALE: 1"=20'
VERT. SCALE: 1"=20'

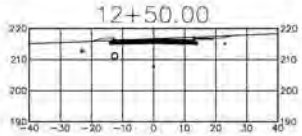
SHEET C-126
PROJECT No. 15019.00

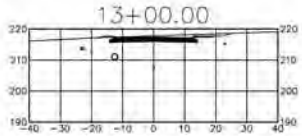


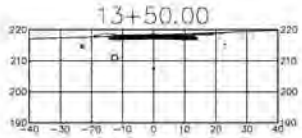


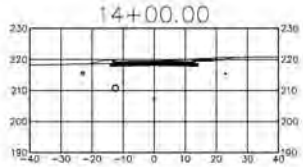


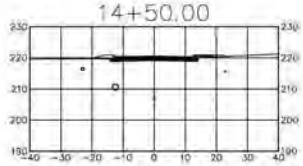


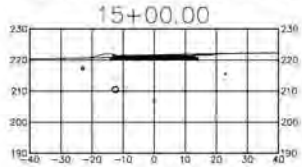


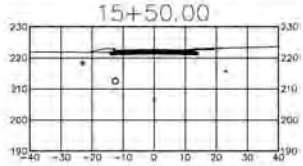


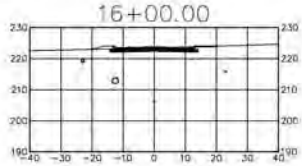


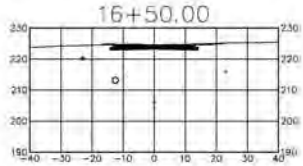


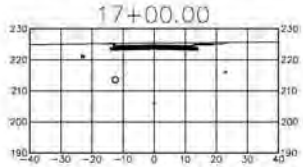


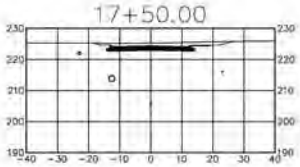


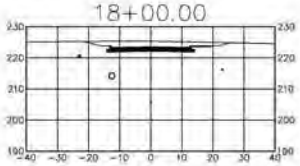


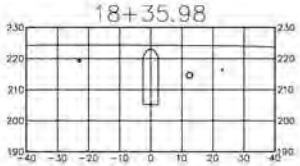












URBAN CATALYST CONSULTANTS, INC.
2840 PABLO AVENUE
TALLAHASSEE, FLORIDA, 32308
PHONE: (850) 999-4241
WWW.UCCENG.COM
FL CA 00030572

DATE	BY	REVISIONS

BROOKSIDE VILLAGE
RESIDENTIAL SUBDIVISION

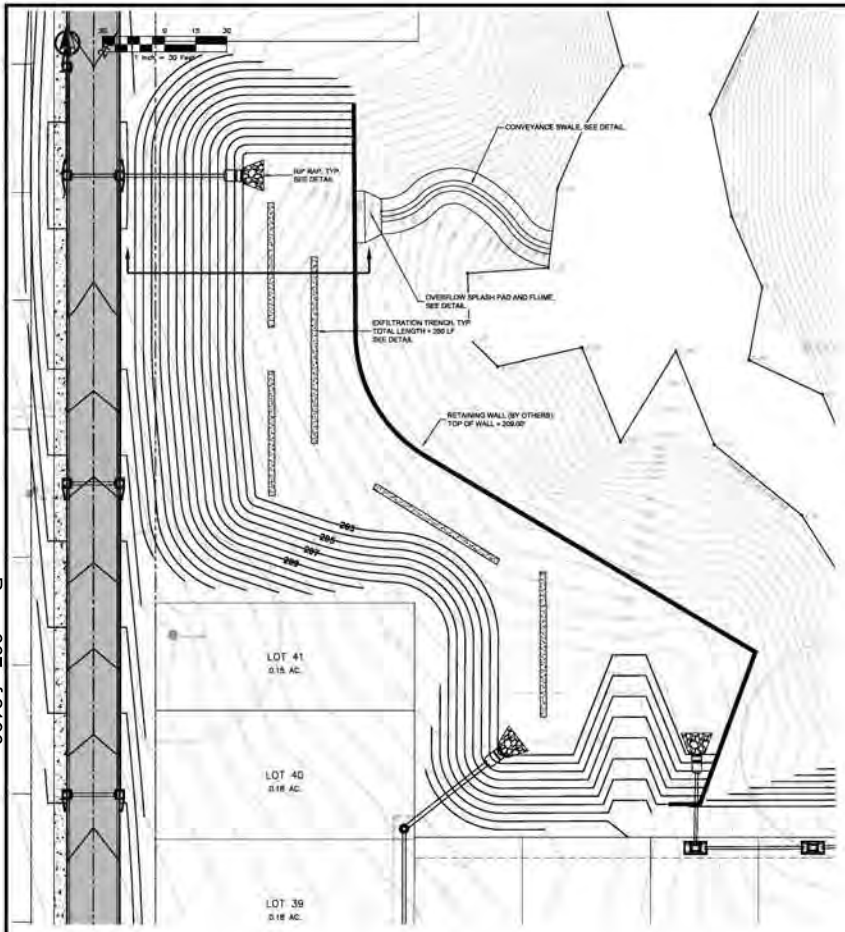
ROADWAY CROSS SECTIONS
(10+50 TO 18+35)

LEON COUNTY FLORIDA

SEAN K. MARSTON, P.E.
LICENSE NUMBER 59967

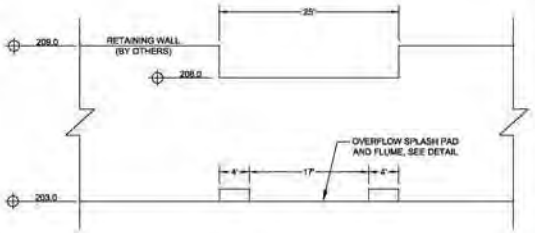
DRAWN BY: W.E.C.
CHECKED BY: S.K.M.
DATE: 11/18/15
HORZ. SCALE: 1"=20'
VERT. SCALE: 1"=20'

SHEET C-127
PROJECT No. 15019.00

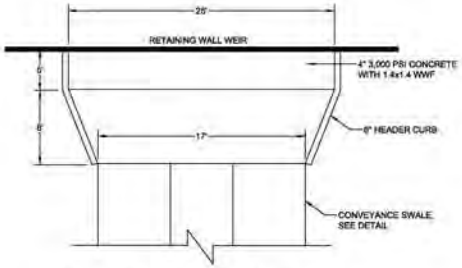


S.W.M.F. NOTES

1. IF DURING CONSTRUCTION OR OPERATION OF THE STORMWATER MANAGEMENT FACILITY, A STRUCTURAL FAILURE IS OBSERVED THAT HAS THE POTENTIAL TO CAUSE DIRECT DISCHARGE OF SURFACE WATER INTO THE FLORIDA AQUIFER SYSTEM, CORRECTIVE ACTIONS DESIGNED OR APPROVED BY A REGISTERED PROFESSIONAL SHALL BE TAKEN AS SOON AS PRACTICAL TO CORRECT THE FAILURE. A REPORT PREPARED BY A REGISTERED PROFESSIONAL MUST BE PROVIDED AS SOON AS PRACTICAL TO THE DEPARTMENT FOR REVIEW AND APPROVAL THAT THE FAILURE HAS BEEN PERMANENTLY CORRECTED.
2. EXFILTRATION TRENCHES ARE TO BE LOCATED AS SHOWN ON THE PLANS. ARDAMAN AND ASSOCIATES SHALL BE PRESENT DURING ALL TRENCH EXCAVATION TO VERIFY AND DOCUMENT MINIMUM 3 TO 5' DEPTH PENETRATION INTO STRATA 4A, 4B, AND 4C.
3. BACKFILL TRENCH AS THE EXCAVATION PROGRESSES, AND LIGHTLY "puddle compact" THE SAND FILL TO PRE-SETTLE THE FILL AND PRECLUDE LATER "HOLLOWING" OF THE TOP OF THE TRENCH.
4. MOUND THE BACKFILL SAND AT LEAST 6" ABOVE ADJACENT POND BOTTOM GRADE, AND TOP WITH 3" THICKNESS NO. 57 GRAVEL TO DISSIPATE HORIZONTAL FLOW VELOCITIES IN THE POND BOTTOM.
5. BACKFILL SAND MUST BE CLEAN, UNIFORMLY GRADED MEDIUM TO FINE SAND WITH LESS THAN 8% PASSING THE US NO. 200 SIVE, AND MINIMUM PERMEABILITY 20 INCHES PER HOUR. MINIMUM TESTS REQUIRED ARE TWO (2) PERMEABILITY AND 200 SIEVE TEST FROM THE PIT OR STOCKPILE FOR ACCEPTANCE (OR REJECTION), AND ONE SET OF TEST PER 50' OF TRENCH BACKFILL.
6. MAINTENANCE SHALL BE SCHEDULED FOR DRY PERIODS. IN THE EVENT DEWATERING IS REQUIRED, IT SHALL BE PERFORMED BY MECHANICAL MEANS, AND ONLY AFTER THE LEON COUNTY DEM AND NWFWMD HAVE BEEN NOTIFIED.
7. KEEP HEAVY MACHINERY OFF THE POND BOTTOM. POND BOTTOM TO BE CONSTRUCTED BY AN EXCAVATOR AND ANY GRADING TO BE DONE BY A LIGHT TRACTOR.
8. S.W.M.F. BERM TO BE CONSTRUCTED OF 3C MATERIAL, COMPACTED TO 95% MODIFIED PROCTOR.



RETAINING WALL WEIR DETAIL
N.T.S.



OVERFLOW SPLASH PAD AND FLUME
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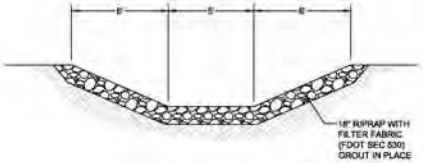

CONVEYANCE SWALE DETAIL
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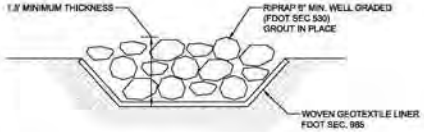
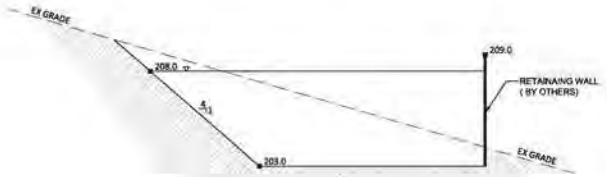
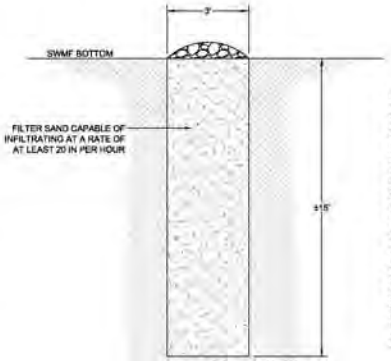


RIP RAP DETAIL
N.T.S.



POND 100 CROSS SECTION
N.T.S.



NOTE:

CONTRACTOR SHALL RETAIN ARDAMAN & ASSOCIATES TO ADMINISTER FIELD TESTING OF THE STORMWATER EXFILTRATION TRENCHES. VERIFICATION SHALL BE OBTAINED BY GRADING THE POND TO THE NEAT LINES INDICATED IN THE PLANS WHILE LEAVING THE BOTTOM 12" ABOVE FINISHED GRADE, HEREIN REFERRED TO ROUGH GRADE. CONTRACTOR SHALL EXCAVATE THE EXFILTRATION TRENCHES, BENCHING IN WHERE NECESSARY, AND BACKFILL TRENCHES WITH SAND MATERIALS IN ACCORDANCE WITH THE SWMF NOTES, PLACING A LAYER OF FDOT TYPE D-3 FILTER CLOTH AT THE LEVEL OF THE FINAL POND BOTTOM TO PREVENT THE TRENCH FROM BECOMING CONTAMINATED WITH FINES, AFTER WHICH THE LAST 12" OF SAND MAY BE PLACED TO MATCH THE ROUGH GRADE OF THE POND BOTTOM. POND SHALL BE PARTIAL FLOODED BY SURFACE WATER RUNOFF OR FROM A FIRE HYDRANT TO SUFFICIENT LEVELS AS DIRECTED BY ARDAMAN AND ASSOCIATES SO THAT THE RECOVERY CAN BE MONITORED AND RECORDED. THE RECOVERY DATA SHALL BE INCORPORATED INTO THE GROUNDWATER MODEL BY ARDAMAN AND ASSOCIATES SO THAT DESIGN PROJECTIONS CAN BE VERIFIED. IF THE RECOVERY IS CONSISTENT WITH THE PREDICTED MODELS, THEN CONSTRUCTION ELSEWHERE ON THE SITE MAY PROCEED. IF THE RECOVERY RATES ARE NOT ACHIEVED, THEN ADDITIONAL INFILTRATION TRENCHES SHALL BE INSTALLED, AS DIRECTED BY ARDAMAN & ASSOCIATES, AFTER WHICH THIS TEST IS TO BE REPEATED AND VERIFIED. ANY ADDITIONAL EXFILTRATION TRENCHES ARE TO INSTALLED AND RETESTED BASED ON THE ORIGINAL UNIT COST OF THE EXFILTRATION TRENCHES. CONTRACTOR SHALL BE RESPONSIBLE FOR SCHEDULING AND THE MEANS OF TESTING, INCLUDING THE COST OF THE HYDRANT METER AND WATER USAGE. UPON COMPLETION OF THE DEVELOPMENT AND FINAL STABILIZATION, THE POND BOTTOM SHALL BE GRADED TO THE FINISHED GRADES INDICATED ON THE PLANS AND ALL SEDIMENTS SHALL BE REMOVED. TYPE D-3 FILTER FABRIC SHALL BE REMOVED FROM THE EXFILTRATION TRENCHES AND ANY CONTAMINATION EXFILTRATION SAND MEDIA SHALL BE REMOVED AND REPLACED WITH MATERIALS MEETING PROJECT SPECIFICATIONS. THE EXFILTRATION TRENCHES SHALL BE MOUNDED AT LEAST 6" ABOVE THE POND BOTTOM AND COVERED WITH 3" OF NO. 57 GRAVEL TO DISSIPATE HORIZONTAL FLOW VELOCITIES IN THE POND BOTTOM.

TRENCH DETAIL AND NOTES
N.T.S.

URBAN CATALYST CONSULTANTS, INC.
2840 PABLO AVENUE
TALLAHASSEE, FLORIDA, 32308
PHONE: (850) 999-4241
WWW.UCCENG.COM
FL CA 00030572

DATE	BY	REVISIONS

BROOKSIDE VILLAGE
RESIDENTIAL SUBDIVISION

POND 100 DETAILS

LEON COUNTY FLORIDA

SEAN K. MARSTON, P.E.
LICENSE NUMBER 50987

DRAWN BY:	W.E.C.
CHECKED BY:	S.K.M.
DATE:	11/18/15
HORZ. SCALE:	1"=30'
VERT. SCALE:	

SHEET C-128
PROJECT No. 15015.00

November 18, 2015 09:07:22 EST
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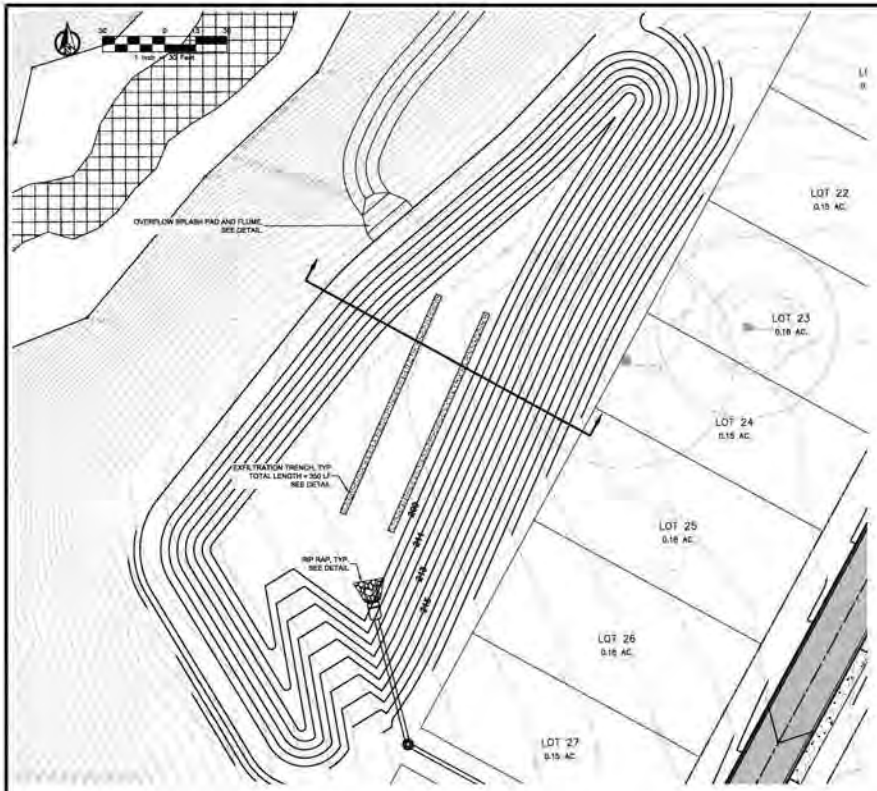

S.W.M.F. NOTES

1. IF DURING CONSTRUCTION OR OPERATION OF THE STORMWATER MANAGEMENT FACILITY, A STRUCTURAL FAILURE IS OBSERVED THAT HAS THE POTENTIAL TO CAUSE DIRECT DISCHARGE OF SURFACE WATER INTO THE FLORIDA AQUIFER SYSTEM, CORRECTIVE ACTIONS (ASSIGNED OR APPROVED BY A REGISTERED PROFESSIONAL SHALL BE TAKEN AS SOON AS PRACTICAL TO CORRECT THE FAILURE. A REPORT PREPARED BY A REGISTERED PROFESSIONAL MUST BE PROVIDED AS SOON AS PRACTICAL TO THE DEPARTMENT FOR REVIEW AND APPROVAL THAT THE FAILURE HAS BEEN PERMANENTLY CORRECTED.
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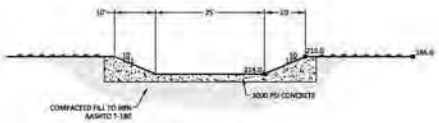
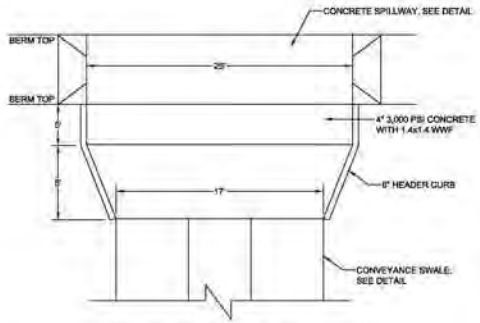
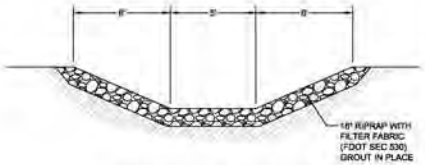
7. STOP HEAVY MACHINERY OFF THE POND BOTTOM. POND BOTTOM TO BE CONSTRUCTED BY AN EXCAVATOR AND ANY GRADING TO BE DONE BY A LIGHT TRACTOR.
8. S.W.M.F. BERM TO BE CONSTRUCTED OF SE MATERIAL COMPACTED TO 95% MODIFIED PROCTOR.



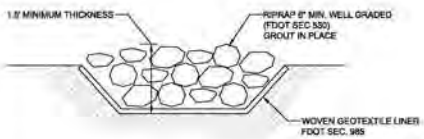
CONCRETE SPILLWAY DETAIL
N.T.S.



OVERFLOW SPLASH PAD AND FLUME
N.T.S.

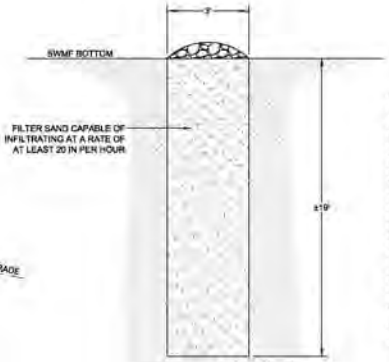


CONVEYANCE SWALE DETAIL
N.T.S.



RIP RAP DETAIL
N.T.S.

POND 200 CROSS SECTION
N.T.S.



NOTE

CONTRACTOR SHALL RETAIN ARDAMAN & ASSOCIATES TO ADMINISTER FIELD TESTING OF THE STORMWATER EXFILTRATION TRENCHES. VERIFICATION SHALL BE OBTAINED BY GRADING THE POND TO THE NEAT LINES INDICATED IN THE PLANS WHILE LEAVING THE BOTTOM 12" ABOVE FINISHED GRADE, HEREIN REFERRED TO ROUGH GRADE. CONTRACTOR SHALL EXCAVATE THE EXFILTRATION TRENCHES, BENCHING IN WHERE NECESSARY, AND BACKFILL TRENCHES WITH SAND MATERIALS IN ACCORDANCE WITH THE SWMF NOTES, PLACING A LAYER OF FDOT TYPE D-3 FILTER CLOTH AT THE LEVEL OF THE FINAL POND BOTTOM TO PREVENT THE TRENCH FROM BECOMING CONTAMINATED WITH FINES. AFTER WHICH THE LAST 12" OF SAND MAY BE PLACED TO MATCH THE ROUGH GRADE OF THE POND BOTTOM. POND SHALL BE PARTIAL FLOODED BY SURFACE WATER RUNOFF OR FROM A FIRE HYDRANT TO SUFFICIENT LEVELS AS DIRECTED BY ARDAMAN AND ASSOCIATES SO THAT THE RECOVERY CAN BE MONITORED AND RECORDED. THE RECOVERY DATA SHALL BE INCORPORATED INTO THE GROUNDWATER MODEL BY ARDAMAN AND ASSOCIATES SO THAT DESIGN PROJECTIONS CAN BE VERIFIED. IF THE RECOVERY IS CONSISTENT WITH THE PREDICTED MODELS, THEN CONSTRUCTION ELSEWHERE ON THE SITE MAY PROCEED. IF THE RECOVERY RATES ARE NOT ACHIEVED, THEN ADDITIONAL INFILTRATION TRENCHES SHALL BE INSTALLED, AS DIRECTED BY ARDAMAN & ASSOCIATES, AFTER WHICH THIS TEST IS TO BE REPEATED AND VERIFIED. ANY ADDITIONAL EXFILTRATION TRENCHES ARE TO INSTALLED AND RETESTED BASED ON THE ORIGINAL UNIT COST OF THE EXFILTRATION TRENCHES. CONTRACTOR SHALL BE RESPONSIBLE FOR SCHEDULING AND THE MEANS OF TESTING, INCLUDING THE COST OF THE HYDRANT METER AND WATER USAGE. UPON COMPLETION OF THE DEVELOPMENT AND FINAL STABILIZATION, THE POND BOTTOM SHALL BE GRADED TO THE FINISHED GRADES INDICATED ON THE PLANS AND ALL SEDIMENTS SHALL BE REMOVED. TYPE D-3 FILTER FABRIC SHALL BE REMOVED FROM THE EXFILTRATION TRENCHES AND ANY CONTAMINATION EXFILTRATION SAND MEDIA SHALL BE REMOVED AND REPLACED WITH MATERIALS MEETING PROJECT SPECIFICATIONS. THE EXFILTRATION TRENCHES SHALL BE MOUNDED AT LEAST 6" ABOVE THE POND BOTTOM AND COVERED WITH 3" OF NO. 57 GRAVEL TO DISSIPATE HORIZONTAL FLOW VELOCITIES IN THE POND BOTTOM.

TRENCH DETAIL AND NOTES
N.T.S.

URBAN CATALYST CONSULTANTS, INC.
2840 PABLO AVENUE
TALLAHASSEE, FLORIDA, 32308
PHONE: (850) 999-4241
WWW.UCCENG.COM
FL CA 00030572

DATE	BY	REVISIONS

BROOKSIDE VILLAGE RESIDENTIAL SUBDIVISION

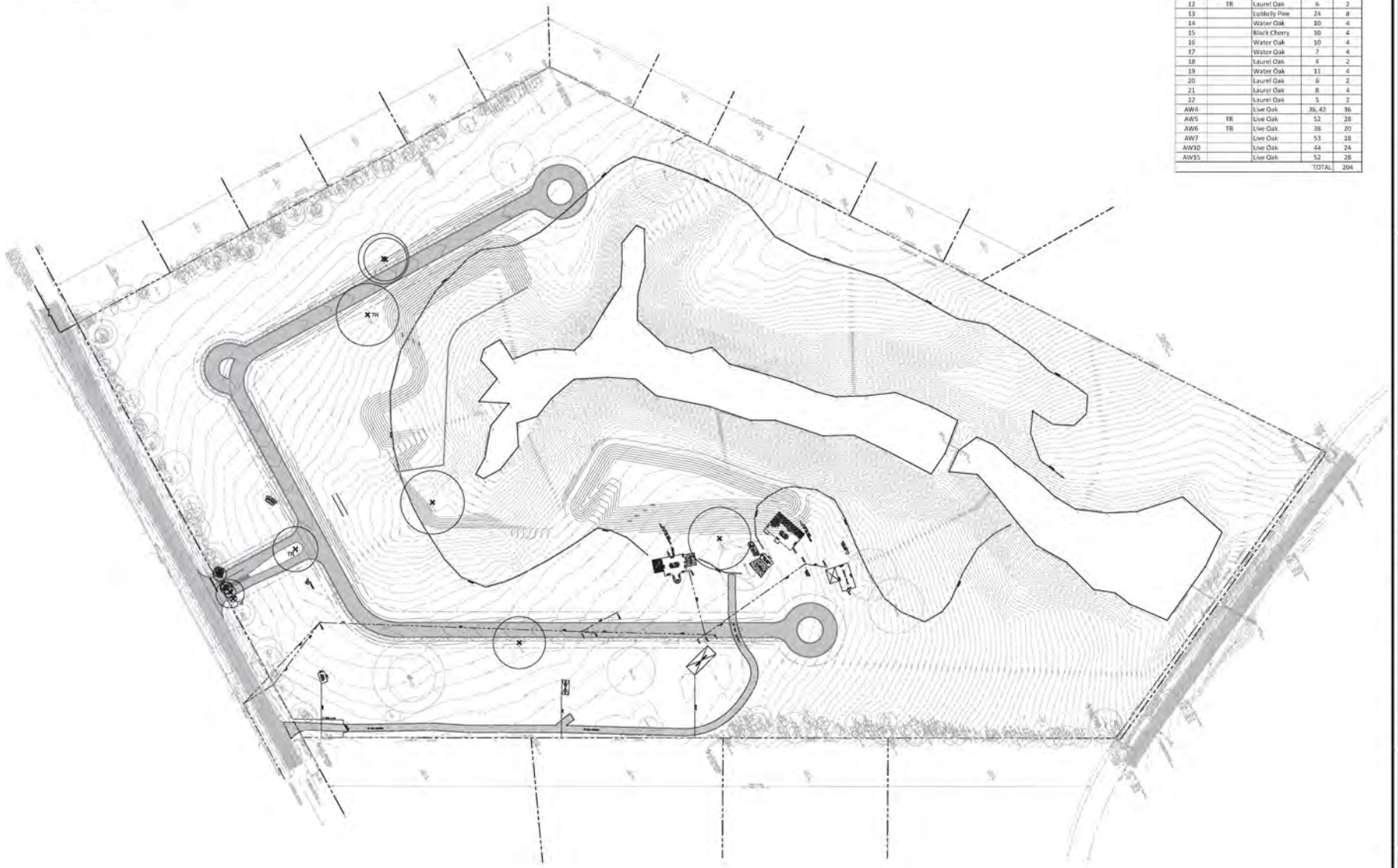
POND 200 DETAILS

LEON COUNTY FLORIDA

SEAN K. MARSTON, P.E.
LICENSE NUMBER 59987

DRAWN BY: W.E.C.
CHECKED BY: S.K.M.
DATE: 11/18/15
HORZ. SCALE: 1"=30'
VERT. SCALE:

SHEET C-129
PROJECT No. 15019.00



Trees to be Removed				
Tag No.	Tech Removal	Description	DBH	Debits
12	TR	Laurel Oak	6	2
13		Loblolly Pine	24	8
14		Water Oak	10	4
15		Black Cherry	10	4
16		Water Oak	10	4
17		Water Oak	7	4
18		Laurel Oak	4	2
19		Water Oak	11	4
20		Laurel Oak	6	2
21		Laurel Oak	8	4
22		Laurel Oak	5	2
AW4		Live Oak	36, 42	36
AW5	TR	Live Oak	52	28
AW6	TR	Live Oak	38	20
AW7		Live Oak	53	28
AW10		Live Oak	44	24
AW15		Live Oak	52	28
			TOTAL	204

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TALLAHASSEE, FLORIDA, 32308
PHONE: (850) 999-4241
WWW.UCCENG.COM
FL CA 00030572

DATE	BY	REVISIONS

BROOKSIDE VILLAGE RESIDENTIAL SUBDIVISION

TREE REMOVAL PLAN

LEON COUNTY FLORIDA

SEAN K. MARSTON, P.E.
LICENSE NUMBER: 55987

DRAWN BY: W.E.C.
CHECKED BY: S.K.M.
DATE: 11/18/15
HORZ. SCALE: 1"=80'
VERT. SCALE:

SHEET: C-130
PROJECT No. 15015.00

November 18, 2015 (09:42:18 EST)
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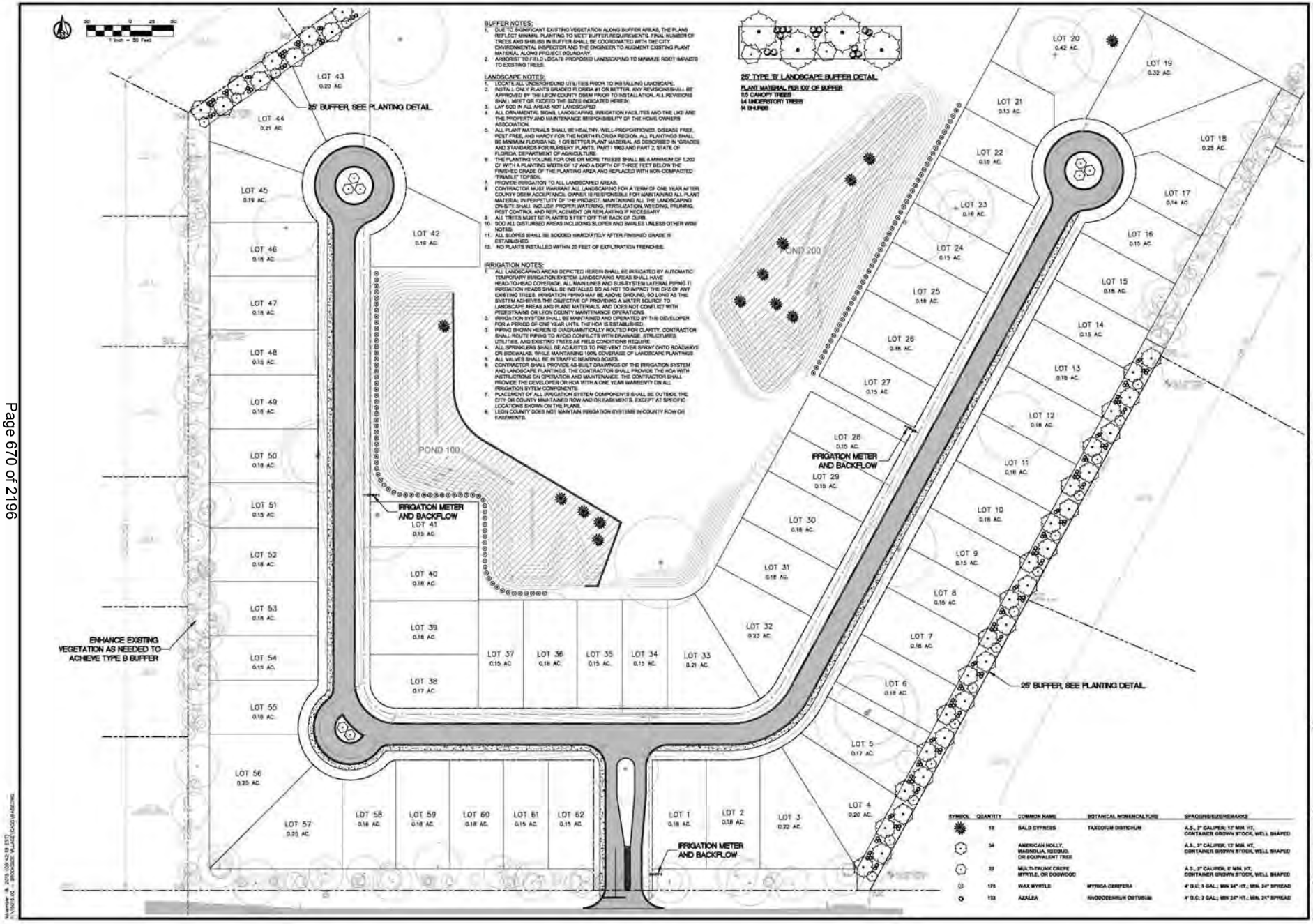

URBAN CATALYST CONSULTANTS, INC.
2840 PABLO AVENUE
TALLAHASSEE, FLORIDA, 32308
PHONE: (850) 999-4241
WWW.UCCENG.COM
FL CA 00030572

DATE	BY	REVISIONS

BROOKSIDE VILLAGE RESIDENTIAL SUBDIVISION

LANDSCAPE PLAN

LEON COUNTY FLORIDA

SEAN K. MARSTON, P.E.
LICENSE NUMBER 53997

DRAWN BY: W.E.C.
CHECKED BY: S.K.M.
DATE: 11/18/15
HORZ. SCALE: 1"=50'
VERT. SCALE:

SHEET C-131
PROJECT No. 15015.00

November 18, 2015 09:42:19 EST
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JOINT EXHIBIT OF THE PARTIES 4

LEON COUNTY
DEPARTMENT OF DEVELOPMENT SUPPORT & ENVIRONMENTAL MANAGEMENT
DEVELOPMENT SERVICES DIVISION

APPLICATION REVIEW MEETING
December 2, 2015 at 1:30 p.m.

RECOMMENDATION:	**CONTINUANCE TO A DATE TBD AT MEETING**
PROJECT NAME:	Brookside Village Residential Subdivision
LEVEL OF REVIEW:	Type "B" Site and Development Plan, FDPA Track
PROJECT ID #:	LSP150035
PARCEL I.D. NUMBER:	14-19-20-001-0000
APPLICANT/OWNER:	Golden Oak Land Group, LLC 4708 Capital Circle NW Tallahassee, FL 32302
APPLICANT'S AGENT:	Sean Marston, P.E., Urban Catalyst Consultants 2840 Pablo Avenue Tallahassee, FL 32308
PARCEL SIZE:	35.17 +/- acres
LOCATION:	550 Ox Bottom Road, Tallahassee, FL
ROADWAY ACCESS:	Ox Bottom Road
ZONING DISTRICT:	Residential Preservation (RP)
FUTURE LAND USE:	Residential Preservation (RP)
GROSS DENSITY:	1.82 dwelling units per acre
UTILITY PROVIDER:	City of Tallahassee Utilities
APPROVAL BODY:	Development Review Committee (DRC) in accordance with the provisions of Section 10-7.404 of the Land Development Code (Type "B" Review).

PROJECT SUMMARY:
The site is located inside the Urban Services Areas, is zoned Residential Preservation and has a Residential Preservation designation on the Future Land Use Map of the Tallahassee-Leon County Comprehensive Plan. The project proposes 64 single-family detached dwelling units ranging in size from 1/8 acre to 2+ acres in size. Development is proposed on the upland portions of the property with environmentally sensitive areas being preserved in a conservation easement. The application narrative notes that the subdivision will be marketed and developed as a 55+ active adult community.

DEVELOPMENT SERVICES STAFF REVIEW:

Development Services along with other members of the Application Review Meeting (ARM) Staff have reviewed this application to determine compliance with applicable provisions of the Leon County Land Development Code (LDC - Chapter 10). In undertaking this review, emphasis has been placed on evaluating whether this application meets the criteria set out in Section 10-7.108, consistency with comprehensive plan; and, in Section 10-7.407, Site and Development Approval Criteria. These two sections are provided below.

Consistency with Comprehensive Plan, Section 10-7.108 of the LDC

(a) All proposed subdivision or development shall be designed to be consistent with the adopted comprehensive plan, as amended.

(b) All proposed subdivisions or development shall be designed to comply with at least the county zoning, building regulations, concurrency, and environmental management ordinances, and such other applicable land development regulations, ordinances, and policies, for the area in which the proposed subdivisions or development shall be located.

(c) In accordance with this article and other applicable requirements of the local comprehensive plan and county ordinances, land, proposed subdivision or site and development plans shall be suitable for the characteristics of the underlying land. Sites where topographic features, flooding potential, drainage, soil type or other site specific features are likely to harm neighboring landowners, future users of the subject property, natural resources or public infrastructure demand, shall not be developed and/or subdivided, unless adequate methods of mitigation or correction of the harm area formulated by the developer and accepted by the county.

(d) Any applicant subdividing land shall record an approved final plat in accordance with the requirements of this chapter.

(e) The adequacy of necessary public or private facilities and services for traffic and pedestrian access and circulation, solid waste, waste water disposal, potable water supply, storm water management, parks and recreation and similar public facilities and services, shall be considered in the review of all subdivision or development site and development plan proposals to assure the concurrency requirements of the local comprehensive plan and county ordinances are met.

(f) Unless installation of a required improvement is waived pursuant to Division 6, no final plat or certified survey shall be recorded until a site and development plan, as required by this article, has been approved, the required infrastructure or development improvements which are applicable to the subject parcel or parcels are completed or an appropriate surety instrument, as approved in advance by the county attorney, is posted, in accordance with the requirements of this article, and the terms and conditions of any applicable development order have been fulfilled.

(g) No parcel shall be approved for platting for any purpose unless it is suitable for a use permitted by Article VI. No parcel shall be approved for development unless it is consistent with the local comprehensive plan and contains an adequate development site, both in size for the use intended and in its relationship to abutting land uses.

Site and Development Plan Criteria, Article VII, Section 10-7.407 of the LDC:
When deciding whether to approve, approve with conditions, or deny a site and development plan application, the County shall determine the following (In addition to compliance with Sections 10-7.107 and 10-7.108):

(a) Whether the applicable zoning standards and requirements have been met.
(b) Whether the applicable provisions of the Environmental Management Act have been met.
(c) Whether the requirements of Chapter 10 and other applicable regulations or ordinances which impose specific requirements on site and development plans and development have been met.

DEVELOPMENT SERVICES FINDINGS:

I. Description of the Comprehensive Plan Future Land Use Category:

According to the Future Land Use Map of the Tallahassee-Leon County Comprehensive Plan, the subject parcel is designated Residential Preservation (RP). The primary function is to protect existing stable and viable residential areas from incompatible land use intensities and density intrusions. Future development primarily will consist of infill due to the built out nature of the areas. Consistency with surrounding residential type and density shall be a major determinant in granting development approval.

Finding #1: The application must be determined consistent with the applicable Objectives, Goals and Policies of the Comprehensive Plan. Please refer to memorandum from the Tallahassee-Leon County Planning Department (Attachment #1).

II. Concurrency Management (Article III):

According to Section 10-3.105(a) of the LDC, no final development order can be issued until such time it is determined that there is sufficient available capacity of concurrency facilities to meet level of service standards for the existing population, vested development, and for the proposed development. All proposed development (except vested development) shall undergo a concurrency review. In the event the proposed development trips deficient segments of a roadway facility, for example, the applicant has the option of entering into a proportionate fair share agreement to mitigate associated impacts. Additional information on mitigation of impacts and the criteria established for mitigation is set forth in the Concurrency Policies and Procedures Manual.

Finding #2: A School Impact Analysis (SIA) application was submitted for the proposed development. It has been determined that there is available school capacity for the proposed development and therefore no further coordination with the Leon County School Board is necessary.

A Preliminary Certificate of Concurrency has been issued for the proposed development that is set to expire effective December 30, 2015. A Final Certificate of Concurrency shall be issued upon final site plan approval. For questions relating to concurrency, please contact Ryan Guffey, AICP, Concurrency Management Planner with Development Services at 606-1300.

III. Environmental Management (Article IV):

The application must comply with the regulations and standards set out in the following sections of Article IV: [Topographic alterations (Section 10-4.327); Stormwater management facilities (Section 10-4.301); Protected Trees (Section 10-4.362); Tree Protection Requirements (Section 10-4.363); Pre-Development Reviews (Section 10-4.202); Natural Area Requirements (Section 10-4.345)].

Finding #3: A Natural Features Inventory (NFI) (LEA 15-0037) was approved with conditions on October 23, 2015. An Environmental Management Permit (EMP)(LEM1500072) has been applied for and is currently under review. The EMP is reviewed and approved concurrently with the Type "B" site plan approval under the FDPA Track.

Finding #4: Please shade and/or hatch the conservation easements on the plan sheets so they are more clearly depicted, especially on the site plan layout, Sheet C-112. Please refer to comments from the Environmental Services Division (Attachment # 2) as they relate to the sections above and any other provisions set forth in Article IV of the Land Development Code.

IV. Zoning (Article VI): Sections 10-6.617, 10-6.637 and 10-6.647

Residential development in the Residential Preservation (RP) zoning district, when located inside the Urban Services Area (USA) and not within a recorded or unrecorded subdivision, shall be permitted densities in the range of zero to six units per acre, when connection to central sanitary sewer and water are proposed. If central potable water and central sanitary sewer are not available to the development, densities shall be permitted at a rate no greater than two dwelling units per acre. For new residential development in RP not located in a recorded or unrecorded subdivision, the applicable development standards including, but not limited to front, rear, side and side corner yard setbacks shall be established at the time of site and development plan review. The DRC is the entity that shall approve proposed setbacks for new single-family detached developments in the RP zoning district.

Finding #5: The property is located inside the Urban Services Area, is not located within a recorded or unrecorded subdivision, and proposes connection to City of Tallahassee central sanitary sewer and potable water. The application requests an overall gross density of 1.8 dwelling units per acre, which falls within the permitted density range of 0 to 6 du/acre for the RP zoning district. The proposed development type is detached, single-family dwellings which is consistent with adjacent residential development patterns.

Finding #6: The development standards listed below are being proposed by the applicant and will be considered by the Development Review Committee for approval. Please include a site data table on the site layout sheet which includes these development standards. The applicant shall also establish a side corner yard setback and a maximum height standard, as well as annotate a minimum lot frontage length. The proposed height shall be compatible with surrounding residential areas and no lot shall have a minimum frontage of less than 15 feet. Staff also encourages the applicant to consider a zero lot line approach (zero on one side of the side interior yard) to allow for flexibility in design features and provide more side yard space to residents. A zero lot line approach, coupled with a larger lot size, may also facilitate side-loaded or rear-loaded garages. (See the preferred design alternatives section below).

Development Standards	*Required*	*Proposed*
Front yard setback	***Established during site plan review***	***15 feet***
Rear yard setback	***Established during site plan review***	***20 feet***
Side interior yard setback	***Established during site plan review***	***5 feet***
Side corner yard setback	***Established during site plan review***	***Shall be established***
Height	***Established during site plan review***	***Shall be established***
Minimum lot frontage	***Minimum of 15 feet***	***Shall be established***

V. Subdivision and Site and Development Plan Regulations (Article VII)

Generally, Article VII was established to ensure protection for the public health, safety, and general welfare of the residents of Leon County as well as to encourage orderly and efficient growth and beneficial development of all unincorporated parts of the county while preserving natural and historical resources. Procedures and regulations set forth in Article VII govern the subdivision of land, standards for the development of property, and consistency with the Comprehensive Plan. It is the responsibility of Development Services staff to ensure coordination between review entities, consistency with other applicable county requirements.

A. Private Residential Subdivisions (Section 10-7.200)

In no case shall an application proposing subdivision of property inside the urban services area be allowed to establish a private residential subdivision.

Finding #7: The Cover Page of the site plan shall indicate that Brookside Village will be a public subdivision.

B. Permitted Use Verification (Section 10-7.402.1)

Permitted Use Verifications are prerequisites to filing an application for site and development plan review. The primary purpose of a PUV is to determine eligibility for a proposed use and the appropriate level of permitting required to establish this use.

Finding #8: A Permitted Use Verification (PUV) (VC150071) was issued on June 17, 2015, and found eligible for a 57-lot single-family detached residential subdivision. The application submitted is proposing a 64-lot single-family detached residential subdivision which is inconsistent with the PUV issued. A revision to the PUV (fee of $60) shall be required to reflect the proposed increase in dwelling units.

C. Type "B" Review (Section 10-7.404)

According to Section 10-7.402 of the LDC, the application qualifies for review as a Type "B" site and development plan. There are two available review tracks for projects that qualify for Type "B" site plan review, a Concept Plan Approval (CPA) Track and a Final Design Plan Approval (FDPA) Track. The applicant has chosen the FDPA Track. The FDPA Track is an available option for Type "B" site plan applications. The FDPA Track provides concurrent review of the Environmental Management Permit and Type "B" site plan application. The DRC shall provide the final decision for Type "B" site plan applications.

Finding #9: Site and development plans for review under the FDPA track should be limited to eight (8) plan sheets including a cover sheet with location map, boundary survey with existing conditions with contours, grading plan with tree survey, site plan layout including

paving and structures and preserves/conservation areas, a drainage and utilities sheet, tree removal plan, a landscape plan, and details sheet. Each sheet should include a tabular summary of the applicable development information as noted above.

The plan set provided mirrored what was submitted for the EMP. Constructed related details should be reserved for the EMP and not included in the site plan set. This saves the applicant from having to request a deviation to the site plan for any changes that affect the EMP. If both plans sets are the same, then deviations to both must be made if changes occur.

Finding #10: The site plan submitted does not provide sufficient detail for staff to recommend approval with conditions; therefore, an additional ARM meeting will be required for this project. A continuance ARM meeting date shall be set at the meeting for the public record. If a continuance ARM date is not decided at the meeting, it will need to be re-advertised and a fee shall be assessed.

VI. Substantive Standards and Criteria (Article XII, Div. 5)

A. General Layout and Design Standards (Section 10-7.502)

The proposed site plan shall comply with the general layout and design standards of this section. These design standards pertain to streets, driveways, lots and lot designs, and pedestrian and bikeways and facilities.

Finding #11: Section 10-7502(2) requires that streets interconnect within a development and with adjoining development, unless physical conditions preclude an interconnection now or in the future. Properties surrounding the subject parcel are fully developed as single-family detached subdivisions. To the east and northeast is Moore Pond Subdivision, a private, gated subdivision, which accesses Ox Bottom Road via Heartland Circle, a privately maintained roadway. To the west and northwest are the Ox Bottom Gardens and Ox Bottom Manor subdivisions. There does not appear to be a feasible location for future interconnection with adjoining developments now or in the foreseeable future. The DRC shall make the final determination on the requirement for interconnection.

Finding #12: A note shall be placed on the site layout sheet that states the lots adjacent to Ox Bottom Road will not be permitted to have direct driveway access to Ox Bottom Road (thus avoiding double frontage lots). Additionally, Lots 1 & 62 shall not have direct driveway access to the divided section of the entrance road (to be named) to the west and east, respectively.

Finding #13: Staff recommends the applicant consider alternative designs to the standard, round cul-de-sacs proposed for the development. The applicant was provided with several design alternatives by the City of Tallahassee Design Studio, which included areas for public amenities to increase the aesthetical appeal and make these areas functional spaces for residents. See Attachment #8 for preferred design alternatives.

Finding #14: Bikeways, either along streets or through a separate system of recorded easements, shall be provided in residential developments created inside the Urban Services Area. Staff also recommends considering a design alternative that would allow more pedestrian and bicycle trails through the development. It is highly recommended that the

applicant consider designating Lots 100 & 200 as open space to provide recreational opportunities for homeowners.

B. General Principles of Design Relating to Impacts on Nearby Streets and Property Owners (Section 10-7.505)

Each development shall be as compatible as possible to nearby development, shall minimize adverse environmental impacts, provide boundary buffers, reduce any adverse environmental impact of parking lots by buffer fences, retaining natural vegetation/trees or providing landscaping, provide fencing and screens for health and safety, maintain roadside trees, control height and intensity of lighting, and provide for the ongoing operation and maintenance of supporting infrastructure.

Finding #15: The landscape plan (Sheet C-131) does not show any proposed tree plantings along sidewalks or roadways within the development. Plantings adjacent to driveways and sidewalks help to soften the dominating visual appearance of concrete and rows of parked cars occupying driveways. Street side plantings help provide shade to these areas and are also found to encourage pedestrian mobility. See additional preferred design alternatives at the end of this report.

Finding #16: Please provide information for the on-going operation and maintenance of infrastructure which will remain in private ownership.

C. Stormwater Management (Section 10-7.521)

The stormwater standards must be met for the proposed development. The storm drainage and surface water drainage system used shall be installed in accordance with Article IV and other requirements and specifications of the county.

Finding #17: Stormwater management standards must be found in compliance with Article IV and any other specifications and requirements of the County. Please refer to the memorandums from the Environmental Services Division (Attachment #2) and Public Works Department (Attachment #3).

D. Buffer Zone Standards (Section 10-7.522)

A buffer zone is a landscaped strip between adjacent land uses that is intended to serve a screen function, as well as, provide an attractive boundary between parcels. The width or degree of vegetation within the buffer zone depends on the type of land use(s) on the adjacent parcel(s). The required widths and degree of vegetation plantings for all buffers are outlined in this section.

Finding #18: Proposed development in the RP zoning district that adjoins single-family residential dwellings must provide buffering meeting no less than the Type "A" landscape standard. The applicant is proposing a 25 foot Type "B" buffer adjacent to the single-family residential development to the east and west of the proposed development as well as along Ox Bottom Road. A landscape buffer shall also be provided along the northern property boundary stretching along Lot 43 and Lot 200. The applicant is proposing the enhancement of existing, native vegetation to meet the buffer planting requirements in some areas. Evergreen species should be the predominant type to achieve increased opacity and noise buffers between adjoining residential developments.

Staff also recommends that a higher density of plantings be incorporated in the 25 foot buffer width, as determined feasible by the Environmental Services Division.

Finding #19: The buffer tracts must be designated to an entity with the financial ability to manage and maintain them (typically the HOA or POA). Please refer to any additional comments from the Environmental Services Division (Attachment #2).

E. Public Water Supply, Public Sanitary Sewer or On-site Sewage Disposal Systems and Electric Service (Sections 10-7.523, 10-7.524 and 10.7-526)

Potable water, public sanitary sewer facilities and electrical service shall be installed and necessary easements provided in accordance with the standards, specifications and policies of the county and/or city, the service provider and any other regulating agency.

Finding #20: Prior to site plan approval, the applicant shall obtain approval of the proposed utility service plan from the City of Tallahassee. A copy of the approval must be on file with Development Services prior to site and development plan approval. See the memorandum from the City of Tallahassee Underground Utilities Department (Attachment #4).

Finding #21: The existing on-site septic system will need to be properly abandoned in accordance with regulations from the Florida Department of Health. See Attachment #5.

F. Fire Protection Facilities (Section 10-7.527)

All development within the USA shall be required to provide fire protections by means of hydrant placement and fire flow in accordance with the requirements and specifications of the City of Tallahassee.

Finding #21: Fire protection facilities must be approved prior to site plan approval. See the memorandum from the City of Tallahassee Fire Department (Attachment #6).

F. General requirements for sidewalks with new development (Sections 10-7.529)

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. Sidewalks shall be designed and constructed to implement a pedestrian mobility system that facilitates access to residential development, business establishments, community facilities and other non residential land uses, and, provides safe and convenient linkage between developments and between the public and private street system.

Finding #22: Sidewalks have been provided along one side of the new streets within the proposed residential subdivision. The applicant shall all provide sidewalks adjacent to Ox Bottom Road for the entire length of the property. Sidewalk widths shall also be annotated on the site plan. Please also refer to additional comments from Public Works (Attachment #3).

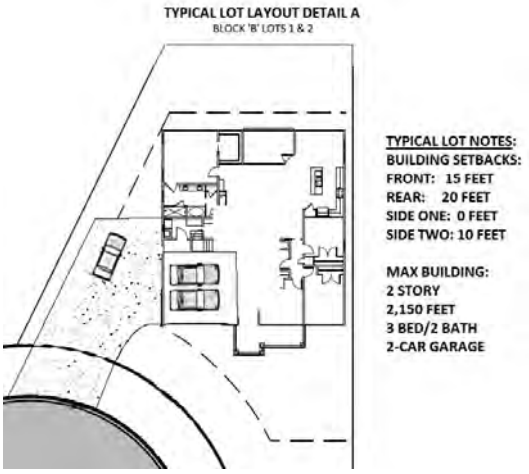
G. Off-Street Parking Spaces (Sec. 10-7.545)

Residential parking requirements are calculated generally based on the type of land use (single-family, multi-family, apartments, etc.) and/or the number of bedrooms per unit. This

information is set forth in Schedule 6-2 of this section. Based on the proposed land use (detached single-family), the required number of off-street parking spaces for one, two and three bedroom units is two (1.5) parking spaces per dwelling. Four bedroom units require two (2) off-street parking spaces per unit. If on-street parking is not permitted (or restricted), then each dwelling unit is also required to provide one (1) visitor space. The site must demonstrate that these requirements can be met without blocking sidewalks or right-of-way.

Finding #23: The site must demonstrate that off-site parking standards can be met without blocking sidewalks. Typical lot layouts have been provided for Lots 1- 62 of the development (site layout plan, C-112). The applicant shall also provide tabular information regarding the number of bedrooms proposed for each type of unit and detail the number of off-street parking spaces required for such units. Driveways and garages must be shown to accommodate the required number of off-street parking spaces without blocking sidewalks or parking in the street or right-of-way. Driveways should be made tapered or narrower when at all possible.

Below is an example of how you can show typical lot layouts, maximum building specifications and off-street parking details without crowding information into the individual lots on the site layout plan.



Finding #24: The typical sections provided indicate that recessed garages will be provided for each style of housing proposed for the development. This type of design can help to minimize the garage being the focal feature of the home if the width of the front porch, entryway, or other prominent front elevation feature exceeds the width of the garage. The applicant is encouraged to explore other design options, such as side-loaded and/or rear-loaded garages (see preferred design alternatives below).

Please refer to any additional comments from Public Works (Attachment #3).

VII. Plats (Article XII, Div. 6)

A. Generally (Section 10-7.601)

No building permit shall be issued for a project that requires platting until a plat has been accepted and approved by the Board of County Commissioners and recorded in the plat books of the County. Every plat of a development or subdivision made for recording shall conform to

the provisions of Chapter 177, Florida Statutes and should conform to the requirements of Section 10-7.607, LDC.

Finding #25: A final plat is required. No plat shall be approved and accepted by the County unless and until the developer has installed all infrastructure improvements. The preliminary plat provided as part of the site plan submittal does not comply with the platting provisions outlined in Florida Statute (Chapter 177) or Section 10-7.607 of the LDC. Please refer to any additional comments from Public Works (Attachment #3).

B. Plats Containing Improvements Not Dedicated to the Public (Section 10-7.610)

If a proposed plat contains streets, roads, alleys, rights-of-way, common areas, utility, conservation and drainage or other easements not dedicated to the public, the applicant, shall file with the county attorney certified copies of the executed and filed articles of incorporation and the bylaws of a homeowners' or property owners' association, or other corporate entity, together with restrictive covenants applicable to the property, approved by the county attorney as to form, content, and manner of execution, providing enforceable assessment procedures for financing the maintenance of the streets or roads, alleys, rights-of-way, common areas and facilities, utility and drainage or other easements. The plat shall not be submitted to the Board of County Commissioners until the articles, bylaws, and restrictive covenants have been approved as to form and manner of execution by the county attorney. Minimum requirements for restrictive covenants are outlined in this section.

Finding #26: The applicant did not provide draft articles of incorporation, bylaws or restrictive covenants applicable to the property. These shall be provided for review by staff and the County Attorney's Office at the time of the next site plan resubmittal. Please refer to any additional comments from Public Works (Attachment #3).

VIII. On-Site Signs (Article IX)

Specific sign codes (i.e. size and height), are reviewed for compliance with Article XII (signs) at the time of permitting. However, to ensure adequate visibility for motorists, bicyclists and pedestrians, the location of the subdivision sign shall be included on the plan sheets. The location of the signage does not exempt the signs from permitting. The physical location shown on the site plan is for location purposes only. The signs must meet the criteria established in Article IX, Section 10-9.201, and Leon County Land Development Code.

Finding #27: Please locate on the site and development plan the location of proposed signage. Signs cannot be placed in the right-of-way. The common areas in which signs are placed should be dedicated to the HOA for maintenance. Residential subdivision signs shall not exceed a height of ten feet nor exceed forty square feet in area. The signage shall only contain identification of the subdivision name, no sales information is allowed. Signs will be reviewed for compliance with Article XII at the time of permitting.

IX. Aquifer Protection (Article X, Div. 1)

This article is intended to protect and maintain the quality and quantity of groundwater in the county by providing criteria for regulating the use, handling, production, storage and disposal of regulated substances.

Finding #28: The application shall be determined consistent with Article X of the LDC and the applicable Goals, Objectives and Policies of the Comprehensive Plan prior to approval. See the attached memorandum from the Aquifer Protection Division (Attachment #7).

X. Uniform Street Naming and Property Numbering System (Article XI)

This article is intended to provide for the assignment and approval of street names, subdivision names, and for providing for a uniform numbering system for the assignment of address numbers to properties in the interest of public health, safety and welfare.

Finding #29: The proposed street name needs to be annotated on the site plan. The proposed street name(s) and subdivision name shall be determined consistent and approved in accordance with the standards outlined in Article XI of the LDC.

XI. Technical Site Plan Deficiencies [Section 10-7.402(8)(b)2)].

Finding #30: A signed and sealed survey must be provided for the property.

Finding #31: Please make the requested revisions outlined in Findings #1-22 above and in the attached memorandums from other reviewing agency staff. Additionally, please review the site plan markups from reviewing staff on ProjectDox. Please contact the Project Manager if you need assistance viewing these markups.

PREFERRED DESIGN ALTERNATIVES:

Based upon the findings provided above, Development Services recommends that the following preferred design alternative be incorporated into the applicant's site and development plan:

1. **Lot Sizes** – Staff recommends the applicant consider increasing the sizes of lots located adjacent to the Ox Bottom Manor and Moore Pond Subdivisions to allow a smoother transition with surrounding development.

2. **Alternative Cul-de-sac Design -** Staff recommends the applicant consider alternative designs to the standard, round cul-de-sacs proposed for the development. The applicant was provided with several design alternatives by the City of Tallahassee Design Studio, which included areas for public amenities to increase the aesthetical appeal and make these areas functional spaces for residents.

3. **Landscape Buffers** - Staff recommends that a higher density of plantings be incorporated in the 25 foot buffer width, as determined feasible by the Environmental Services Division. Evergreen species should be the predominant type to achieve increased opacity and noise buffers between adjoining residential developments.

4. **Street-Side Trees** - The aesthetic value of street trees is often underestimated. There is no mistaking the charm or character a neighborhood portrays that has mature street trees. Street trees, at maturity, provide shade and create vertical walls framing streets and enhancing the pedestrian environment. An agreement must be in place to maintain and water the street trees for one year after planting or until adjacent occupation of the dwelling unit occurs, whichever comes first. Street tree species and planting locations shall be coordinated with the specifications and requirements of all utility providers.

5. **Alternative Garage Placement** – The applicant is encouraged to consider lot sizes that would facilitate side-loaded or rear-loaded garages. This would allow for forward entry onto the street rather than backing out, thus making a safer vehicular and pedestrian environment. Side-loaded garages eliminate the view of rows of parked cars and garage doors, adding to the aesthetic appeal of the neighborhood.

6. **Recreational Opportunities** – Staff also recommends considering a design alternative that would allow more pedestrian and bicycle trails through the development. It is highly recommended that the applicant consider designating Lots 100 & 200 as open space to provide recreational opportunities for homeowners.

7. **County LID Standards** – In coordination with the Environmental Services Division, the applicant is encouraged to incorporate Low Impact Development (LID) Standards.

RESPONSES FROM ARM MAILOUT NOTIFICATION:

The application was advertised in the Tallahassee Democrat on Wednesday, November 25, 2015. Additionally, a total of 104 notices were distributed through regular mail which notified property owners within 800 feet and neighborhood and business associations (registered with County) within 800 feet of the proposal site. As of December 2, 2015 at 10:00 AM, one (1) mail notice was returned as 'undeliverable.' Additionally, staff received four (4) requests from homeowners in close proximity of the project to be added to the ProjectDox system for review of the application. One email was received expressing concerns about the proposed development (Attachment #9).

NOTE:

If any of the comments presented in this memorandum are unclear, or if the applicant requires additional information, please contact Shawna Martin of Development Services at (850) 606-1385 or e-mail at MartinS@leoncountyfl.gov.

REPORT ATTACHMENTS:

1. Memorandum from the Tallahassee Leon County Planning Department (TLCPD)
2. Memorandum from the Environmental Services Division
3. Memorandum from the Leon County Public Works Department
4. Memorandum from the City of Tallahassee Underground Utilities Division
5. Memorandum from the Florida Department of Health
6. Memorandum from the City of Tallahassee Fire Department
7. Memorandum from the City of Tallahassee Aquifer Protection Division
8. Preferred Design Alternatives
9. Public Comment

MEMORANDUM

PLANNING DEPARTMENT

TO: Shawna Martin, Leon County Development Services

FROM: Susan Poplin, Senior Planner

DATE: December 1, 2015

SUBJECT: Brookside Village Residential Subdivision (Type B) FDPA Track LSP 150035
Leon County Application Review Meeting December 2, 2015

APPLICANT: Golden Oak Land Group, LLC
AGENT: Sean Marston, P.E., Urban Catalyst Consultants
PARCEL ID: 14-19-20-001-0000
ZONING: Residential Preservation
FUTURE LAND USE: Residential Preservation

Findings

1. The proposed project is for the development of a 64-unit single-family residential subdivision on 35 acres north of Ox Bottom Road near Heartland Circle road. The applicant indicates that the project will be marketed and developed as a 55+ active adult community.

2. The proposed project is consistent with the density and intensity of the Residential Preservation Future Land Use Map Category of the *Tallahassee-Leon County Comprehensive Plan*.

3. The Mobility Element of the *Tallahassee-Leon County Comprehensive Plan* requires that development:
   - Provide full accommodations of pedestrian access and movement, including sidewalks and enhanced crossings, and also bicycles, including adequate bicycle parking facilities at major destinations [Mobility Element Policies 1.1.8(a-b), 1.2.3 and 1.4.3].
   - Require vehicular, pedestrian, and bicycle interconnections between adjacent, compatible development [Mobility Element Policies 1.4.1 and 1.4.3].

   The application does not include a site plan that identifies the details of the required sidewalk and bicycle facilities within the proposed project and providing a connection along the front of the project to the sidewalk along Ox Bottom Manor road. The application shall include sidewalks and bicycle facilities to support and achieve these Mobility Element objectives by providing the site plan details for these facilities including the needed connection to the sidewalk along Ox Bottom Manor Road.

4. The Conservation Element of the *Tallahassee-Leon County Comprehensive Plan* requires that wetlands and floodplains be regulated as conservation or preservation, and that wetland function be preserved [Conservation Policies 1.3.1, 1.3.2, 1.3.4, 1.3.6, 2.2.1 and 2.2.2]. The application does not include a site plan that identifies the details of planned wetland and floodplain conservation within the proposed project. The application shall identify the planned conservation areas on the site as part of the site plan.

Preferred Design Alternatives

Preferred Design Alternatives are offered to enhance the design and function of the project.

1. Pedestrian Trails in Conservation Areas: The proposed preliminary plat identifies a significant interior area that may be placed in conservation. Consider placing passive pedestrian/bicycle trails around the conservation area to provide opportunities for walking and cycling within the project. Consider including a passive pedestrian connection to Heartland Circle at the northern boundary of the property.
2. Buffers to Adjacent Residential: The proposed preliminary plat identifies 25-foot buffers between the proposed development and the existing adjacent homes. Consider providing thicker plantings or greater widths for the buffers to maximize the visual screening effect of the buffers.

If you have any questions about the review, please contact Planning Department staff at 891-6400

Leon County Department of Development Support & Environmental Management

MEMORANDUM

TO: Shawna Martin
Senior Planner

FROM: Charley Schwartz, PE CMS
Senior Environmental Engineer

DATE: December 1, 2015

RE: Brookside Village
Type "B" Site Plan (LSP15-0035)
Environmental Review Comments of Site Plan Dated 11/18/15
Parcel ID: 14-19-20-001-0000

We have conducted a review of the referenced project for its consistency with stormwater, landscaping, and other environmental protection requirements found in Chapter 10 of the Leon County Land Development Code (LDC). Recommendations, comments, and information necessary for the review process include, but are not limited to, the following. All other requirements of the code, although not mentioned hereon, are still applicable.

Environmental Review Processes Requirements:

- A Natural Features Inventory (NFI) for the site was approved on October 23rd, 2015 (LEA15-0037).
- An Environmental Management Permit (EMP) is required for this project. An EMP application has been received (LEM15-00072) but is deficient. Comments herein generally apply to the EMP as well the site plan.
- An As-Built and an Operating Permit are required prior to final inspection.

Project construction cannot commence until an EMP is issued.

Recommendations, Comments, and Required Information:
A markup layer to the Site Plan has been added to Projectdox. Many comments previously supplied during an Environmental Impact Analysis (EIA) review have not been satisfactorily addressed; therefore, a copy of the Notice of Application Deficiency is attached to this Memo and thereby made part of this document. Additional comments are identified within the markup layer in Projectdox and below. On account of the number of comments and significant nature of some of the comments Environmental Services recommends a second application review meeting.

1. **SWMF Discharge:** Long overflow swales are proposed through the natural area. The applicant shall evaluate discharge alternatives that minimize impacts to natural areas (ex. elongated overflow weir that mimics or reduces peak flows for Pond 100, swale that follows existing path or maintenance/access path to existing dam, jack & bore overflow pipe, etc.).

2. **Site Grading:** Address the following comments:

   a. Finished Floor Elevations for each lot shall be specified.
   b. On account of the small lot size, evaluate mass grading areas and depict on the plans.
   c. Stormwater runoff from the easternmost lots shall be captured and treated (not bypassed).
   d. Provide lot typical that addresses grading between homes with respect to utility & AC/trash placement.

3. **Plat & Site Plan:** Ownership, use, maintenance responsibilities, easements & dedications shall be clear for all delineated areas.

4. **Legal Documents:** Home owners association documents and easement documents shall be supplied for review.

General Comments:
It should be noted that non-inclusion in this letter of a Leon County Land Development Regulation\Requirement does not constitute exemption from compliance with the requirement.

Leon County

Board of County Commissioners

301 South Monroe Street, Tallahassee, Florida 32301
(850) 606-5302 www.leoncountyfl.gov

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District 1

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District 2

JOHN DAILEY
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NICK MADDOX
At-Large

VINCENT S. LONG
County Administrator

HERBERT W.A. THIELE
County Attorney

Development Support & Environmental Management
Renaissance Center, 2nd Floor
435 North Macomb Street
Tallahassee, FL 32301-1019

November 6, 2015

Urban Catalyst Consultants
Attn: Sean K. Marston, PE
2840 Pablo Ave.
Tallahassee, FL 32308

Re.: First Notice of Application Deficiency (NAD-1)
Brookside Village
Environmental Impact Analysis (LEA15-0047)
Parcel ID No.: 14-19-20-001-0000

Dear Mr. Marston,

We have completed our review of the subject EIA application originally received on September 11, 2015 and supplemented by a revised EIA map on October 29, 2015. The EIA map was revised to reflect the findings of the Natural Features Inventory (NFI) approved on October 23, 2015 (LEA15-0037). The following comments shall be satisfactorily addressed prior to approval of the environmental impact analysis. A markup layer associated with the comments is present on the EIA Map within Projectdox.

1. Site Plan Submittal: A site plan application shall be submitted for concurrent review. If you have any questions about the site plan application please contact Nancy Garcia, who prepared the original PUV, with our Development Services Division (phn:850-606-1361). An EIA is only required for the Concept Plan Approval (CPA) track. An EMP (not EIA) is required for the Final Design Plan Approval (FDPA) track.

2. Off-Site Drainage: The project shall address collection and conveyance of off-site drainage areas (bypass or accept & treat).

3. Data Tables, Stormwater Report & Narrative: All data tables, stormwater calculations and report narrative shall be revised to address the approved NFI conditions and the present proposed plan. The materials uploaded on 9/11 contain numerous discrepancies (Stage/Volume tables, mounding analysis, descriptions, etc.). Final engineering materials shall not contain pencil comments or otherwise be readily alterable (the mounding analysis for old pond configurations contains pencil markups with erasures).

4. Conservation Easement: Identify the on-site natural area as "Conservation Easement". Indicate the easement will be dedicated to Leon County and specify ownership and maintenance responsibilities. Provide an executed and notarized copy of the easement document, and associated Vegetation Management Plan and Plan Agreement. The plan shall address treatment of invasive exotic plants, habitat management, and whether any trails or other passive recreation activities are proposed. The integrity of the existing impoundments shall be evaluated and the plan and EMP shall also address any maintenance activities/requirements for the impoundments. Easement markers along easement boundaries shall be specified.

5. Natural Feature Buffer Encroachment: At this time, it is not clear that the proposed encroachment into the Native Forest Buffer is necessary. Additional justification is required if encroachments remain after addressing other comments herein.

6. Stormwater Management Facilities (SWMFs): Address the following Comments:
   a. The plans shall identify SWMF spillway/overflow locations. Calculations shall evaluate the discharge conditions to demonstrate proposed conditions will not adversely impact existing features (erosion, flow path, etc.).
   b. Provide an operation and maintenance (O&M) plan for all stormwater infrastructure. Ensure all infrastructure is accessible and maintainable. Since this is a Public subdivision you will need to coordinate with Public Works regarding O&M requirements.

7. Overall Stormwater Approach: The project shall demonstrate compliance with the closed basin standard and demonstrate rate control. The concept of discharging into more permeable subsurface layers is acceptable; however, more information regarding the system is required (ex. location, depth, dimensions, fill soils, construction specifications, etc.). Testing to demonstrate performance consistent with design parameters shall be specified and executed prior to construction of the remainder of the development. If ponds are connected, plans shall specify how. The Pre-development CN for the project area is acceptable. The post development CN appears low. The wetted portion of ponds should use 100. The CN for the road ROW is 82 which is lower than a gravel road with ROW (gravel ROW CN = 85).

8. Stormwater Conveyances: Address the following Comments:
   a. The plans shall indicate how runoff is collected and conveyed to the SWMFs.
   b. It is not clear how runoff from Lots 15-21, 28-37, and 100-200 will be captured and routed to a SWMF for treatment (these lots slope away from clear collection points). Is compensating volume proposed? Are vegetated buffers proposed? Is there proposed grading not depicted?
   c. Ensure adequate measures are proposed to mitigate potential adverse impacts from lot to lot drainage (ex. Lots 34-37).

9. Potential Site Plan & EMP Issues: While outside of Environmental Services purview, we offer the following comments that may be potential site plan issues from other review entities.
   a. The plans shall indicate that the project is a Public subdivision. Since this is a Public subdivision you are encouraged to schedule a meeting that includes both Public Works and Environmental Services engineering staff to discuss proposed stormwater infrastructure, infrastructure access, as well as operation and maintenance procedures.
   b. All delineated plan areas shall be clearly labeled (ex. use, ownership, maintenance responsibility, types of easements, easement beneficiaries, etc.)
   c. Verify the type of required buffers and show the buffers with labels.
   d. Identify all required sidewalks (including along road ROW if necessary).
   e. The configuration of Lot 100 may not be acceptable if accessing from the new subdivision road. The lot appears to be a flag lot and may be required to have a minimum frontage on the cul-de-sac.
   f. Demolition of existing structures, roads and improvements will need to be addressed. The plans will need to address soil restoration in the area of the removed drive if a landscape buffer is required.
   g. Identify utilities. It is assumed septic systems are not necessary otherwise minimum lot size is 0.5 acres.

10. Recommendations: Address the following recommendations:
    a. Consider moving Lot 41 adjacent to Lot 42 and shifting the SWMF to the south while minimizing grading impacts to the CRPZ of the large tree (if the tree is in good condition). This would seem to make for more efficient volume in the pond and integrate a large tree into the design.
    b. Consider removing the conservation designation of the 0.22 ac along the eastern buffer and adding 0.22 ac to the main conservation easement. The 0.22 ac area is isolated and may need to be managed differently since it appears to be a landscape buffer.
    c. Consider moving the access path for Lot 200 away from the northern property line. Ownership of land and necessity of an easement in this area is unclear.

d. Simple Conservation Easement geometry is easier to demarcate in the field and might reduce signage costs and accidental encroachment of unauthorized activity in the future.

To expedite the permitting process and avert misunderstandings, staff is available to meet and provide assistance. It should be noted that non-inclusion in this letter of a Leon County Land Development Regulation\Requirement does not constitute exemption from compliance with the requirement. Please contact me if you have any questions concerning this NAD letter.

With Regards,
Leon County Development Support & Environmental Management

Charley M. Schwartz, P.E.
Senior Environmental Engineer

cc: Golden Oak Land Group, LLC
4708 Capital Circle NW
Tallahassee, FL 32303

BOARD OF COUNTY COMMISSIONERS
MEMORANDUM

DATE: December 1, 2015

TO: Shawna Martin – Senior Planner

FROM: Kimberly A. Wood P.E. - Chief of Engineering Coordination

SUBJECT: Type B Review of Brookside Village Subdivision for December 2, 2015, ARM Meeting

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The information submitted for review is not sufficient for a thorough review at this time. The following comments are for the applicant's information and may be revised as more information becomes available.

1. Cover sheet should clearly state this is a Public Subdivision. As a Public Subdivision the construction plans will have to be reviewed and approved by Public Works during the permit review process and prior to EMP approval.
2. Identify all existing improvements on the site and whether they will remain or be removed, especially the existing driveway.
3. Provide more information on the SWMF, discharge points, conveyance to the facility, limits of the facility, etc. Maintenance access to the facilities including the emergency overflow structures and conveyance swales. The proposed retaining wall cannot be located on the downstream side of the pond, if utilized it must be relocated to the cut section so that one side is supported by soil. Any underground conveyance system must be located in a drainage dedicated to Leon County and be a minimum of 30 feet wide.

   The proposed maintenance ramps into the ponds can only be utilized for maintenance if the ponds are dry, the ramps are stabilized and no more then 10:1 slopes, and access to the pond bottom must be clear of exfiltration trenches and landscaping for vehicles to maneuver.
4. Show dimensions, sidewalks, driving aisle, parking spaces, radii, easements, lots, r/w, etc.
5. Provide a pavement typical section (including asphalt type and thickness, base and subbase), including right of way to right of way and 10 foot utility easements both sides of road, including the utilities per the Utility Placement Guide. Note that minimum right of way width for a curb and gutter section is 45 feet with 10 foot utility easements on both sides. Note standard lane width in public subdivision is 10 feet wide, not 11.5 feet. Any deviation from 10 feet must be justified by the applicant and approved by the County Engineer.
6. Since this project is located inside the USA sidewalks are required along the frontage roads, per LDC section 10-7.529. Provide a typical lot layout demonstrating that vehicles parked in the driveway will not overhang the right of way or sidewalk, minimum 20 feet from right of way.
7. Since this will be a platted subdivision, plat information, including all typical plat information per FS Chapter 177, must be included on the preliminary plat. All lots and blocks must be shown, dimensioned, and consecutively numbered. Dedication information must be provided for easements, common areas, r/w, etc. All areas not in lots or right of way must be identified, including underlying ownership, i.e. open space, common area, etc. and appropriately

dimensioned and limits of all must be clearly delineated. All easements must clearly be dimensioned as well. All lots around the cul-de-sac should be radial to the center to prevent conflicts with adjacent driveways. A couple of lots appear to be flag lots, which are not permitted by code, please revise.

8. Site plan should show all existing easements (include O.R. Book and Page) and any proposed easements. Note that utility easements cannot overlap drainage easements.
9. Permits will include - Driveway Connection Permits and Utility Placement.
10. Identify how off-site water entering the site will be addressed and how water from lots will be conveyed to the SWMF.
11. The developer will need to provide signage for No Parking on one side of the street, preferably the side with hydrants.
12. Watermain should be wrapped around the cul-de-sac in the proper corridor, 10 feet back of curb and not located under pavement.
13. The hydrant shown at the end of the eastern cul-de-sac is located in the middle of an access easement, potentially blocking access to rear lot.
14. Clarify all proposed easements lines, buffers, open spaces, etc. Currently there are several areas where it is unclear what is utility easement or buffer or open space.
15. Provide more information on adjacent properties within 300 feet of the proposed connections, including but not limited to driveways, side streets, etc.
16. Plan and profile sheets and cross-sections should not be included in the siteplan set, if the applicant wishes to keep them in the set as is, they should that should anything change during design and construction a modification may be required for the siteplan.
17. Please note that any landscape island will be maintained by the HOA, and that should the landscaping become a hazard Public Works has the right to remove without replacing.
18. Plans need to demonstrate that emergency vehicles and garbage trucks can maneuver around the cul-de-sacs.

Due to the number of outstanding issues Public Works recommends a second ARM meeting.

City of Tallahassee
UNDERGROUND UTILITIES
"Setting the Standard for Excellence"

MEMORANDUM

TO: Shawna Martin
Senior Planner –Leon County
FROM: Justin Hosey, P.E.
Program Engineer - Water Resources Engineering
DATE: November 20, 2015
SUBJECT: **LSP150035 Brookside Village**

I. Project Description:

Proposed 64-lot single-family residential detached subdivision on a 35.18 acre parcel along Ox Bottom Road. The parcel is zoned Residential Preservation (RP).

II. Standards of Review:

1) Water Resources Engineering reviews utility service/concept plans for compliance with, *the Water and Sewer Agreement, The City of Tallahassee Design Specifications for Water and Sewer, Florida Department of Environmental Protection (FDEP) F.A.C. Section 62-555, The American Water Works Associations Manual of Practice "M31", FDEP F.A.C. Section 62-604, and FDEP MOP 9, as well as sound engineering practice.*

III. Findings of Fact:

1) Water and sewer are available to the site.
2) Connection to water and sewer is required.

IV. Condition of Approval:

1) Water Resources Engineering must approve a "Water and Sewer Concept Plan" prior to Site Plan Approval. Provide 3 copies to our office for approval along with the required checklist, calculations, and fire flow test results.
2) A Letter of Agreement (LOA) will be required prior construction plan approval.

Water Resources Engineering Contact Information

Justin Hosey, P.E.
justin.hosey@talgov.com
891-6182

Bruce Kessler
bruce.kessler@talgov.com
891-6105

Mailing Address:
300 S. Adams St. B-26
Tallahassee, FL 32301

Office Location
408 N. Adams St. 3rd Floor
Tallahassee, FL 32301

Mission:
To protect, promote & improve the health of all people in Florida through integrated state, county & community efforts.

Florida HEALTH

Rick Scott
Governor

John H. Armstrong, MD, FACS
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Vision: To be the Healthiest State in the Nation

December 2, 2015

LSP150035
Brookside Village

To Whom It May Concern:

For the project listed above, the property owner must abandon any and all existing septic tanks that are currently on the property prior to connecting to the City of Tallahassee sewer system. This can be achieved by applying for an abandonment permit. The fee for the permit is $50.00 and this will apply to all septic tanks on the property. There is also an inspection required, after the permit is issued but before the tanks are covered up. The work must be done by a licensed septic contractor or a qualifying licensed plumber. The inspection must be scheduled the day before the work is to be completed.

To apply, contact the Department of Health in Leon County at (850)606-8350 or come by the office in the Renaissance Building on the second floor.

If you have further questions, contact Kathy Davis at 606-8350.

Kathy Davis
Kathy Davis
FDOH-Leon County
Septic Program Coordinator
(850)606-8350

Florida Department of Health
In Leon County
P.O. Box 2745 • Tallahassee, FL 32316
PHONE: 850/606-8150 • FAX 850/922-4367

www.FloridaHealth.gov
TWITTER:HealthyFLA
FACEBOOK:FLDepartmentofHealth
YOUTUBE: fldoh
FLICKR: HealthyFla
PINTEREST: HealthyFla

TALLAHASSEE FIRE DEPARTMENT
SITE PLAN REQUIREMENTS

Project Name:	Brookside Village Residential
Parcel ID #	14-19-20-001-0000
	LSP 150035
AGENT:	Urban Catalyst Consultants
PLANNER:	Shawna Martin
MEETING DATE:	December 2, 2015

The Required width of a fire department access road shall not be obstructed in any manner, including the parking of vehicles. *NFPA 1, 18.2.4.1.1, Fifth Edition of the Florida Fire Prevention Code).*

Listed below are the Tallahassee Fire Department's requirements concerning the above proposed development. The agent or owner prior to approval shall address the items listed below.

1. Must meet NFF (needed fire flow) as determined by AWWA Manual M31, using NFPA 1 Method. Please provide needed fire flow calculations to the Tallahassee Fire Department representative and to Water Utilities Engineering and Inspections at this time. Please use the Required Fire Flow Information form (NFPA 1, 18.4.1.1, Fifth Edition of the Florida Fire Prevention Code) to provide fire flow calculations. The Fire Flow form is located on the Growth Management Department page within the City of Tallahassee's web page (www.talgov.com) in the "Applications and Forms" section. If hydrants are existing the following is required. After the NFF is determined, the existing fire hydrant(s) shall be flowed to determine its GPM. If the GPM meets or exceeds the NFF, no additional hydrants are required. If it does not meet the NFF, additional hydrant(s) are required.

2. Please show proposed fire hydrants a maximum of 10' from roadways. Hydrants shall not be spaced so that you have to pass the protected property in order to supply water for firefighting purposes. Please provide scaled plans in order to verify fire hydrant spacing.

3. Every building constructed shall be accessible to fire department apparatus by way of access roadways with all-weather driving surface of not less than 20 feet of unobstructed width, with adequate roadway turning radius capable of supporting the imposed loads of fire apparatus (32 tons) and having a minimum clearance of 13 feet, 6 inches, angle of approach and departure not exceeding 1 ft. drop in 20 ft. (0.3 drop in 6 m.) or the design limitations of the Fire Department apparatus, subject to Fire Department approval. Please

use auto-turn software (BUS-40) throughout the site to show turning radii. The auto-turn should be configured through the ingress and egress to Ox Bottom Road while also indicating the curbing type proposed for the island shown at the entranceway. Fire Department approval will also require that any on street parking be restricted to the opposite street side of proposed fire hydrant locations.

4. If unsupervised and isolated above ground fuel storage tanks are to be located on the property during construction, City of Tallahassee Plans Review staff must be contacted prior to tank installation. *NFPA 1, 66.21.7.2.1 and 66.21.7.2.2, Fifth Edition of the Florida Fire Prevention Code*

5. Please include the following on landscaping plans:
   A 36 in. (814 mm) clear space shall be maintained around the circumference of fire hydrants except as otherwise required or approved.

Gary Donaldson
Tallahassee Fire Department
435 N. Macomb St. – 1st Floor
Tallahassee FL 32301
(850)891-7179
Gary.Donaldson@talgov.com

Aquifer Protection Site Review Clearance Form

City of Tallahassee
Your Own Utilities

LEON

Site Information Site Name: **Brookside Village Residential Subdivision**

Team: Location: 550 Ox Bottom Road Tax ID: 14-19-20-001-0000

Status: TYPE B SITE PLAN/DRC AgendaDate:

Date of Site Visit: Wednesday, November 25, 2015 Inspected by: Paul Schmid

Important: It is the permittee's responsibility to provide the documentation indicated in the checked sections below. Aquifer Protection Clearance will be issued only after the required documentation is provided to: Aquifer Protection Section, 3805 Springhill Road, Tallahassee, FL, 32305-6502; Phone (850)891-1200; Fax (850)891-1062. If additional wells, borings, or Regulated Substances not described below are discovered by the permittee during site clearing or other permitted activities, the permittee shall comply with the appropriate provisions in Leon County Land Development Code Article XIV and shall notify the Aquifer Protection Section of actions taken to comply with these provisions.

Aquifer Protection Items Found on Site And Action Required:

☑ Unused Well(s) Number Of Wells:

High likelihood of well, potentially more than one.

The unused well(s) must be properly abandoned by a licensed well contractor following Northwest Florida Water Management District guidelines {(850)539-5999}. The NWFWMD inspection report will required as proof of proper abandonment. [Authority – Leon County Code Section 10-1957(a)(1) and Chapter 40A-3.531(1), (2)(b), (4), and (5), Florida Administrative Code.]

LSP150035

☐ Geotechnical Borings

The geotechnical borings must be properly abandoned. Borings less than 25 feet deep may be back-filled with the original or other clean soil. Borings deeper than 25 feet shall be grouted with neat cement from bottom to top. A signed statement from the geotechnical consultant that the borings have been properly abandoned will be considered adequate proof of action completion. [Authority – Leon County Code Section 10-1957(b)]

☑ Regulated Substances/Waste

Standing buildings on property

The on-site waste described above must be disposed of properly. On-site waste which could present a hazard to water resources if improperly handled (including solvents, paints, pesticides, waste oil, batteries, fluorescent lights or other mercury containing devices, etc.) must be removed from the site by either a Department of Environmental Protection-approved hazardous waste transporter, recycler, or in many cases may be transported by the permittee to the Leon County Hazardous Waste Center, located at the Leon County Landfill. If the Hazardous Waste Center is used, they must be contacted for approval and delivery scheduling (922-0400) prior to the contractor removing the waste from the site. Regardless of the approved method of disposal chosen the permittee must obtain receipts documenting the proper disposal of the waste. Copies of waste receipts will be required as proof that action was properly completed. [Authority – Leon County Code Section 10-1959.]

☑ Other: High likelihood of septic tank(s.)

1. Aquifer Protection clearance is granted for permitting purposes and is contingent on this site obtaining a required demolition permit and completion of a hazardous waste inspection. All issues noted from the hazardous waste inspection must be properly mitigated.
2. A well is likely on the site. Please call the Northwest Florida Water Management District (539-5999) for information on having the well properly abandoned.
3. Please call Leon County Public Health Department (487-3166) for information on having the septic system properly abandoned.

Aquifer Protection Clearance

This Clearance form will be singed by a member of the Aquifer Protection Section when all actions identified above have been completed completed. The final environmental inspection will not be conducted and the permit will not be issued until the Aquifer Protection Clearance is completed.

Aquifer Protection Clearance: **Paul Schmid** Date: **12/01/2015**

000027

Note: This draft work is conceptual and prepared solely to demonstrate an idea. It is not to scale nor intended to replace final detailed design documentation.

Note: This draft work is conceptual and prepared solely to demonstrate an idea. It is not to scale nor intended to replace final detailed design documentation.

W Millers Bridge
Windbrook Ct

Sherrill Ct
E Millers Brid

Attachment # 8
Page 4 of 4

>>> Douglas Charity <charityda@att.net> 12/02/2015 8:22 AM >>>
Good morning Ms. Martin,

I am the owner of property in the Moore Pond Subdivision (lot 19B, 2.5+ acres), located within 800 feet of the above proposed development. I was out of town last week, and received the County's notice of today's meeting on Monday night. I am unavailable to attend this meeting, but wish to provide comment to you, other staff and members of the reviewing Committee. I ask that my comments below be entered into the record of this and any subsequent proceeding, and made known to the Committee before any decisions are made.

Here are my brief comments:

1. The proposed development is incompatible with the surrounding communities, especially Moore Pond. The proposed development being of high density, would be incongruous and inharmonious with the Moore Pond subdivision.

2. By comparing the "Summary of Proposal" provided to me by mail, with a site plan of this proposed development, I find that some of the information in the Summary is misleading. The Summary indicated that there will be dwelling units from 1/8 acre to 2+ acres. In fact, the 2 acre home sites cannot be developed without access from Heartland Circle (main road in Moore Pond). It is unlikely that that would be approved by the Moore Pond Homeowners. The Site Plan indicates 55 home sites that appear to be at or near the 1/8 acre size, and not anything like 2 acres or something in between.

3. A 1/8 acre home site, is 5,445 square feet of land. The average home placed on this size lot, would be much smaller (even if two story). By comparison, I'm sure the average size of a Moore Pond house is larger that the 5,445 lot size in the proposed development.

4. Homes placed on 1/8 acre home sites are more like townhomes or detached apartments, than large executive type homes in Moore Pond.

5. The difference in housing density between the proposal and Moore Pond, would require a substantial environmental buffer of at least 100-200 feet.

6. A community marketed as a "55+ active adult community is incompatible and inconsistent with the Moore Pond community life style. I am concerned that there will be future developer proposals for this development to meets the needs of this special type community. (i.e. community facilities for the elderly etc.) This proposal could lead to more proposals to construct similar dense communities in the neighboring lands, all of which would be unacceptable.

7. Consistent with the Leon County Development Code, we Moore Pond homeowners, have a right to protect and conserve the value of our land and investment, and to minimize the conflict of uses of land and buildings.

8. Moore Pond has extensive Restrictive Covenants, which included control of nuisances. The proposed development could be a nuisance to nearby residents and land owners in Moore Pond.

9. It is my understanding that new developments must control and treat any storm water runoff from said development. Therefore, there must not be any storm water runoff from the proposed development into Moore Pond homeowner property or lake.

10. Moore Pond property owners purchased their property to maintain a certain lifestyle, and financial investment. Approval of the subject development, would negatively encroach on the interests and property values of Moore Pond owners.

11. The instant proposal does nothing for the surrounding community. Rather, it allows the developer to obtain higher prices for the homes, given the high quality and low density of surrounding communities, and the City/County to collect more tax.

11. I cannot comment further, as I have not seen the actual proposal.

12. In sum, I strongly oppose ANY approval of the subject development, and/or modifications to said development now and in the future. The size and number of any home sites on the site plan should be no more dense than the surrounding communities.

Respectfully submitted,

Douglas A. Charity
957 Lantern Light Court
Tallahassee, Florida 32312-9008

850-212-3810 cell
850-717-6371 work
charityda@att.net

JOINT EXHIBIT OF THE PARTIES 5

LEON COUNTY
DEPARTMENT OF DEVELOPMENT SUPPORT & ENVIRONMENTAL MANAGEMENT
DEVELOPMENT SERVICES DIVISION

APPLICATION REVIEW MEETING
February 3, 2016 at 1:30 p.m.

RECOMMENDATION:	**CONTINUANCE TO A DATE TBD AT MEETING**
PROJECT NAME:	Brookside Village Residential Subdivision
LEVEL OF REVIEW:	Type "B" Site and Development Plan, FDPA Track
PROJECT ID #:	LSP150035
PARCEL I.D. NUMBER:	14-19-20-001-0000
APPLICANT/OWNER:	Golden Oak Land Group, LLC 4708 Capital Circle NW Tallahassee, FL 32302
APPLICANT'S AGENT:	Sean Marston, P.E., Urban Catalyst Consultants 2840 Pablo Avenue Tallahassee, FL 32308
PARCEL SIZE:	35.17 +/- acres
LOCATION:	550 Ox Bottom Road, Tallahassee, FL
ROADWAY ACCESS:	Ox Bottom Road
ZONING DISTRICT:	Residential Preservation (RP)
FUTURE LAND USE:	Residential Preservation (RP)
GROSS DENSITY:	1.82 dwelling units per acre
UTILITY PROVIDER:	City of Tallahassee Utilities
APPROVAL BODY:	Development Review Committee (DRC) in accordance with the provisions of Section 10-7.404 of the Land Development Code (Type "B" Review).

PROJECT SUMMARY:

The site is located inside the Urban Services Areas, is zoned Residential Preservation and has a Residential Preservation designation on the Future Land Use Map of the Tallahassee-Leon County Comprehensive Plan. The project proposes 64 single-family detached dwelling units ranging in size from 1/8 acre to 2+ acres in size. Development is proposed on the upland portions of the property with environmentally sensitive areas being preserved in a conservation easement.

DEVELOPMENT SERVICES STAFF REVIEW:

Development Services along with other members of the Application Review Meeting (ARM) Staff have reviewed this application to determine compliance with applicable provisions of the Leon County Land Development Code (LDC - Chapter 10). In undertaking this review, emphasis has been placed on evaluating whether this application meets the criteria set out in Section 10-7.108, consistency with comprehensive plan; and, in Section 10-7.407, Site and Development Approval Criteria. These two sections are provided below.

Consistency with Comprehensive Plan, Section 10-7.108 of the LDC

(a) *All proposed subdivision or development shall be designed to be consistent with the adopted comprehensive plan, as amended.*

(b) *All proposed subdivisions or development shall be designed to comply with at least the county zoning, building regulations, concurrency, and environmental management ordinances, and such other applicable land development regulations, ordinances, and policies, for the area in which the proposed subdivisions or development shall be located.*

(c) *In accordance with this article and other applicable requirements of the local comprehensive plan and county ordinances, land, proposed subdivision or site and development plans shall be suitable for the characteristics of the underlying land. Sites where topographic features, flooding potential, drainage, soil type or other site specific features are likely to harm neighboring landowners, future users of the subject property, natural resources or public infrastructure demand, shall not be developed and/or subdivided, unless adequate methods of mitigation or correction of the harm area formulated by the developer and accepted by the county.*

(d) *Any applicant subdividing land shall record an approved final plat in accordance with the requirements of this chapter.*

(e) *The adequacy of necessary public or private facilities and services for traffic and pedestrian access and circulation, solid waste, waste water disposal, potable water supply, storm water management, parks and recreation and similar public facilities and services, shall be considered in the review of all subdivision or development site and development plan proposals to assure the concurrency requirements of the local comprehensive plan and county ordinances are met.*

(f) *Unless installation of a required improvement is waived pursuant to Division 6, no final plat or certified survey shall be recorded until a site and development plan, as required by this article, has been approved, the required infrastructure or development improvements which are applicable to the subject parcel or parcels are completed or an appropriate surety instrument, as approved in advance by the county attorney, is posted, in accordance with the requirements of this article, and the terms and conditions of any applicable development order have been fulfilled.*

(g) *No parcel shall be approved for platting for any purpose unless it is suitable for a use permitted by Article VI. No parcel shall be approved for development unless it is consistent with the local comprehensive plan and contains an adequate development site, both in size for the use intended and in its relationship to abutting land uses.*

Site and Development Plan Criteria, Article VII, Section 10-7.407 of the LDC:
When deciding whether to approve, approve with conditions, or deny a site and development plan application, the County shall determine the following (In addition to compliance with Sections 10-7.107 and 10-7.108):

(a) *Whether the applicable zoning standards and requirements have been met.*
(b) *Whether the applicable provisions of the Environmental Management Act have been met.*
(c) *Whether the requirements of Chapter 10 and other applicable regulations or ordinances which impose specific requirements on site and development plans and development have been met.*

DEVELOPMENT SERVICES FINDINGS:

I. Description of the Comprehensive Plan Future Land Use Category:

According to the Future Land Use Map of the Tallahassee-Leon County Comprehensive Plan, the subject parcel is designated Residential Preservation (RP). The primary function is to protect existing stable and viable residential areas from incompatible land use intensities and density intrusions. Future development primarily will consist of infill due to the built out nature of the areas. Single family, townhouse and cluster housing may be permitted within a range of up to six units per acre. Consistency with surrounding residential type and density shall be a major determinant in granting development approval.

Finding #1: The Tallahassee-Leon County Planning Department shall determine that the proposed development is consistent with the Tallahassee-Leon County Comprehensive Plan. Please refer to the memorandum from Susan Poplin, Senior Planner (Attachment #1).

II. Concurrency Management (Article III):

According to Section 10-3.105(a) of the LDC, no final development order can be issued until such time it is determined that there is sufficient available capacity of concurrency facilities to meet level of service standards for the existing population, vested development, and for the proposed development. All proposed development (except vested development) shall undergo a concurrency review. In the event the proposed development trips deficient segments of a roadway facility, for example, the applicant has the option of entering into a proportionate fair share agreement to mitigate associated impacts. Additional information on mitigation of impacts and the criteria established for mitigation is set forth in the Concurrency Policies and Procedures Manual.

Finding #2: Leon County and City of Tallahassee Concurrency Management performed traffic impact analyses for the proposed development and determined that the proposal will not require transportation concurrency mitigation. A traffic study was not required as the project generates less than 100 PM Peak Hour trips. A Preliminary Certificate of Concurrency has been issued for the proposed development. A Final Certificate of Concurrency shall be issued upon final site plan approval.

A School Impact Analysis (SIA) application was submitted to the Leon County School Board for review and a determination will be made at the their next scheduled board meeting on February 9, 2016.

For questions relating to concurrency, please contact Ryan Guffey, AICP, Concurrency Management Planner with Development Services at 606-1300.

III. Environmental Management (Article IV):

The application must comply with the regulations and standards set out in the following sections of Article IV: [Topographic alterations (Section 10-4.327); Stormwater management facilities (Section 10-4.301); Protected Trees (Section 10-4.362); Tree Protection Requirements (Section 10-4.363); Pre-Development Reviews (Section 10-4.202); Natural Area Requirements (Section 10-4.345)].

Finding #3: A Natural Features Inventory (NFI) (LEA 15-0037) was approved with conditions on October 23, 2015. An Environmental Management Permit (EMP)(LEM1500072) has been applied for and is currently under review. The EMP is reviewed and approved concurrently with the Type "B" site plan approval under the FDPA Track.

Finding #4: The stormwater report and proposed system design does not appear to support the proposed impervious surface (density) on-site while meeting closed basin standards.

Please refer to comments from the Environmental Services Division (Attachment # 2) as they relate to the sections above and any other provisions set forth in Article IV of the Land Development Code.

IV. Zoning (Article VI): Sections 10-6.617, 10-6.637 and 10-6.647

Residential development in the Residential Preservation (RP) zoning district, when located inside the Urban Services Area (USA) and not within a recorded or unrecorded subdivision, shall be permitted densities in the range of zero to six units per acre, when connection to central sanitary sewer and water are proposed. If central potable water and central sanitary sewer are not available to the development, densities shall be permitted at a rate no greater than two dwelling units per acre. Parcels proposed for residential which are located inside the urban service area and not in a recorded or unrecorded subdivision shall develop consistent with the type of residential development pattern located adjacent to the vacant parcel. For new residential development in RP not located in a recorded or unrecorded subdivision, the applicable development standards including, but not limited to front, rear, side and side corner yard setbacks shall be established at the time of site and development plan review. The DRC is the entity that shall approve proposed setbacks for new single-family detached developments in the RP zoning district.

Finding #5: The metes-and-bounds property is located inside the Urban Services Area, is not located within a recorded or unrecorded subdivision, and proposes connection to City of Tallahassee central sanitary sewer and potable water. The application requests an overall gross density of 1.82 dwelling units per acre, which falls within the permitted density range of 0 to 6 du/acre allowed in the RP zoning district. The proposed development type is detached, single-family dwellings which is consistent with adjacent residential development patterns.

The proposed density is in the process of being evaluated for the purpose of assessing compatibility. Additionally, the ability to demonstrate compliance with the applicable

stormwater management requirements within the closed basin may result in a reduction of the amount of permissible impervious surface (density) on-site.

Finding #6: As noted in the previous ARM report, plan sheets, particularly the site plan sheet, should include a tabular summary of applicable development information such as, but not limited to: total number of single-family lots, setbacks, maximum height, minimum lot width, required parking spaces, overall acreage, project area acreage, gross density, total acreage in conservation, etc. Please revise to include all applicable information.

Finding #7: The development standards listed below are being proposed by the applicant and will be considered by the Development Review Committee for approval. The site data table (Sheet C-112) provides maximum building standards, including a height of 2 stories. Please provide the maximum height in feet and also include the minimum lot frontage proposed.

Development Standard	*Code Requirement*	*Proposed*
Front yard setback	*Established during site plan review*	*15 feet*
Rear yard setback	*Established during site plan review*	*15 feet*
Side interior yard setback	*Established during site plan review*	*5 feet*
Side corner yard setback	*Established during site plan review*	*15 feet*
Height	*Established during site plan review*	*2 story; please specify in feet*
Minimum lot frontage	*Minimum of 15 feet*	*Not provided; shall be annotated in site data table*

V. Subdivision and Site and Development Plan Regulations (Article VII)

Generally, Article VII was established to ensure protection for the public health, safety, and general welfare of the residents of Leon County as well as to encourage orderly and efficient growth and beneficial development of all unincorporated parts of the county while preserving natural and historical resources. Procedures and regulations set forth in Article VII govern the subdivision of land, standards for the development of property, and consistency with the Comprehensive Plan. It is the responsibility of Development Services staff to ensure coordination between review entities, consistency with other applicable county requirements.

A. Permitted Use Verification (Section 10-7.402.1)

Permitted Use Verifications are prerequisites to filing an application for site and development plan review. The primary purpose of a PUV is to determine eligibility for a proposed use and the appropriate level of permitting required to establish this use.

Finding #8: A revised Permitted Use Verification (PUV) (VC150071R) has been determined eligible with conditions for the proposed development.

B. Type "B" Review (Section 10-7.404)

According to Section 10-7.402 of the LDC, the application qualifies for review as a Type "B" site and development plan. There are two available review tracks for projects that qualify for Type "B" site plan review, a Concept Plan Approval (CPA) Track and a Final Design Plan Approval (FDPA) Track. The applicant has chosen the FDPA Track. The FDPA Track is an available option for Type "B" site plan applications. The FDPA Track provides concurrent review of the Environmental Management Permit and Type "B" site plan application. The DRC shall provide the final decision for Type "B" site plan applications.

Finding #9: The site plan submitted does not provide sufficient detail for staff to recommend approval with conditions; therefore, an additional ARM meeting will be required for this project. A continuance ARM meeting date shall be set at the meeting for the public record. If a continuance ARM date is not decided at the meeting, it will need to be re-advertised and noticed. If re-advertised, notice fees will be assessed.

VI. Substantive Standards and Criteria (Article XII, Div. 5)

A. General Layout and Design Standards (Section 10-7.502)

The proposed site plan shall comply with the general layout and design standards of this section. These design standards pertain to streets, driveways, lots and lot designs, and pedestrian and bikeways and facilities.

Finding #10: Section 10-7502(2) requires that streets interconnect within a development and with adjoining development, unless physical conditions preclude an interconnection now or in the future. Properties surrounding the subject parcel are fully developed as single-family detached subdivisions. To the east and northeast is Moore Pond Subdivision, a private, gated subdivision, which accesses Ox Bottom Road via Heartland Circle, a privately maintained roadway. To the west and northwest are the Ox Bottom Gardens and Ox Bottom Manor subdivisions. There does not appear to be a feasible location for future interconnection with adjoining developments now or in the foreseeable future. The DRC shall assess feasibility and make the final determination on the requirement for interconnection.

Finding #11: As noted in the previous ARM report, staff recommends the applicant consider alternative designs to the standard, round cul-de-sacs proposed for the development. The applicant was provided with several design alternatives by the City of Tallahassee Planning Department's Design Studio, which included areas for public amenities to increase the aesthetical appeal and make these areas functional spaces for residents. See Attachment #10 for preferred design alternatives.

Finding #12: As noted in the previous ARM report, it is recommended that the individual lot layouts and driveway connections on the site layout plan are replaced by a few typical layouts, along with tabular data, to demonstrate that off-street parking standards are being met. One typical lot layout pattern was provided on this latest revision; however, it is unclear if it is representative of all lots or is intended to represent a minimum or maximum building standard.

B. General Principles of Design Relating to Impacts on Nearby Streets and Property Owners (Section 10-7.505)

Each development shall be as compatible as possible to nearby development, shall minimize adverse environmental impacts, provide boundary buffers, reduce any adverse environmental impact of parking lots by buffer fences, retaining natural vegetation/trees or providing landscaping, provide fencing and screens for health and safety, maintain roadside trees, control height and intensity of lighting, and provide for the ongoing operation and maintenance of supporting infrastructure.

Finding #13: Hiking trails are proposed to be constructed through the conservation easement to allow passive recreation on-site, as outlined in the conservation easement management plan.

Finding #14: The landscape plan (Sheet C-133) provides for evergreen understory tree plantings along the internal roadway system and adjacent to sidewalks. Several varieties of evergreens have been provided as options for these plantings. As a preferred design alternative, staff recommends that multiple species be planted in alternating fashion throughout the development to provide shade for pedestrians, visual appeal and character to the neighborhood. See additional preferred design alternatives at the end of this report.

Finding #15: The site plan provides for boundary buffers and a 6-foot wooden fence along a portion of the eastern property boundary interior to the landscape buffer area. The proposed boundary buffers will utilize existing vegetation and augment as needed with evergreen species to achieve buffer standards. Also refer to the preferred design alternatives at the end of this report.

Finding #16: The fencing and landscaping around Pond 100 appears to conflict with one another in certain locations. Please review and rectify the site layout plan and landscape plan sheets.

Finding #17: The space between Lot 5 and Lot 6 has not clearly been delineated as to purpose and ownership. Please specify if this is intended to be used to maintain the landscape buffer areas and clearly indicate ownership of this area. Please also specify how access will be maintained with the newly proposed fence line.

C. Stormwater Management (Section 10-7.521)

The stormwater standards must be met for the proposed development. The storm drainage and surface water drainage system used shall be installed in accordance with Article IV and other requirements and specifications of the county.

Finding #18: Stormwater management standards must be found in compliance with Article IV and any other specifications and requirements of the County. Please refer to the memorandums from the Environmental Services Division (Attachment #2) and Public Works Department (Attachment #3).

D. Buffer Zone Standards (Section 10-7.522)

A buffer zone is a landscaped strip between adjacent land uses that is intended to serve a screen function, as well as, provide an attractive boundary between parcels. The width or degree of vegetation within the buffer zone depends on the type of land use(s) on the adjacent parcel(s). The required widths and degree of vegetation plantings for all buffers are outlined in this section. When proposed development is adjoining a single-family detached dwelling unit located within the RP zoning district, the proposed development must provide buffering meeting no less than the Type A landscape standard.

Finding #19: A 25-foot, Type "B" landscape buffer has been provided on the west, east and southern properties lines. A 10-foot, Type "A" landscape buffer has been provided along the majority of the northern property line. The proposed boundary buffers will utilize existing

vegetation and augment as needed with evergreen species to achieve the buffer standards. The applicant has also added a 6-foot wood privacy fence, interior to the 25-foot landscape buffer, along a portion of the eastern property line adjacent to Moore Pond.

An additional landscape buffer shall be provided along the northeastern property line adjacent to Heartland Circle. Additionally, staff recommends that the proposed fencing be continued around the entire perimeter of the development as opposed to only one side. Lastly, as noted previously, staff recommends that a higher density of evergreen plantings be incorporated in the landscape buffer areas, as determined feasible by the Environmental Services Division. Additional fencing and an augmented buffer would help address public concerns regarding noise and lights from car traffic, specifically along the proposed driveways to Lot 100 and 200.

Finding #20: Please place a note on the site plan that states the HOA will manage and maintain the landscape buffer areas and any other open/common space areas. Please refer to any additional comments from the Environmental Services Division (Attachment #2) and Public Works (Attachment #3), regarding the on-going maintenance and operation of private areas and infrastructure.

E. Public Water Supply, Public Sanitary Sewer or On-site Sewage Disposal Systems and Electric Service (Sections 10-7.523, 10-7.524 and 10.7-526)

Potable water, public sanitary sewer facilities and electrical service shall be installed and necessary easements provided in accordance with the standards, specifications and policies of the county and/or city, the service provider and any other regulating agency.

Finding #21: The City of Tallahassee Water Resources Engineering Department approved the "Water and Sewer Concept Plan" on January 19, 2016 (Attachment #4). This concept plan shall be included as a sheet in the plan set prior to development approval. The City of Tallahassee Power Engineering Department has not yet provided comments and shall provide conceptual approval prior to site plan approval.

Finding #22: As noted in the previous ARM report, please place a note on the plan set indicating that the existing, on-site septic system shall be properly abandoned in accordance with regulations from the Florida Department of Health (See Attachment #5).

F. Fire Protection Facilities (Section 10-7.527)

All development within the USA shall be required to provide fire protections by means of hydrant placement and fire flow in accordance with the requirements and specifications of the City of Tallahassee.

Finding #23: Fire protection facilities must be approved prior to site plan approval. See the memorandum from the City of Tallahassee Fire Department (Attachment #6).

F. General requirements for sidewalks with new development (Sections 10-7.529)

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. Sidewalks shall be designed and constructed to implement a pedestrian mobility system that facilitates access to residential development,

business establishments, community facilities and other non residential land uses, and, provides safe and convenient linkage between developments and between the public and private street system.

Finding #24: Sidewalks have been provided along one side of the new streets within the proposed residential subdivision and adjacent to Ox Bottom Road. Staff recommends that the sidewalk along Ox Bottom be extended to connect to the sidewalk at Ox Bottom Manor Drive. This distance is less than 200 feet and would eliminate sidewalk gaps along this stretch of Ox Bottom Road and facilitate pedestrian mobility.

Also refer to any additional comments from Public Works (Attachment #3).

G. Off-Street Parking Spaces (Sec. 10-7.545)

Residential parking requirements are calculated generally based on the type of land use (single-family, multi-family, apartments, etc.) and/or the number of bedrooms per unit. This information is set forth in Schedule 6-2 of this section. Based on the proposed land use (detached single-family), the required number of off-street parking spaces for one, two and three bedroom units is two (1.5) parking spaces per dwelling. Four bedroom units require two (2) off-street parking spaces per unit. If on-street parking is not permitted (or restricted), then each dwelling unit is also required to provide one (1) visitor space. The site must demonstrate that these requirements can be met without blocking sidewalks or right-of-way.

Finding #25: The site layout plan annotates maximum building standards for the development; however, it is still unclear if all lots are meeting the minimum parking standards required for the development. As noted in Finding #6 above, please provide a site data table that includes information regarding the required parking standards and how these will be achieved. Also refer to Finding #12 regarding typical lot layouts.

Finding #26: The typical sections provided indicate that slightly recessed garages will be provided for each style of housing proposed for the development. A recessed garage still dominates the focal point of a home unless the width of the front porch, entryway, or other prominent front elevation feature exceeds the width of the garage. As noted in the previous ARM report, the applicant is encouraged to explore design options that utilize side-loaded and/or rear-loaded garages (see preferred design alternatives below). It is recommended to consider larger lot sizes and widths to accommodate this design.

Please refer to any additional comments from Public Works (Attachment #3).

VII. Plats (Article XII, Div. 6)

A. Generally (Section 10-7.601)

No building permit shall be issued for a project that requires platting until a plat has been accepted and approved by the Board of County Commissioners and recorded in the plat books of the County. Every plat of a development or subdivision made for recording shall conform to the provisions of Chapter 177, Florida Statutes and should conform to the requirements of Section 10-7.607, LDC.

Finding #27: A final plat is required. No plat shall be approved and accepted by the County unless and until the developer has installed all infrastructure improvements. The preliminary plat provided as part of the site plan submittal still does not comply with the platting provisions outlined in Florida Statute (Chapter 177) or Section 10-7.607 of the LDC. Please refer to any additional comments from Public Works (Attachment #3).

B. Plats Containing Improvements Not Dedicated to the Public (Section 10-7.610)

If a proposed plat contains streets, roads, alleys, rights-of-way, common areas, utility, conservation and drainage or other easements not dedicated to the public, the applicant, shall file with the county attorney certified copies of the executed and filed articles of incorporation and the bylaws of a homeowners' or property owners' association, or other corporate entity, together with restrictive covenants applicable to the property, approved by the county attorney as to form, content, and manner of execution, providing enforceable assessment procedures for financing the maintenance of the streets or roads, alleys, rights-of-way, common areas and facilities, utility and drainage or other easements. The plat shall not be submitted to the Board of County Commissioners until the articles, bylaws, and restrictive covenants have been approved as to form and manner of execution by the county attorney. Minimum requirements for restrictive covenants are outlined in this section.

Finding #28: The County Attorney's Office has reviewed to form the draft Declarations and Covenants, Conditions and Restrictions for Brookside Village and has provided comments in Attachment #9. Also refer to staff mark-ups on ProjectDox.

Please refer to any additional comments from Public Works (Attachment #3) and Environmental Services (Attachment #2).

VIII. On-Site Signs (Article IX)

Specific sign codes (i.e. size and height), are reviewed for compliance with Article XII (signs) at the time of permitting. However, to ensure adequate visibility for motorists, bicyclists and pedestrians, the location of the subdivision sign shall be included on the plan sheets. The location of the signage does not exempt the signs from permitting. The physical location shown on the site plan is for location purposes only. The signs must meet the criteria established in Article IX, Section 10-9.201, and Leon County Land Development Code.

Finding #29: The proposed subdivision sign location appears to conflict with existing trees (not slated for removal) and potentially with utilities. Please review the sign location and orientation and revise accordingly. Any future revision to the location of this sign after site plan approval would require a modification. A note shall be placed on the site layout plan that states the subdivision sign shall not exceed a height of ten feet nor exceed forty square feet in area and shall be reviewed for compliance with Article XII at the time of permitting.

IX. Aquifer Protection (Article X, Div. 1)

This article is intended to protect and maintain the quality and quantity of groundwater in the county by providing criteria for regulating the use, handling, production, storage and disposal of regulated substances.

Finding #30: The application shall be determined consistent with Article X of the LDC and the applicable Goals, Objectives and Policies of the Comprehensive Plan prior to approval. The Aquifer Protection Division has provided a report (Attachment #7) for the site identifying items that require action. Please review and include appropriate action items as notes on the site plan. The response to comments indicates that these items were addressed in the Demolition and Erosion Control Plan which was not included in the site plan set. Please include this plan sheet.

X. Uniform Street Naming and Property Numbering System (Article XI)

This article is intended to provide for the assignment and approval of street names, subdivision names, and for providing for a uniform numbering system for the assignment of address numbers to properties in the interest of public health, safety and welfare.

Finding #31: A Street Naming Application was submitted on January 20, 2016. The proposed street and subdivision names shall be determined consistent and approved in accordance with the standards outlined in Article XI of the LDC. Please see comments from the County's Addressing Unit in Attachment #8.

XI. Technical Site Plan Deficiencies [Section 10-7.402(8)(b)2)].

Finding #32: Please make the requested revisions outlined in Findings #1-31 above and in the attached memorandums from other reviewing agency staff. Additionally, please review the site plan markups from reviewing staff in ProjectDox. Please contact the Project Manager if you need assistance viewing these markups.

PREFERRED DESIGN ALTERNATIVES:

Based upon the findings provided above, Development Services recommends that the following preferred design alternatives be incorporated into the applicant's site and development plan:

1. **Lot Sizes** – Staff recommends the applicant consider increasing the sizes of lots adjacent to the Ox Bottom Manor and Moore Pond Subdivisions to allow a smoother transition with surrounding development. The proposed density is in the process of being evaluated for the purpose of assessing compatibility.

2. **Alternative Garage Placement** – The applicant is encouraged to consider lot sizes that would facilitate side-loaded or rear-loaded garages. This would allow for forward entry onto the street rather than backing out, thus making a safer vehicular and pedestrian environment. Side-loaded garages eliminate the view of rows of parked cars and garage doors, adding to the aesthetic appeal of the neighborhood.

3. **Alternative Cul-de-sac Design** - Staff recommends the applicant consider alternative designs to the standard, round cul-de-sacs proposed for the development. The applicant was provided with several design alternatives by the City of Tallahassee Design Studio, which included areas for public amenities to increase the aesthetical appeal and make these areas functional spaces for residents.

4. **Landscape Buffers & Screening** - Staff recommends that a higher density of plantings be incorporated in the proposed landscape buffers, as determined feasible by the Environmental

Services Division. Evergreen species should be the predominant type to achieve increased opacity and noise buffers between adjoining residential developments. Additionally, it is recommended that the buffer fencing provided on a portion of the eastern property line be extended to include the entire perimeter of the property adjacent to the Moore Pond and Ox Bottom neighborhoods. Additional fencing and an augmented buffer would help address public concerns regarding noise and lights from car traffic, specifically along the proposed driveways to Lot 100 and 200.

5. **Sidewalk Connection** –Staff recommends that the sidewalk along Ox Bottom be extended to connect to the sidewalk at Ox Bottom Manor Drive. This distance is less than 200 feet and would eliminate sidewalk gaps along this stretch of Ox Bottom Road and facilitate pedestrian mobility.

6. **County LID Standards** – In coordination with the Environmental Services Division, the applicant is encouraged to incorporate Low Impact Development (LID) Standards.

RESPONSES FROM ARM MAILOUT NOTIFICATION:

The application was originally advertised in the Tallahassee Democrat on Wednesday, November 25, 2015. Additionally, a total of 104 notices were distributed through regular mail which notified property owners within 800 feet and neighborhood and business associations (registered with County) within 800 feet of the proposal site. At the December 2, 2015 meeting a continuance ARM meeting was scheduled on the public record for February 3, 2016. During this timeframe, more than 30 people have requested to be added to the ProjectDox system for reviewing project files. Staff has subsequently received written comments from the numerous members of the public that are included as Attachment #11.

NOTE:

If any of the comments presented in this memorandum are unclear, or if the applicant requires additional information, please contact Shawna Martin of Development Services at (850) 606-1385 or e-mail at MartinS@leoncountyfl.gov.

REPORT ATTACHMENTS:

1. Memorandum from the Tallahassee Leon County Planning Department (TLCPD)
2. Memorandum from the Environmental Services Division
3. Memorandum from the Leon County Public Works Department
4. Memorandum from the City of Tallahassee Water Resources Engineering Department
5. Memorandum from the Florida Department of Health
6. Memorandum from the City of Tallahassee Fire Department
7. Memorandum from the City of Tallahassee Aquifer Protection Division
8. Memorandum from the Leon County Addressing Unit
9. Email from the County Attorney's Office (RE: Restrictive Covenants)
10. Preferred Design Alternatives from the Planning Department Design Studio
11. Public Comments

MEMORANDUM

TO: Shawna Martin, Leon County Development Services

FROM: Susan Poplin, Senior Planner

DATE: February 2, 2016

SUBJECT: Brookside Village Residential Subdivision (Type B) FDPA Track LSP 150035
Leon County Application Review Meeting February 3, 2016

APPLICANT: Golden Oak Land Group, LLC
AGENT: Sean Marston, P.E., Urban Catalyst Consultants
PARCEL ID: 14-19-20-001-0000
ZONING: Residential Preservation
FUTURE LAND USE: Residential Preservation

Findings

1. The proposed project is for the development of a 64-unit single-family residential subdivision on 35 acres north of Ox Bottom Road near Heartland Circle road. The applicant indicates that the project will be marketed and developed as a 55+ active adult community.

2. The proposed project is consistent with the density and intensity of the Residential Preservation Future Land Use Map Category of the *Tallahassee-Leon County Comprehensive Plan*.

3. Residential Preservation Future Land Use Element Policy 2.2.3 states the primary function is to protect existing stable and viable residential areas from incompatible land use intensities and density intrusions. The Brookside project's proposed gross density at 1.8 dwelling units per acre is classified as low-density residential in the comprehensive plan. The density of surrounding neighborhoods is also classified as low-density residential ranging from 1 dwelling unit per 5.71 acres (Rosehill) up to 1.65 dwelling units per acre (Ox Bottom Gardens). The Leon County Land Use Development Matrix and Conservation Policies 1.3.2.d, 1.3.3. and 2.2.5, indicate density of development will be permitted only to the extent that sufficient stormwater capacity is available. The availability of stormwater capacity to address providing the appropriate level of service for the project and protecting surrounding water quality within the closed basin has not been adequately met.

   For other land use compatibility considerations and to establish Transitional Development Areas where appropriate, the policy states that a number of factors are to be considered including intensity, density, scale, building size, mass, bulk, height and orientation, lot coverage, lot size/configuration, architecture, screening, buffers (including vegetative buffers), setbacks, signage, lighting, traffic circulation patterns, loading area location, operating hours, noise and odor. Additional compatibility considerations are still being assessed in concert with the Leon County Development Support and Environmental

Management Services staff given the questions regarding environmental/stormwater and adjacent land uses.

4. The Mobility Element of the Tallahassee-Leon County Comprehensive Plan requires that development to provide full accommodations of pedestrian access and movement including sidewalks and enhanced crossings, [Mobility Element Policies 1.1.8(a-b), 1.2.3 and 1.4.3]. The application shows a sidewalk along Ox Bottom Road and internal to the project. Sidewalk dimensions are not shown in the application. The application also indicates the intent to place passive trails within the Conservation Area (a recommended design alternative). The sidewalk along Ox Bottom Road should connect to the existing facility that runs north along Ox Bottom Manor Road. The application shall provide the width dimension details of the sidewalk and provide a connection to the sidewalk at the corner of Ox Bottom Road and Ox Bottom Manor Road.

5. The Conservation Element of the *Tallahassee-Leon County Comprehensive Plan* requires that wetlands and floodplains be regulated as conservation or preservation, and that wetland function be preserved [Conservation Policies 1.3.1, 1.3.2, 1.3.4, 1.3.6, 2.2.1 and 2.2.2]. The application identifies the details of planned wetland, floodplain and significant slope conservation within the proposed project. The narrative states that features will be contained within an 11+ acre conservation easement. Additionally, the application also indicates the intent to place passive trails within the Conservation Area which was a recommended design alternative previously.

Planning Department Recommendations

The Planning Department supports the continuation request for the project in order to further assess and provide recommendations for the proposal.

Leon County Department of Development Support & Environmental Management

MEMORANDUM

TO: Shawna Martin
Senior Planner

FROM: Charley Schwartz, PE CMS
Senior Environmental Engineer

DATE: February 3, 2016

RE: Brookside Village
Type "B" Site Plan (LSP15-0035)
Environmental Review Comments of Site Plan Dated 1/20/2016
Parcel ID: 14-19-20-001-0000

We have conducted a review of the referenced project for its consistency with stormwater, landscaping, and other environmental protection requirements found in Chapter 10 of the Leon County Land Development Code (LDC). Recommendations, comments, and information necessary for the review process include, but are not limited to, the following. All other requirements of the code, although not mentioned hereon, are still applicable.

Environmental Review Processes Requirements:

- A Natural Features Inventory (NFI) for the site was approved on October 23rd, 2015 (LEA15-0037).
- An Environmental Management Permit (EMP) is required for this project. An EMP application has been received (LEM15-00072) but is deficient. Comments herein generally apply to the EMP as well as the site plan. Review of the EMP is not complete. Any additional comments associated with the EMP will be provided under separate cover with a copy of the comments uploaded to the Site Plan folder in Projectdox.
- An As-Built and an Operating Permit are required prior to final inspection.

Project construction cannot commence until an EMP is issued.

Recommendations, Comments, and Required Information:
A markup layer to the Site Plan has been added to Projectdox. On account of the number of comments and significant nature of many of the comments Environmental Services recommends a third application review meeting.

SITE PLAN COMMENTS

1. **Existing Conditions (C102-C106):** Address the following comments:
   a. Survey locate and identify the existing vehicular path in the vicinity of the access to proposed Lot 200.
   b. Survey locate and identify the existing path to the existing upper impoundment through the wooded area on the north side of the ravine.
   c. Provide survey information for the structures and weirs of the existing impoundments.
   d. Provide elevation contours for the lower reaches of the ravine system and cite the source used (ex. TLCGIS contours similar to approved NFI).

2. **Preliminary Plat & Site Layout Plan (C109-C112):** Address the following comments within the Preliminary Plat and/or Site Plan (changes made to applicable sheets):
   a. "Conservation Areas" shall be renamed "Conservation Easements" or "Conservation Easement Areas." Plans shall clearly indicate that the Conservation Easements are to be dedicated to the county with the land owned and maintained by the HOA.
   b. We encourage that "Conservation Area B" be converted to a buffer and not conservation easement. It appears significant slope requirements can be easily addressed in other areas of Lot 100 & 200 contiguous to Conservation Easement A. If Conservation Easement B remains, the vegetation management plan shall be updated to include a section on proper management of the area to support natural vegetation that also meets required buffer standards. Notes would also need to be added to the site plan regarding the conservation easement and buffer requirements for the area.
   c. The access easement to Lot 200 shall be shifted south along the existing vehicular path. Environmental suggests continuing the 25' buffer along the north side of the access easement through at least Lot 8 of

the adjacent development. Environmental also suggests opaque fencing to block headlights from vehicles using the residential drive.

d. HOA Access to Existing Impoundments: Identify HOA access (easements or open space) to maintain the existing impoundments. The upper impoundment appears to have been accessed from the north. The impoundment shall continue to be accessed from the historical access path to minimize impacts to undisturbed areas of the high quality forest. The access paths and footprint of the existing impoundments should be excluded from the Conservation Easement Area.

e. How are the landscape buffers on the perimeter of the development intended to be accessed and maintained by the HOA? There are limited access points for the HOA.

f. Where are the intended access points to the trails within the Conservation Easement?

g. On account of the tight lots additional information is needed in the Typical Lot Layout (Sheet C112). Note that AC units and pads on the side of units shall not adversely impact flow between the units. Indicate how between unit drainage swales and utility boxes at the street will be oriented with respect to one another. An additional detail shall be provided in the EMP specifying a minimum swale cross section between units.

h. The width of all drainage easements should be identified (ex. easement within lots 38-40 and within Lot 18-20.

i. The entire footprint of the HOA treatment swales in the vicinity of Lot 100 as well as the area necessary to access and maintain the swales shall be located within drainage easement or HOA property.

j. Provide Site Data related to protected environmental features (ex. amount of significant slopes on site & amount preserved in conservation easement, etc.).

3. **Site Grading Plan (C115):** Address the following comments:
   a. Identify the minimum finished floor elevation for each lot (excluding 100 & 200).
   b. Address concentrated flow received from off-site in vicinity of Lots 5 and 6.
   c. Address grading of swale on west side of Lot 37.
   d. Provide additional stormwater capture for northeastern lots.
   e. Access to Lot 100 and the HOA treatment swales is not acceptable. The path is very steep (up to 3:1), located between two residential structures, and above a very deep sewer line that would likely make the path inaccessible in event the utility had to be repaired or replaced.
   f. Consider reorienting the HOA treatment swales along the elevation contour to minimize amount of grading and slopes. Address discharge from the treatment swales.
   g. The Grading Plan(s) shall include all site areas.
   h. Do not show removed trees.
   i. Ensure SWMF access, retaining walls and management of concentrated flows in vicinity of SWMFs are acceptable to Public Works.
   j. Please be advised that building permits for retaining walls associated with SWMFs shall be submitted prior to approval of the EMP. The retaining wall design must take into account the effects of any trenches proposed in the vicinity of the foot of the wall.

4. **Tree Removal Plan (C131):** Address the following comments:
   a. Change title to "Demolition and Tree Removal Plan."
   b. Identify the Limits of Disturbance with respect to the natural area & buffer from the approved NFI.
   c. Identify structures to be removed (buildings, fences, wells, roads, etc.).
   d. Address demolition of the existing access drive and preparation of the soils for use as a landscape buffer.

5. **Buffer Plan (C132):** See previous comments associated with proposed buffers, conservation easements and access easements.

6. **Landscape Plan (C133):** Address the following comments:
   a. Do not show removed trees on the landscape plan.
   b. Note that physical markers will be placed along conservation easement boundaries (marker specifics to be identified in the EMP).
   c. Address maintenance responsibilities for trees within the public ROW.
   d. Add a note that numerous protected trees are being preserved in the conservation easement to offset remaining tree debits (calculations just show remaining debits without explanation).

STORMWATER ANALYSIS REPORT

7. **Existing Impoundment Changes & Wetland Impacts:** Changes to the two existing impoundments other than repair shall evaluate the impacts on the health of existing wetlands within the impoundment areas (ex. alterations to staging frequency, duration, depth, hydrocycle alterations, etc.).

8. **Existing Conditions:** Provide additional narrative on the history of the impoundments and how the existing conditions input for the model was determined. Several Public Comments received have indicated that the existing

conditions results do not match historical observations. It is noted that data input into the existing conditions model is not consistent with existing field conditions and need to be corrected. The overflow weirs also appear to be simplified versions of the existing conditions that likely significantly overestimate flows once the weir is overtopped. Plans shall include sufficient detail to support associated stormwater calculations.

9. **Drainage Basins:** The Drainage Basins need to be expanded to the west and north to depict the additional drainage area flowing to the site. The post-development basin map needs to show the divides between the different post-development basins (Pond 100, 200, treatment swales, impoundments).

10. **Infiltration Proximity to Seepage Slopes:** The report shall address the proximity of the infiltration trenches with respect to the nearby seepage slopes and potential volumetric effects to Moore Pond.

11. **Narrative:** Address markups and comments to narrative as identified on the Projectdox markup layer.

12. **Water Quality Calculations:** The stormwater analysis shall include the required water quality calculations.

13. **Hydraflow Basin Map:** Include a basin map to support the hydraflow calculations.

14. **Operation and Maintenance Responsibility:** Address responsibility for operation and maintenance of the various stormwater facilities and impoundments.

OTHER SITE PLAN MATERIALS

15. **HOA Declaration and Covenants:** The HOA Declaration shall be revised to reflect all types of easements, common space and landscaping that must be maintained by the HOA including: Conservation Easements & Trails, Impoundments, stormwater treatment swales, drainage easements and conveyance swales, trees in road ROW, landscape buffers, etc.

16. **Articles of Incorporation:** Articles shall be supplied for review.

17. **Vegetation Management Plan & Conservation Easement:** Address the following comments.

    a. The title of the conservation easement management plan shall match the name provided in the conservation easement agreement. The name in both documents must be titled "Brookside Village Subdivision Conservation Easement Management Plan". Please note that the proposed conservation easement agreement has not yet been reviewed, as to form, by the Leon County Attorney's Office. Additional comments may be forthcoming after their review of the agreement is complete.
    b. The Management Plan refers to the protected areas as "Conservation Areas". These must be referenced instead as "Conservation Easement Areas".
    c. Since the FEMA data is not sufficient for the purposes of this subdivision, the Management Plan shall simply reference the presence of Floodplain, rather than FEMA Flood zone.
    d. The site statistics table must clearly indicate the acreage of each feature preserved within the conservation easement (i.e. Significant grade is shown as 7.01, which is the total for the site, not the area preserved within the easement.). Additionally, as stated above the FEMA data is not sufficient for the purposes of this subdivision and the area of floodplain was determined by the project engineer during the Natural Features Inventory (LEA15-0037). Therefore, the acreage provided for floodplain must match the acreage determined by the project engineer, not the acreage shown by the FEMA.
    e. Since one of the primary goals of the Management Plan is to achieve less than 1% cover of invasive exotic plants within the conservation easement areas, this statement must specifically be provided in the list of goals under section I. General.
    f. Under Section III. Components of the Conservation Areas C. Significant Grades, only areas of significant grades that are being preserved by the conservation easement should be referenced.
    g. Control of any invasive exotics identified on Leon County's List of Invasive Exotic Plants is required in the conservation easement areas. Under Section IV. Long-Term Care and Maintenance, a reference to this list shall be provided.
    h. Also under Long-Term Care and Maintenance, it shall be specified that mechanical removal techniques of invasive exotic plants must employ hand tools only.
    i. The Long-Term Care and Maintenance section references removal and disposal of dead trees and limbs. Since dead trees and limbs provide wildlife habitat and are important for nutrient cycling processes within the forest community, this statement must be revised. Cutting of dead trees and limbs is allowed where they pose a hazard to people or structures within or adjacent to the easement area; however, they must not be removed from the site. If fallen trees or limbs are blocking the trail they may be cut and moved to the adjacent trailside areas.

j. As part of implementing the Management Plan a baseline conditions report shall be provided which addresses, at a minimum, an estimate of percent cover of invasive exotic plants within the easement areas. This report must be provided prior to approval of the Environmental Management Permit (EMP).
k. In Section V. Monitoring, a statement shall be added that initial efforts shall be made to achieve less than 1% cover of invasive exotics prior to receiving a final environmental approval (i.e. As-built and Stormwater Operating Permit). At a minimum, this shall include employment of treatment and/or control practices throughout the entire easement areas with the aim of reaching the intended goal. Yearly monitoring/maintenance reports are required to be submitted until less than 1% cover of invasive exotic plants is achieved. Successful control shall be achieved within 3 years.
l. In Section VI. Passive Recreation language needs to be added specifying that hiking trails are provided for pedestrians only and that these shall not cover more than 1% of the conservation easement area. The section prescribes a 4-foot wide trail; however, this width will not be possible in most areas due to the steepness of the terrain. The exact trail design must be approved by the Leon County Department of Development Support and Environmental Management prior to construction.
m. Conservation Easement signs shall be provided around the perimeter of the conservation easement areas for the purposes of demarcating the boundaries. Sign details shall be provided with the EMP.
n. The site plan must identify the trail head access locations. Each trail head shall provide an educational sign which generally describes the preserved area, including efforts to control invasive exotic plants. The sign shall also state that the trail is provided for pedestrian use only, and that all pets must be leashed and their waste materials bagged and removed from the site. Sign language must be provided with the EMP.
o. The Management Plan contains spelling errors that must be corrected (i.e. "Ardesia" should be "Ardisia", and "trach" should be "trash").

General Comments:
It should be noted that non-inclusion in this letter of a Leon County Land Development Regulation\Requirement does not constitute exemption from compliance with the requirement.

BOARD OF COUNTY COMMISSIONERS
MEMORANDUM

DATE: February 3, 2016

TO: Shawna Martin – Senior Planner

FROM: Kimberly A. Wood P.E. - Chief of Engineering Coordination

SUBJECT: Type B Review of Brookside Village Subdivision for February 3, 2016, ARM Meeting

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The information submitted for review is not sufficient for a thorough review at this time. The following comments are for the applicant's information and may be revised as more information becomes available.

1. Identify all existing improvements on the site and whether they will remain or be removed, especially the existing driveway.
2. Provide more information on the SWMF, discharge points, conveyance to the facility, limits of the facility, exfiltration trench, maintenance access, gates (please note that gates must be 2 – 10 foot swing gates), etc. The proposed facilities must have sufficient access to the back of any walls to allow for maintenance access, toes of slopes to allow reconstruction if needed of maintenance berm, fencing should be located such that it does not inhibit access or flows from the pond. Maintenance berm should be stabilized particularly where flows are directed over the berm and/or walls.

   The walls need to provide sufficient information to ensure they can be built and maintained prior to siteplan approval. Information should include but not be limited to, wall type, footer and tie back information to ensure that there is not encroachment into adjacent properties, maintenance access, etc. Fencing and landscaping cannot block maintenance access to the walls. Please note that the plans call out 7 foot Gravity walls, per FDOT 2010 which the County considers the specifications for their standards gravity walls are a maximum of 5 feet high and footers may be required depending on soil type. The plans include a notation of a 91 LF of 3 foot high retaining wall which is not shown in the plans. Several walls sections are located on the property line which would prevent maintenance access and could require the need to encroach on the lots with footers and/or tie backs. An Exfiltration trench at the base of the walls is not recommended as they could create stability issues with the walls, footers, etc.

3. Show dimensions, sidewalks, driving aisle, parking spaces, radii, easements, lots, r/w, etc.
4. Provide a pavement typical section (including **asphalt type, number of lifts,** as well as the thickness, base and subbase), including right of way to right of way and 10 foot utility easements both sides of road, including the utilities per the Utility Placement Guide. Please include the type of curbing on the island at the entrance.
5. Provide a typical lot layout demonstrating that vehicles parked in the driveway will not overhang the right of way or sidewalk, minimum 20 feet from right of way. The typical section provided

does show the minimum 20 feet however there are a couple of lots around the cul-de-sacs and bulbed out areas that do not meet requirement.

6. Since this will be a platted subdivision, plat information, including all typical plat information per FS Chapter 177, must be included on the preliminary plat. All lots and blocks must be shown, dimensioned, and consecutively numbered. Dedication information must be provided for easements, common areas, r/w, etc. All areas not in lots or right of way must be identified, including underlying ownership, i.e. open space, common area, etc. and appropriately dimensioned and limits of all must be clearly delineated. All easements must clearly be dimensioned as well. All lots around the cul-de-sac should be radial to the center to prevent conflicts with adjacent driveways8. Site plan should show all existing easements (include O.R. Book and Page) and any proposed easements. Note that utility easements cannot overlap drainage easements and/or the SWMF should not have a "Leon County Utility and access easement" over lapping.
7. The provided Autoturn for both the Fire Truck and Single Unit Vehicle is difficult to review with the hatch/shading, please remove the shading and show the wheel tracks on the roads and access berms with any proposed impediments, such as fences, curbs, etc.
8. The inlet at the end of the cul-de-sac appears to conflict with the driveways of lot 18 & 19. Please review plans to ensure that inlet placement does not conflict with drives.
9. Permits will include - Driveway Connection Permits and Utility Placement.
10. Identify how off-site water entering the site will be addressed and how water from lots will be conveyed to the SWMF. There are several lots that suggest the offsite water will sheet flow into the back of the home and a couple of lots at the front that may trap water on the lots.
11. The developer will need to provide signage for No Parking on one side of the street, preferably the side with hydrants.
12. Provide information on how the HOA will access the impoundment control devices and the proposed swales on lots 18 – 20.
13. The access easement for lot 200 is shown on several sheets as 25 feet however the buffer sheet shows a 10 foot buffer which would reduce the easement to 15 feet, please clarify.
14. Clarify all proposed easements lines, buffers, open spaces, etc. Currently there are several areas where it is unclear what is easement or buffer or open space.
15. Provide more information on adjacent properties within 300 feet of the proposed connections, including but not limited to driveways, side streets, etc.
16. Please note that any landscape island will be maintained by the HOA, and that should the landscaping become a hazard Public Works has the right to remove without replacing.
18. Plans need to be revised to remove any irrigation lines and heads from County right of way and SWMF..

Due to the number of outstanding issues Public Works recommends a second ARM meeting.

City of Tallahassee
UNDERGROUND UTILITIES
"Setting the Standard for Excellence"

MEMORANDUM

TO: Shawna Martin, Planner, Leon County
FROM: Bruce Kessler, Water Resources Engineering
On behalf of Justin Hosey, P.E.
Development Review Manager
DATE: January 20, 2016
SUBJECT: **Brookside Village Subdivision (LSP150035)**

I. Project Description:

The proposed project is located at 550 Ox Bottom Road in Northeast Leon County (14-19-20-001-0000), east of Ox Bottom Manner Subdivision and west of the Moore Pond Subdivision. The project is a residential subdivision.

II. Standards of Review:

1) Water Resources Engineering reviews utility concept plans for compliance with, *the Water and Sewer Agreement, The City of Tallahassee Design Specifications for Water and Sewer, Florida Department of Environmental Protection (FDEP) F.A.C. Section 62-555, The American Water Works Associations Manual of Practice "M31", FDEP F.A.C. Section 62-604, and FDEP MOP 9, as well as sound engineering practice.*

III. Findings of Fact:

1) Water and sewer are available to the site.
2) Connection to water and sewer is required.

IV. Condition of Approval:

1) Water Resources Engineering approved the "Water and Sewer Concept Plan" on January 19, 2016.
2) A "Letter of Agreement" will be required prior to construction.

Mission:
To protect, promote & improve the health of all people in Florida through integrated state, county & community efforts.

Florida HEALTH

Rick Scott
Governor

John H. Armstrong, MD, FACS
State Surgeon General & Secretary

Vision: To be the Healthiest State in the Nation

December 2, 2015

LSP150035
Brookside Village

To Whom It May Concern:

For the project listed above, the property owner must abandon any and all existing septic tanks that are currently on the property prior to connecting to the City of Tallahassee sewer system. This can be achieved by applying for an abandonment permit. The fee for the permit is $50.00 and this will apply to all septic tanks on the property. There is also an inspection required, after the permit is issued but before the tanks are covered up. The work must be done by a licensed septic contractor or a qualifying licensed plumber. The inspection must be scheduled the day before the work is to be completed.

To apply, contact the Department of Health in Leon County at (850)606-8350 or come by the office in the Renaissance Building on the second floor.

If you have further questions, contact Kathy Davis at 606-8350.

Kathy Davis
Kathy Davis
FDOH-Leon County
Septic Program Coordinator
(850)606-8350

Florida Department of Health
In Leon County
P.O. Box 2745 • Tallahassee, FL 32316
PHONE: 850/606-8150 • FAX 850/922-4367

www.FloridaHealth.gov
TWITTER:HealthyFLA
FACEBOOK:FLDepartmentofHealth
YOUTUBE: fldoh
FLICKR: HealthyFla
PINTEREST: HealthyFla

TALLAHASSEE FIRE DEPARTMENT
SITE PLAN REQUIREMENTS

Project Name:	Brookside Village Residential
Parcel ID #	14-19-20-001-0000
	LSP 150035
AGENT:	Urban Catalyst Consultants
PLANNER:	Shawna Martin
MEETING DATE:	January 3, 2016

The Required width of a fire department access road shall not be obstructed in any manner, including the parking of vehicles. *NFPA 1, 18.2.4.1.1, Fifth Edition of the Florida Fire Prevention Code).*

Listed below are the Tallahassee Fire Department's requirements concerning the above proposed development. The agent or owner prior to approval shall address the items listed below.

1. Must meet NFF (needed fire flow) as determined by AWWA Manual M31, using NFPA 1 Method. Please provide needed fire flow calculations to the Tallahassee Fire Department representative and to Water Utilities Engineering and Inspections at this time. Please use the Required Fire Flow Information form *(NFPA 1, 18.4.1.1, Fifth Edition of the Florida Fire Prevention Code)* to provide fire flow calculations. The Fire Flow form is located on the Growth Management Department page within the City of Tallahassee's web page (www.talgov.com) in the "Applications and Forms" section. If hydrants are existing the following is required. After the NFF is determined, the existing fire hydrant(s) shall be flowed to determine its GPM. If the GPM meets or exceeds the NFF, no additional hydrants are required. If it does not meet the NFF, additional hydrant(s) are required.

2. Please show proposed fire hydrants a maximum of 10' from roadways. Hydrants shall not be spaced so that you have to pass the protected property in order to supply water for firefighting purposes. Please provide scaled plans in order to verify fire hydrant spacing.

3. Single family residential:

   (1) Maximum distance between fire hydrants shall not exceed 600 feet. The building footprint locations at Lots 100 and 200 have not been identified on the submitted site plan. The location of a building footprint on Lot 200 has the potential to be inconsistent with this requirement. The building plan review for this lot must be coordinated with Fire Department Site Plan review staff to determine whether the distance requirement has been satisfied prior to issuance of a building permit.

4. Every building constructed shall be accessible to fire department apparatus by way of access roadways with all-weather driving surface of not less than 20 feet of unobstructed width, with adequate roadway turning radius capable of supporting the imposed loads of fire apparatus (32 tons) and having a minimum clearance of 13 feet, 6 inches, angle of approach and departure not exceeding 1 ft. drop in 20 ft. (0.3 drop in 6 m.) or the design limitations of the Fire Department apparatus, subject to Fire Department approval. Please use auto-turn software (BUS-40) throughout the site to show turning radii. Fire Department approval will also require that any on street parking be restricted to the opposite street side of proposed fire hydrant locations. Please relocate the hydrants at Lots 16 and 45 to the opposite sides of the street in compliance with this requirement.

5. An approved turnaround shall be provided where an access road is a dead end and is in excess of 150 feet. Please extend the BUS-40 auto turn paths at the cul-de-sac locations of the roadway alignment into the access easements leading to Lots 100 and 200, indicating that the roadway consists of an all-weather driving surface capable of supporting the imposed loads of fire apparatus (32 tons) and having a minimum clearance of 13 feet 6 inches. The building plan review for each lot must be coordinated with Fire Department Site Plan review staff to address vehicular turnaround requirements prior to issuance of building permits.

6. If unsupervised and isolated above ground fuel storage tanks are to be located on the property during construction, City of Tallahassee Plans Review staff must be contacted prior to tank installation. *NFPA 1, 66.21.7.2.1 and 66.21.7.2.2, Fifth Edition of the Florida Fire Prevention Code*

Gary Donaldson
Tallahassee Fire Department
435 N. Macomb St. – 1st Floor
Tallahassee FL 32301
(850)891-7179
Gary.Donaldson@talgov.com

Aquifer Protection Site Review Clearance Form

City of Tallahassee
Your Own Utilities

LEON

Site Information Site Name: **Brookside Village Residential Subdivision**

Team: Location: 550 Ox Bottom Road Tax ID: 14-19-20-001-0000

Status: TYPE B SITE PLAN/DRC AgendaDate:

Date of Site Visit: Wednesday, November 25, 2015 Inspected by: Paul Schmid

Important: It is the permittee's responsibility to provide the documentation indicated in the checked sections below. Aquifer Protection Clearance will be issued only after the required documentation is provided to: Aquifer Protection Section, 3805 Springhill Road, Tallahassee, FL, 32305-6502; Phone (850)891-1200; Fax (850)891-1062. If additional wells, borings, or Regulated Substances not described below are discovered by the permittee during site clearing or other permitted activities, the permittee shall comply with the appropriate provisions in Leon County Land Development Code Article XIV and shall notify the Aquifer Protection Section of actions taken to comply with these provisions.

Aquifer Protection Items Found on Site And Action Required:

☑ Unused Well(s) Number Of Wells:

High likelihood of well, potentially more than one.

The unused well(s) must be properly abandoned by a licensed well contractor following Northwest Florida Water Management District guidelines {(850)539-5999}. The NWFWMD inspection report will required as proof of proper abandonment. [Authority – Leon County Code Section 10-1957(a)(1) and Chapter 40A-3.531(1), (2)(b), (4), and (5), Florida Administrative Code.]

LSP150035

☐ Geotechnical Borings

The geotechnical borings must be properly abandoned. Borings less than 25 feet deep may be back-filled with the original or other clean soil. Borings deeper than 25 feet shall be grouted with neat cement from bottom to top. A signed statement from the geotechnical consultant that the borings have been properly abandoned will be considered adequate proof of action completion. [Authority – Leon County Code Section 10-1957(b)]

☑ Regulated Substances/Waste

Standing buildings on property

The on-site waste described above must be disposed of properly. On-site waste which could present a hazard to water resources if improperly handled (including solvents, paints, pesticides, waste oil, batteries, fluorescent lights or other mercury containing devices, etc.) must be removed from the site by either a Department of Environmental Protection-approved hazardous waste transporter, recycler, or in many cases may be transported by the permittee to the Leon County Hazardous Waste Center, located at the Leon County Landfill. If the Hazardous Waste Center is used, they must be contacted for approval and delivery scheduling (922-0400) prior to the contractor removing the waste from the site. Regardless of the approved method of disposal chosen the permittee must obtain receipts documenting the proper disposal of the waste. Copies of waste receipts will be required as proof that action was properly completed. [Authority – Leon County Code Section 10-1959.]

☑ Other: High likelihood of septic tank(s.)

1. Aquifer Protection clearance is granted for permitting purposes and is contingent on this site obtaining a required demolition permit and completion of a hazardous waste inspection. All issues noted from the hazardous waste inspection must be properly mitigated.
2. A well is likely on the site. Please call the Northwest Florida Water Management District (539-5999) for information on having the well properly abandoned.
3. Please call Leon County Public Health Department (487-3166) for information on having the septic system properly abandoned.

Aquifer Protection Clearance

This Clearance form will be singed by a member of the Aquifer Protection Section when all actions identified above have been completed completed. The final environmental inspection will not be conducted and the permit will not be issued until the Aquifer Protection Clearance is completed.

Aquifer Protection Clearance: **Paul Schmid** Date: **12/01/2015**

LEON COUNTY
DEVELOPMENT SUPPORT AND ENVIRONMENTAL MANAGEMENT
***Addressing Unit** Memorandum*

DATE:	February 2, 2016
SUBJECT:	LSP150035 – Brookside Village Residential Subdivision
Addressing Staff Contact:	Lisa Scott, Addressing Program Coordinator

Finding:

The street name for this pending project cannot be approved with the requested suffix of road. As noted by the LC Emergency Management Team and the CDA "Village Ridge Road" could pose a potential conflict with the existing street name of "Ridge Road".

Therefore, we are requesting the applicant change the suffix from road to Lane. The approval would be reflected as *"Village Ridge Ln"*.

Additionally, as outlined in the LDC of Section 10-11.106 (2); directionals can only be approved for streets which break the meridian or baseline. As, for the flow of the address ranges for this approved alignment; the range will be one continuous flow starting from west to east. LC P/W Sign Shop was contacted regarding signage, and they indicated that the range for each section could be posted on the street sign for 9-1-1 purposes.

From: Patti Poppell
To: Martin, Shawna
CC: Icerman, Jessica
Date: 01/22/2016 10:15 AM
Subject: Re: FOR REVIEW: HOA Documents for Brookside Village

Good morning Shawna,

We have reviewed the draft Declaration and Covenants, Conditions and Restrictions for Brookside Village and have the following comments.

1. Article IV(b) needs to be amended in accord with Section 10-7.610 1(d), Leon County Code. (The first election needs to be held before more than fifty (50) percent of the lots have been sold.)

2. Article V(h) needs to be amended to comport with Section 10-7.610 1(m), Leon County Code.

3. The Declaration needs to be amended to provide for the provisions set forth in Section 10-7.610 1(e), (f), (h), and (n), Leon County Code.

4. We will need a copy of the articles of incorporation and bylaws for the homeowners association, as well as the engineer's estimate of reasonably expected total maintenance and replacement costs for the common areas, per Section 10-7.610 1(g), Leon County Code.
Thank you,

Patti

Patti L. Poppell
Sr. Paralegal
Leon County Attorney's Office
Suite 202, 301 South Monroe Street
Tallahassee, Florida 32301
(850) 606-2500 Phone
(850) 606-2501 Fax

Legal Notice: Please note that under Florida's Public Records laws, most written communications to or from county staff or officials regarding county business are public records available to the public and media upon request. Your e-mail communications may therefore be subject to public disclosure.

The information contained in this transmission may contain privileged and confidential information. It is intended only for the use of the person(s) named above. If you are not the intended recipient, you are hereby notified that any review, dissemination, distribution or duplication of this communication is strictly prohibited. If you are not the intended recipient, please contact the sender by reply email and destroy all copies of the original message.

Tax Advice Disclosure: To ensure compliance with requirements imposed by the IRS under Circular 230, we inform you that any U.S. federal tax advice contained in this communication (including any attachments), unless otherwise specifically stated, was not intended or written to be used, and cannot be used, for the purpose of (1) avoiding penalties under the Internal Revenue Code or (2) promoting, marketing or recommending to another party any matters addressed herein.

Note: This draft work is conceptual and prepared solely to demonstrate an idea. It is not to scale nor intended to replace final detailed design documentation.

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E Millers Bridge
Sherrill Cir

W Millers Bridge
Windbrook Ct

Vermillion Way

Sandy Creek Dr

From: "Phillip Downs" <pd@dsg-research.com>
To: <MartinS@leoncountyfl.gov>
Date: 01/18/2016 9:34 AM
Subject: Brookside
Attachments: image001.jpg

Shawna – please add the following letter to the Brookside file. Thank you.
Phillip Downs

I am following up on the discussion about the proposed Brookside development that is contiguous to Moore Pond and Ox Bottom neighborhoods and across the street from Rosehill. I attended the Application Review Meeting (ARM) on 12.2.15, and I am very concerned not only about the proposed development, but also the process for approval.

Proposed Development.

There are 55 single detached houses on 1/8 acre lots + 2 detached houses on much larger lots. The proposed development is contiguous to 3 houses in Moore Pond, contiguous to Heartland Circle in two significant stretches, and across the street from 8 houses in Moore Pond, one of which is mine.

The most critical issue is damage to Moore Pond, which is the driver for the value of the 50+ houses in Moore Pond. While I have owned my lot at 6027 Heartland Circle for 15 years, longer-term neighbors have shared stories of road washouts and contaminated runoff from the proposed development area PRIOR to any development. The spring on the proposed development property feeds directly into Moore Pond. Recent photographs have shown significant "brownish" runoff from the proposed development property to Moore Pond even during this below average rainfall year.

Combined property value in Moore Pond exceeds $75 million, and represents the life work and dreams of the families who live here.

Other issues include traffic, noise, and neighborhood compatibility. The proposed development is being marketed as a 55+, quiet neighborhood, but we all know that buyers are buyers.

Neighborhood compatibility is a key issue. The property is zoned Residential Preservation, which is "intended to protect existing stable and viable residential areas from incompatible uses and density intrusions."

Moore Pond and Rosehill have 3 acre lots. The proposed development has predominantly 1/8 acre lots. The scale differential is a factor of 24.

To get a sense of the scale differential, building 55 houses on 1/8 acre lots next to Moore Pond and Rosehill is analogous to building 55 houses on 1/48 acre lots next to a stable neighborhood with ½ acre lots (a more typical lot size for Leon County). In other words, typical Leon County residents living in a neighborhood of ½ acre lots would be looking at a development of 55 houses on 1/48 acre lots in their backyards and across the street.

The scale differential in lot sizes is mind boggling.

I am a neophyte in development issues, but building 55 houses on 1/8 acre lots in a development that abuts two stable and viable neighborhoods with 3 acre lots surely meets the definition of density intrusion.

Approval Process.

Shawna Martin, who led the ARM meeting on 12.2.15, informed me that "The Development Review Committee (DRC) shall provide the final decision for Type "B" site and development plan applications. The members of the DRC are as follows: the Director of the Tallahassee-Leon County Planning Department, Mr. Russell Snyder; the (Interim) Director of Public Works, Ms. Katherine Burke; and the Director of the Department of Development Support & Environmental Management, Mr. David McDevitt. "

The proposed development will not be decided by the Leon County Commission! A development decision affecting three premier neighborhoods in north Leon County with over 1,000 homes and more than 4,000 residents surely is worthy of County Commission oversight and involvement, if not direct decision making.

During the ARM meeting on 12.2.15, the planning committee, chaired by Ms. Martin, seemed to be guided by the letter of Residential Preservation zoning rather than the spirit of it. "Residential Preservation does permit up to 6 lots per acre" was the stance of the planning committee, and the planning committee was less than forceful in suggesting to the developer to consider fewer lots and larger buffers (currently at 25 feet).

Each time one of the 20 to 25 residents representing the three affected neighborhoods mentioned that Residential Preservation is "intended to

protect existing stable and viable residential areas from incompatible uses and density intrusions," one of the planning committee members would state that the prosed development had fewer than 6 lots per acre. There appeared to be little understanding of the stark differences between Rosehill/Moore Pond neighborhoods and the proposed development.

Possible Solution

Given the value of the neighborhoods impacted by the proposed development, the best solution is to not allow it. The 35 acres in question would make an attractive recreational respite for the 4,000 plus residents in the surrounding neighborhoods should the County decide to purchase the property.

In closing, I apologize for the length of my communique.

Moore Pond is a dream neighborhood for me and represents the culmination of a lifetime of work.

Phillip Downs, Ph.D.

Senior Partner | Downs & St. Germain Research

Founder | TallahasseeVoices

Professor of Marketing | Florida State University (retired)

ph. 850-906-3111 | cell 850.545.9255 | fax 850-906-3112

DSG Logo - Email Signature (2)

From: David McDevitt <mcdevittd@leoncountyfl.gov>
To: MartinS@leoncountyfl.gov
CC: BrockmeierS@leoncountyfl.gov, CulpepperR@leoncountyfl.gov
Date: 01/03/2016 1:17 PM
Subject: Fwd: Brookside Development

FYI and project file.

Begin forwarded message:

> From: "Bryan Desloge" <DeslogeB@leoncountyfl.gov>
> Date: January 2, 2016 at 3:31:46 PM EST
> To: "pd@dsg-research.com" <pd@dsg-research.com>
> Cc: "David McDevitt" <McDevittD@leoncountyfl.gov>, "ballard@ballardfl.com" <ballard@ballardfl.com>, "johnblank@coton-colors.com" <johnblank@coton-colors.com>, "ckise@foley.com" <ckise@foley.com>, "janem.watson@gmail.com" <janem.watson@gmail.com>, "Long Vince" <vince@leoncountyfl.gov>, "Tedder Wayne" <Wayne.Tedder@talgov.com>
> Subject: Re: Brookside Development
>
> Phillip, thanks for taking the time to document all these concerns. I'm forwarding your email to County Administrator Vince Long, Growth Management Director David McDevitt and Director of PLACE Wayne Tedder so that they too are aware of your issues you've outlined below and can offer any help available to address them. I'll be in touch as soon as I receive an update from them. Please don't hesitate to let me know if I may be of further assistance on this or other issues. Hope you enjoyed the holidays and Happy New Year.
>
> Bryan Desloge
> Leon County Commission
> District IV Commissioner
> 301 S. Monroe St.
> Tallahassee, Fl. 32301
> 850-606-5364
> deslogeb@leoncountyfl.gov
>
>
> >>> "Phillip Downs" <pd@dsg-research.com> 12/24/2015 6:38 AM >>>
>> Hi Bryan
>>
>> First, on a personal note, Happy Holidays to you and your family. I presume your "boys" ski trip is approaching. Curtis informs me of the prodigious quantities of bad ass skiing and wine – all I can say is turn 'em and burn 'em!
>>
>>
>> I am following up on the discussion about the proposed Brookside development that is contiguous to Moore Pond and Ox Bottom neighborhoods and across the street from Rosehill. I attended the Application Review Meeting (ARM) on 12.2.15, and I am very concerned not only about the proposed development, but also the process for approval.
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Preservation does permit up to 6 lots per acre" was the stance of the planning committee, and the planning committee was less than forceful in suggesting to the developer to consider fewer lots and larger buffers (currently at 25 feet).
>>
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>>
>>
>> Possible Solutions
>>
>> Given the value of the neighborhoods impacted by the proposed development, the best solution is to not allow it. The 35 acres in question would make an attractive recreational respite for the 4,000 plus residents in the surrounding areas should the County decide to purchase the property.
>>
>>
>> Beyond the ideal solution, the proposed development should at minimum have:
>>
>> 1. Lots no smaller than 1 acre to be somewhat compatible to Rosehill and Moore Pond neighborhoods,
>> 2. A 100 foot, densely vegetated buffer to Moore Pond and Heartland Circle, and
>> 3. A $75 million bond to protect and preserve Moore Pond.
>>
>> In closing, I apologize for the length of my communique.
>>
>> You sense the importance of this issue.
>>
>> Moore Pond is a dream neighborhood for me and represents the culmination of a lifetime of work.
>>
>> I have admired your ability to analyze situations and find reasoned solutions. I trust you will do the same here.
>>
>>
>> Best regards and Happy Holidays, Phillip
>>
>>
>> Phillip Downs, Ph.D.
>>
>> Senior Partner | Downs & St. Germain Research
>>
>> Founder | TallahasseeVoices
>>
>> Professor of Marketing | Florida State University (retired)
>>
>> ph. 850-906-3111 | cell 850.545.9255 | fax 850-906-3112
>>
>> <mime-attachment.jpg>
>>

From: "CKise@foley.com" <CKise@foley.com>
To: "martins@leoncountyfl.gov" <martins@leoncountyfl.gov>
CC: "longv@leoncountyfl.gov" <longv@leoncountyfl.gov>, "Herb Thiele(ThieleH@..
Date: 01/26/2016 1:05 PM
Subject: Proposed Brookside Village Residential Subdivision - Project ID# LSP150035

Ms. Martin:

This communication sets forth formal opposition to the proposed Brookside Village Residential Subdivision, Project ID# LSP150035 (the "Project"). I reside in the adjacent Moore Pond subdivision, at 6788 Heartland Circle, Tallahassee, 32312, and as such face significant adverse impacts should the Project, as currently proposed, be approved. Indeed the current proposal violates both the letter and the spirit of the Residential Preservation zoning ordinance (Sec. 10-6.617), places a Third or Fourth Magnitude Spring at risk of contamination and pollution of the underlying aquifer, fails to guarantee harmful runoff will not enter Moore Pond, and places additional, unwarranted burdens on both area traffic and schools.

I understand a public Application Review Meeting regarding the Project is scheduled currently for Wednesday, February 3, at 1:30 p.m., and you are the appropriate Development Services Contact. Please consider this a formal request to include this communication, and all of the foregoing and following, into the official record. If there is some other appropriate procedure to be followed for the submission of comments and/or opposition regarding the Project, please identify same immediately so I may take appropriate action.

As developed below, the Project as currently proposed deviates substantially from the applicable zoning ordinance, and the core values we have embraced in our community.

The proposed Project is prohibited within the RP zoning district.

First, the Project proposes to surround an existing Spring with homes at a density of 6 units per acre. As you know, the Project is adjacent to the Moore Pond (1 unit per 3+ acres) and Ox Bottom (1-2 units per acre) communities. Therefore, any proposed density in excess of that on the adjacent properties is expressly prohibited.

Ordinance Section 10-6.617. - Residential Preservation, provides, in pertinent part, that the "primary function is to protect existing stable and viable residential areas from incompatible land uses and density intrusions." (emphasis added). To that end, when new residential development is proposed for an area not located within a recorded or unrecorded subdivision, "densities shall be permitted in the range of zero to six dwelling units per acre...." This of course does not create an entitlement to the maximum, but rather establishes the range for consideration consistent with the about quoted "primary function" of the ordinance. Further, Ordinance subsection (a)(5) places a cap on the discretion to be applied within the above described range of zero to six units. That subsection provides, in pertinent part, that "[p]arcels proposed for residential which are . . . not in a recorded or unrecorded subdivision shall develop consistent with the type of residential development pattern located adjacent to the vacant parcel." (emphasis added). Florida courts have interpreted the word "shall" as contained in statutes, rules and ordinances as mandatory language compelling the stated result and granting no discretion whatsoever for deviation. Therefore, even in the absence of the substantial environmental concerns associated with the Project, which require an even more restrictive approach, the RP zoning ordinance alone mandates rejection of the Project's proposed density.

The proposed Project potentially places at risk a Third or Fourth Magnitude Spring and presents the potential for water quality impacts.

As currently proposed, the Project effectively surrounds the natural Spring existing on the vacant parcel.

It does not appear that any wetlands delineation or other impact analysis has been either requested nor performed. While I am not a civil engineer, it seems unlikely such a proposed incursion onto the pristine lands surrounding the Spring could possibly be designed to avoid harmful environmental impacts. At a minimum, a full and complete independent analysis of this issue should be undertaken by county/city staff. To date, a complete hydrogeological study has not (to my knowledge) been performed to assess the degree to which the Project would impact water quality and/or the extent to which the Spring is connected to either the aquifer or by flows into adjoining water bodies.

Complete prevention of harmful runoff from the proposed Project into Moore Pond has not been demonstrated.

As proposed currently, there appears little if any evidence harmful runoff of a serious magnitude can and will be contained on the vacant parcel, and not dumped into the adjacent Moore Pond. In the absence of any guarantee and/or bond, Moore Pond will be placed at risk and the residents left without any meaningful recourse. It does not appear any meaningful, independent study has been undertaken as to this issue, only the untested representations of the developer. Prior to any approval, county/city staff must and should undertake this analysis and insist on a bonded guarantee that any harmful runoff will never reach the adjoining Moore Pond.

Traffic and School impacts weigh in favor of denial of the Project.

As proposed currently, the Project will add hundreds of daily automobile trips to an already stressed roadway. Additionally, the addition of some 60+ new homes within the school district further burdens limited resources, and potentially risks the dislocation of some current students. While I understand the developer claims this will be marketed to 55+ purchasers, such representations have zero value and offer no commitment. Indeed given the local area and this developer's other aggressive projects nearby, all targeted towards young families seeking residence in the area and access to the area schools, any such representations regarding a focus on "retirees" must and should be viewed with skepticism.

Again, please include the foregoing in the official record regarding the Project. Please also confirm receipt of this communication, and acceptance into the record. As noted above, if there is an alternate procedure to be followed, please identify same immediately.

Thank you for your attention to this matter.

Chris Kise
6788 Heartland Circle
Tallahassee FL 32312

The preceding email message may be confidential or protected by the attorney-client privilege. It is not intended for transmission to, or receipt by, any unauthorized persons. If you have received this message in error, please (i) do not read it, (ii) reply to the sender that you received the message in error, and (iii) erase or destroy the message. Legal advice contained in the preceding message is solely for the benefit of the Foley & Lardner LLP client(s) represented by the Firm in the particular matter that is the subject of this message, and may not be relied upon by any other party.

From: Susan Morley <sdmorley311@gmail.com>
To: <martins@leoncountyfl.gov>
CC: <ckeenaobmhoa@comcast.net>, Diane Randolph <lewisassocmgmt@aol.com>
Date: 01/04/2016 3:44 PM
Subject: Brookside Village Development - Adverse Impact on Adjacent Milestone Drive Property

Ms. Martin:

Following up my previous email, I am writing to offer comments for consideration by staff members reviewing the above-referenced project, and by its developer. For more than 20 years, we have lived at 311 Milestone Drive, part of the Ox Bottom Manor subdivision. As proposed, the Brookside Village development would have significant adverse impacts on our property.

Many of our concerns are shared by all residents living on or near Ox Bottom Road, as development continues to intensify. Traffic at our Ox Bottom/Meridian Road intersection already is heavy, natural undeveloped corridors for wildlife are quickly disappearing, and new demands for utilities service are prompting major changes near the Rose Hill development. Moore Pond residents have described increasing problems with the pond's water quality and flooding in their neighborhood - and like them, we share concern about the adverse effects of this proposal on the natural springs and aquifer underlying the proposed development. Like other area residents, we are very concerned about direct harm to our property caused by proposed changes to drainage patterns, as well as potential flooding of nearby areas and roadways.

However, we also have unique concerns related to the lots, cul-de-sac and proposed easement/driveway/road to be located directly behind our home. The proposed site plan includes numerous small lots behind existing Ox Bottom Manor homes on Ox Bottom Manor Drive and Milestone Drive, including proposed Lot 43, directly adjacent to our property. Lot 43 is part of a group of lots surrounding a cul-de-sac. An easement begins at the cul-de-sac near Lots 42 and 43, connects to our backyard and continues behind 315 Milestone Drive, then joins a narrow parcel (adjacent to our Milestone Drive neighbors' homes) that is part of a much larger lot, shown on the plan as Lot 200. The area directly south of and adjacent to this easement/road/driveway is a conservation area that includes native forest.

My understanding is that this easement will likely serve as a driveway/road leading to Lot 200, which (for now) appears to be a single lot for a larger home.

Our concerns include the following:

Development of this density directly behind our homes is inconsistent with our established neighborhood.

The current site plan shows approximately 28 homes in the section west of the proposed development entrance, near our Ox Bottom Manor Drive entrance, with yards so small that your staff has suggested a "zero lot line" approach on one side as preferable. These would be located directly south of two existing Milestone Drive homes and east of five Ox Bottom Manor Drive homes.

The proposed landscaping is inadequate.

As noted in your December 2, 2015, ARM report, only minimal landscaping is shown throughout the site plan, including the cul-de-sac. In proposing changes to the cul-de-sac and additional plantings near sidewalks and roadways, including those behind our house, you noted at Finding #15 that plantings would help soften "the dominating visual appearance of concrete and rows of parked cars occupying driveways" (in our area, more than 20 driveways).

Buffers are not adequately landscaped.

The current site plan includes a 25-foot landscaped buffer between most existing Ox Bottom Manor homes and the proposed development, but the plantings shown are not sufficient to provide visual

screening and reduce impacts resulting from the development. The ARM report notes that additional plantings (evergreen) should be added. Questions also appear to be pending about the responsibility for continued maintenance of this buffer.

The developer is not providing the required buffer behind our property.

Although the original site plan narrative states that a 25-foot landscaped buffer will be provided around the perimeter of the property, no buffer is shown for a portion of our lot, where the easement begins, or continuing behind the homes of my Milestone Drive neighbors. Instead, it appears that a new road will begin at the cul-de-sac near proposed Lots 42 and 43 and proceed directly perpendicular to our backyard, connect with our yard, then proceed east along our property line and continue behind other existing homes, with no buffer. As noted in the ARM memo, a minimum buffer of at least 10 feet is required. As a practical matter, more would be needed in order to mitigate the effects of this road, particularly if Lot 200 ultimately becomes a "Phase II" of even more small lots.

The easement/road/driveway proposed on the northern border of the development will harm Milestone Drive property owners and the native forest.

The current site plan fails to specify the size (presumably large enough to enable access by both visitors and large emergency vehicles), location (especially proximity to the existing native forest) and composition (paved?) of this road, with the required buffer. However, it is reasonable to expect that adverse impacts to homeowners from headlights, noise and drainage - not to mention aesthetic concerns - would be considerable. In addition, this road would encroach upon the native forest areas located directly behind our homes.

At the December 2 ARM, staff members reviewing the application discussed many of these issues with the developer. The developer was specifically reminded that a minimum ten-foot landscaped buffer is required between the development and our existing Milestone Drive homes, and directed to add this to the site plan. Further, the Notice of Application Deficiency/ EIA comments attached to the ARM report (Attachment 2) includes a recommendation that the developer consider moving this "access path" for Lot 200 away from the northern property line. However, there did not seem to be agreement from the developer on either point during the ARM, nor was there agreement to consider staff's proposed improvements to the overall design of the cul-de-sac behind our homes.

At a minimum, a much larger buffer area, densely landscaped, is necessary if a development so inconsistent with our existing neighborhoods is approved. Plantings within the development area should be increased. And the proposed access to Lot 200 should be rerouted to a location that is not adjacent to our homes and the native forest.

I would appreciate any information you might be able to offer about the issues above, as the proposal is modified, or regarding our next steps for entry into the review process.

Thank you again for your assistance.

Sincerely,

Susan Davis Morley

311 Milestone Drive
Tallahassee, FL 32312

From: Susan Yelton <susanwyelton@gmail.com>
To: <MartinS@leoncountyfl.gov>
CC: Mallory Harrell <mharrell@hcs.net>, <janem.watson@gmail.com>
Date: 12/03/2015 11:04 AM
Subject: Proposed Brookside Village Residential Subdivision

>
> From: Susan Yelton <susanwyelton@gmail.com>
> Date: December 3, 2015 at 10:28:46 AM EST
> To: MartinS@leoncountyfl.gov
> Subject: Proposed Brookside Village Residential Subdivision
>
> Dear Shawna:
> My name is Susan W. Yelton and my husband Emery Jay Yelton and I reside at:
> 232 Rosehill Dive N.
> Tallahassee, Fl. 32312
>
> These are our public comments regarding the proposed Brookside Village Residential Subdivision. We are opposed to the proposed development for the following reasons:
>
> Yesterday, we sat through the public review meeting with an open mind, but came away with the opinion that the project acreage is not suitable for development, which is probably why it was never developed. As proposed, the lot sizes for the amount of land that can be developed are not in character with the neighborhood and would only add to the traffic that is currently on OxBottom Road. The buffers on the property lines are much too small and there are too many houses for the land that can be developed. Although we live on 2 1/2 acres, from my kitchen window, I can see and hear cars on OxBottom Rd. This proposed development will now add lights shining directly onto our property and add to the current noise level.
>
> My husband and drove through the Premier development on OxBottom and Thomasville Road. The developer never keep his promise regarding keeping green space on OxBottom and now this new proposed development will be even worse. We moved back to Tallahassee for retirement and selected a neighborhood that gave us the quality of life that makes Tallahassee special. The proposed lot sizes, style and square footage of homes degrades our home values. The development as proposed looks like adding Levittown to our neighborhood.

The Ghazvini and Phipps families have been known for their philanthropy and contributions to Tallahassee and Leon County. In the case of this proposed development, I have lost respect for them. It appears that they are are taking a piece of property that has limited commercial value and trying to maximize their profits. If I could appeal to their good will, it would be to ask them to reconsider their proposed development and develop a plan that enhances the unique qualities of the property and our neighborhood.

Sincerely,

Susan W. Yelton

>

From: Susan Yelton <susanwyelton@gmail.com>
To: <smarston@ucceng.com>
CC: Mallory Harrell <mharrell@hcs.net>, Shawna Martin <MartinS@leoncountyfl....
Date: 01/22/2016 3:29 PM
Subject: Brookside Development

Dear Sean,
My husband and I reside at 232 Rosehill Drive North. The backside of our property faces OxBottom Rd and the proposed Brookside Development. Unfortunately, neither my husband nor I will be at the meeting on the 1/25 because of prior commitments, but would like to express our concerns. Thank you so much for arranging a meeting.

The property in question has many challenges for development. We are not opposed to having it developed at a residential neighborhood, but have issues with the proposed development. Our primary concern is the density and lack of buffer zones. What is proposed will devalue our Rosehill neighborhood, and add more traffic noise to our backyard. After a year of looking for a house, we moved to a neighborhood that has all we wanted, until the thought of having 60or 58 houses in our backyard.

Premier Homes Inc. has developed property of similar size off Meridian Rd. that has houses in the price range of $300,000. I don't think everyone who is looking for a new house wants to live on an 1/8 of an acre. As someone who is part of the Osher Lifelong Learning Institute at FSU, we have new members who have moved here from all parts of the U.S. looking for a community that is not South Florida, has reasonable cost housing and green space. Bull Run on Kerry Forest has not been without their foreclosures, short sales and home invasions. Premier can do a better job than Bull Run when it comes to making a community statement and I would hope they will reconsider the density issue. And, for my friends who live in Moore's Pond, I share their concern of not having a lake that has so much a part of their community if the proposed property is developed as scheduled.

We can't do anything about Congress, but I hope at the local level our voices can be heard.

Sincerely,
Susan Yelton
85-443-4331

Shawna Martin
Senior Planner
Development Services Division
Department of Development Support & Environmental Management
Renaissance Center, 2nd Floor
435 North Macomb Street
Tallahassee, Florida 32301-1019

Ms. Martin:

I have owned my home at 323 Milestone Drive in Ox Bottom Manor since 1992. My property immediately borders the proposed Lot 200 of Brookside Village. I am writing to echo the concerns expressed previously by many others, but particularly those of my neighbor at 311 Milestone Drive. The responses to staff comments provided by the developer do not appear to ensure that this development will not adversely affect my property in the future. I feel that it is imperative to put safeguards in place at this stage of the project rather than waiting for some future time when scrutiny of the actions will not be as intense.

The Site Plan narrative states, in part: "Majority of the single family detached units will be located on 1/8-1/4 acre lots...There will be two residential lots that will be larger, these lots are located between the Moore Pond Subdivision and the remainder of the subdivision. The larger lots will be provided access through the proposed development." The two larger lots have been designated Lot 100 and Lot 200. The developer has not provided specificity for the intended use of Lots 100 and 200. This may be acceptable for Lot 100 since the proposed access affects only adjoining Brookside Village lots and the developer appears to have created significant buffering for that lot. However, that is not the case for Lot 200. Because of the presence of the Conservation Area "A", the developer has created an oddly shaped lot that is bounded on one side by several Ox Bottom Manor lots (these lots are not mentioned in the narrative) and one Moore Pond lot and on the other side by Conservation Area "A". Despite the developer's narrative that there would be a 25 foot buffer maintained around the perimeter of Brookside Village and the County's suggestion that the barrier should be at least of "Type A" density, neither is reflected in the site plan. The site plan reflects an access easement that leads to the edge of Lot 200, and even that easement appears to overlap any defined buffer. Accordingly, one is led to speculate that the developer is anticipating an access road of some type within Lot 200 that is immediately adjacent to Ox Bottom lots along the northern border of the development. Without an effective buffer in place, such an access road would have a significant impact on the aesthetic value of my property.

Just to advise you how this could escalate, I have been told by a local Realtor that there is a plan to build an activity center for Brookside Village on the lower part of Lot 200 and this access road would become a common thoroughfare for getting to the activity center. This may be only rumor, since there is no presented public fact to back it up. However, the fact that Lot 200 is unusual for the development and there is no definitive use stated (as there is for other lots), it is most important that landowners adjoining this property be afforded proper protection against potentially adverse actions.

I offer the following observations to some of the responses to staff comments provided by Mr. Marston on January 20:

1. Development Services Finding #14. "It is highly recommended that the applicant consider designating Lots 100 and 200 as open space to provide recreational opportunities." Due to its unique configuration, especially for Lot 200, and potential negative impact of any other use, I feel this is a valid and favorable recommendation. The response appears to ignore this recommendation and merely mentions the majesty of the conservation area and what is envisioned there without comment on what is envisioned for Lots 100 and 200.
2. Development Services Finding #18. "Proposed development in the RP zoning district that adjoins single-family residential dwellings must provide buffering no less than the Type "A" landscape standard." The original narrative for this project states that a 25 foot buffer would be provided for the full perimeter of the development. The response does not specifically address the northern border of Lot 200 and the buffer plan shows only a 10 foot buffer. Without specificity on the planned use for Lot 200, it is not possible to determine if such a buffer is adequate. Additionally, the same response indicates addition of a 6' wooden privacy fence to the eastern buffer. The eastern buffer is adjacent to four Moore Pond lots. If the developer believes a 6' wooden privacy fence is an appropriate boundary addition for the four lots on the eastern boundary, then a 6' wooden privacy fence should also be an appropriate boundary for ALL Ox Bottom lots adjacent to the property on the other boundaries. This would include the property's entire northern perimeter.
3. Public Works Comment 8. "Site Plan should show all existing and proposed easements." The response says the preliminary plat includes all of the existing and proposed easements. Are easements proposed internal to Lot 200?

My comments would not be complete without reiterating one final observation about the project as a whole. Paragraph 1 of the December 2 Development Services Findings states: "Consistency with surrounding residential type and density shall be a major determinant in granting development approval." One statement in Susan Poplin's Planning Department memorandum of December 1 declares this project to be consistent, without further elucidation. While this may be based on the official measure called "Gross Density", a development of 1350 square foot residential units on 1/8-1/4 acre lots in the middle of Ox Bottom Manor, Moore Pond, and Rosehill subdivisions is clearly not consistent in type nor density. A larger size for dwelling units and fewer lots would enhance the proposed development as well as maintain the integrity of the existing communities. I strongly urge the review board to consider these adjustments when making your final decision. Thank you for the opportunity to express these comments.

Respectfully,

Thomas E. Watkins

From: Susan Morley <sdmorley311@gmail.com>
To: Shawna Martin <martins@leoncountyfl.gov>
Date: 02/03/2016 10:18 AM
Subject: Proposed Brookside Village Development - easement

Shawna,

I'm writing concerning the easement and road along the project's northern boundary, following up comments previously submitted. Below are questions we forwarded to the developer's representatives yesterday as a follow up to Monday night's meeting with homeowners (and in advance of a follow up meeting we ultimately postponed, since the ARM has been continued). They've indicated that they are willing to meet with property owners along the northern boundary, to discuss landscaping, fencing, placement of the road, which we appreciate. But until more details about the road and its effects are available, it appears impossible to determine its impact on our property, the conservation area and water quality.

We understand from their response late yesterday that the road will be approximately 12 feet wide, composed of either cement or asphalt. As is reasonable to expect, details we requested about culverts, pipes, grading and filling are dependent on the drainage and slope of the road - but since they did not refer me to any section of the plans, it appears this has yet to be determined. I'm also not sure how this plan ties into the issues identified in the Tallahassee Fire Department's Site Plan Requirements (memo by G. Donaldson, posted 2/1/16) concerning turnaround area for approaching the easement, and the other roadway requirements they describe.

I'm submitting this in advance of today's ARM just to be sure that staff is aware of the pending issues associated with this easement and road - since there are likely to be many speakers in attendance today, this specific issue may not be part of the discussion, but remains a significant one to our neighborhood.

Thank you,

Susan Davis Morley

Begin forwarded message:

> From: Susan Morley <sdmorley311@gmail.com <mailto:sdmorley311@gmail.com>>
> Date: February 2, 2016 at 8:46:33 AM EST
> To: tasbury@homesbypremier.com <mailto:tasbury@homesbypremier.com>, smarston@ucceng.com <mailto:smarston@ucceng.com>
> Subject: Proposed Brookside Village Development - easement
>
> Tom, Sean—
>
> I'm writing to follow up last night's presentation to homeowners from Moore Pond and Ox Bottom Manor - in particular, the discussion of the proposed road along the northern boundary of the property, and associated buffers. I appreciate your offer to meet today to view the area and discuss the proposed road, possible additional fencing and other buffers. In advance of that meeting, below is a recap of the questions we've raised about the specific configuration of the driveway/road, that we don't see reflected in the site plan. Specifically:
>
> 1. What is the width of the proposed driveway/road? Understanding that it may curve with the terrain, etc., what is the minimum width of the driveway/road within the easement area, as well as in the portion of

Lot 200 that runs behind our existing homes?
>
> In the meeting, you stated unequivocally that this is a driveway for a single-family dwelling to be located on Lot 200, and that no other use of that lot is contemplated. And at various points, you referred to a "one car" driveway. But what are the dimensions of this driveway/road and where will it be placed within the easement?
>
> 2. What is the composition of the proposed driveway/road? Will it be paved?
>
> 3. What culverts or other pipes/drainage do you intend to construct in conjunction with this driveway/road? Where will grading or filling be necessary?
>
> A note: there was discussion last night about moving the road away from our property line, and into the conservation area. Just to be clear, this was a suggestion from an attendee from another neighborhood as a possible solution - but at this point, our concerns include the impacts of the road and associated traffic on the native forest and conservation area behind our home, so this is not an optimal solution. Instead, the first step would be to see the exact placement you currently are proposing between the required 10-foot buffer and the conservation area, along with the other details requested above.
>
> Thank you in advance for clarifying these details.
>
> Sincerely,
>
>
> Susan Davis Morley
>

From: Bob Burton <bob.burton@wildwoodchurchonline.org>
To: Shawna Martin <MartinS@leoncountyfl.gov>
Date: 02/03/2016 10:40 AM
Subject: Brookside Village Site Plan

I reside at 6076 Heartland Circle. My lot has a common border with the proposed development's Lot 100 as well as a portion of Lot 18. I have three primary concerns.

First is that of density intrusion. The proposed development has a common property line on the east side of the development with the Moore Pond subdivision. On the Moore Pond side are four lots whereas on the Brookside Village side is 16 lots. Behind three of the Moore Pond lots are 15 Brookside lots. I believe this density difference is exactly what the RP zoning was intended to prevent. A potential solution would be for the Brookside development to create larger lots on the common property line with Moore Pond. .

A second concern is the lack of a sufficiently wide buffer between Brookside and Moore Pond. If the development were to proceed I believe a wider buffer that is more densely landscaped than the current site plan application proposes is necessary. The proposed buffer specifies approximately 3 trees per 100 feet plus some shrubs. A potential solution is to increase the buffer width and significantly increase the number of evergreen trees.

The third concern is the lack of a swale or berm to prevent storm water from flowing from the proposed development nto the Moore Pond subdivision without treatment and controlled discharge. The TOPO provided of the proposed development appears to allow water from lots 14, 15, 16, 17, 18 and 100 to flow onto the Moore Pond subdivision without treatment and controlled discharge. In 2008 my home had 3 inches of water in the living room due to a very heavy amount of rain in a short amount of time. Much of that water came from the property in the proposed development. A potential solution is to create either swales or berms to guide the water runoff to the small SWMF adjacent to lot 18.

In summary, I hope that the developer will be requested to submit site plan modifications that sufficiently address these three concerns.

Sincerely,

Robert Burton
850-321-9314

JOINT EXHIBIT OF THE PARTIES 6

February 29, 2016

Ms. Shawna Martin
DEVELOPMENT SUPPORT
AND ENVIRONMENTAL MANAGEMENT
DEVELOPMENT SERVICES DIVISION
Renaissance Center, 2nd Floor
435 North Macomb Street
Tallahassee, FL 32301-1019

RE: Brookside Village Subdivision
Parcel Identification Number: 14-19-20-001-0000
LSP 150035

Dear Ms. Martin:

On behalf of my client, Golden Oak Land Group LLC, we are requesting an abeyance for the above referenced site plan. Once we are ready to resubmit we will contact your office to determine a date that meets all of the County's public notice requirements.

Please contact me if you have any questions.

Best Regards,

Sean K. Marston, P.E.

President

JOINT EXHIBIT OF THE PARTIES 7

Leon County

Board of County Commissioners

301 South Monroe Street, Tallahassee, Florida 32301
(850) 606-5302 www.leoncountyfl.gov

Development Support and Environmental Management
Development Services Division
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435 N. Macomb St
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(850) 606-1300

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County Administrator

HERBERT W.A. THIELE
County Attorney

November 3, 2016

Gary K. Hunter
Hopping, Green & Sam's
P.O. Box 6526
Tallahassee, FL 32314

RE: Request to Reschedule Application Review Meeting
Brookside Village Residential Subdivision
Type "B" Site and Development Plan Review (FDPA Track)
Project ID#: LSP150035

Dear Mr. Hunter:

This letter is to notify you that on Thursday, November 3, 2016 your request to reschedule the Application Review Meeting for Brookside Village Residential Subdivision has been granted. In your attached letter you indicated more time was needed to meet with neighbors to review and better understand the revised plans. As per your request the rescheduled Application Review Meeting will be held on December 7, 2016 at 1:30 p.m.

Sincerely,

Shawna Martin

Shawna Martin
Senior Planner, Development Services

Enclosures

cc: Steve Ghazvini, Golden Oak Land Group, LLC
Tom Asbury, Golden Oak Land Group, LLC
Sean Marston, Urban Catalyst Consultants
Mechelle Cook, Administrative Associate V
Project Dox File LSP150035

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Hopping Green & Sams
Attorneys and Counselors

November 3, 2016

VIA ELECTRONIC MAIL

Shawna Martin
Sr. Planner, Development Services
435 N. Macomb Street
Renaissance Center, 2nd Floor
Tallahassee, FL 32301

Re: LSP150035; Brookside Village Application Review Meeting

Dear Ms. Martin:

As you are aware this firm represents the developers of the proposed Brookside Village subdivision. We are aware that the resubmitted application was to be set for Application Review Meeting on November 16, 2016. While my clients have worked for months to revise the plans to address concerns previously raised by some of the neighbors, the notification of the reapplication has resulted in some of the same neighbors asking to review and better understand the revised plans.

Rather than consume time during an ARM meeting for this purpose, we are asking that the County postpone the meeting for three weeks so as to reschedule for December 7th for purposes of reviewing the package as submitted on 11/2/16. My clients are committed to reaching out to the neighbors in advance of the ARM meeting to explain the revised project. In addition, should any of those individuals wish to discuss the plans/resubmittal directly with the developers, they are invited to call Steve Ghazvini 850-231-8139 or Tom Asbury at 850-545-7726. Feel free to provide these contacts to anyone inquiring.

Would you please confirm receipt of this letter and the rescheduled ARM date? Thank you for your consideration of this request. With kind regards, I remain

Sincerely,

Gary K. Hunter, Jr.

cc: Steve Ghazvini
Tom Asbury
Sean Marston

Post Office Box 6526 Tallahassee, Florida 32314 119 South Monroe Street, Suite 300 (32301) 850.222.7500 850.224.8551 fax www.hgslaw.com

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VINCENT S. LONG
County Administrator

HERBERT W.A. THIELE
County Attorney

November 10, 2016

Gary K. Hunter
Hopping, Green & Sam's
P.O. Box 6526
Tallahassee, FL 32314

RE: Request to Reschedule Application Review Meeting
Brookside Village Residential Subdivision
Type "B" Site and Development Plan Review (FDPA Track)
Project ID#: LSP150035

Dear Mr. Hunter:

This letter is to notify you that on Thursday, November 10, 2016 your request to reschedule the Application Review Meeting for Brookside Village Residential Subdivision has been granted. In your attached letter you indicated more time was needed to meet with neighbors to review and better understand the revised plans. As per your request, the rescheduled Application Review Meeting will be held on **January 4, 2017 at 1:30 p.m.** A new resubmittal of any revised plans shall be submitted no later than Wednesday, December 14, 2016. Staff shall also be notified, by the resubmittal date above, if the plans already submitted are the ones to be reviewed.

Sincerely,

Shawna Martin

Shawna Martin
Senior Planner, Development Services

Enclosures

cc: Steve Ghazvini, Golden Oak Land Group, LLC
Tom Asbury, Golden Oak Land Group, LLC
Sean Marston, Urban Catalyst Consultants
Mechelle Cook, Administrative Associate V
Project Dox File LSP150035

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Hopping Green & Sams
Attorneys and Counselors

November 9, 2016

VIA ELECTRONIC MAIL

Shawna Martin
Sr. Planner, Development Services
435 N. Macomb Street
Renaissance Center, 2nd Floor
Tallahassee, FL 32301

Re: LSP150035; Brookside Village Application Review Meeting

Dear Ms. Martin:

Many of the neighbors who have expressed a desire to meet on this project could not do so until the week of December 5th. Thus, for purposes of conducting those meetings in good faith and allowing adequate time to react to any possible revisions as an outcome, please accept this letter as a request to further delay the Application Review Meeting for this project until Wednesday, January 4, 2017.

Please let me know if you have any questions or concerns. Otherwise, I appreciate your attention to this request. With kind regards, I remain

Sincerely,

Gary K. Hunter, Jr.

cc: Steve Ghazvini
Tom Asbury

Post Office Box 6526 Tallahassee, Florida 32314 119 South Monroe Street, Suite 300 (32301) 850.222.7500 850.224.8551 fax www.hgslaw.com

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HERBERT W.A. THIELE
County Attorney

Development Support and Environmental Management
Development Services Division
Renaissance Center, 2nd floor
435 N. Macomb St
Tallahassee, FL 32301-1019
(850) 606-1300

December 14, 2016

Gary K. Hunter
Hopping, Green & Sam's
P.O. Box 6526
Tallahassee, FL 32314

RE: Request to Reschedule Application Review Meeting
Brookside Village Residential Subdivision
Type "B" Site and Development Plan Review (FDPA Track)
Project ID#: LSP150035

Dear Mr. Hunter:

This letter is to notify you that on Wednesday, December 14, 2016 your request to reschedule the Application Review Meeting for Brookside Village Residential Subdivision has been granted. In your attached letter you indicated more time was needed to meet with neighbors. As per your request, the rescheduled Application Review Meeting will be held on **February 1, 2017 at 1:30 p.m.** A new resubmittal of any revised plans shall be submitted no later than Wednesday, January 18, 2017.

Sincerely,

Shawna Martin

Shawna Martin
Principal Planner, Development Services

Enclosures

cc: Steve Ghazvini, Golden Oak Land Group, LLC
Tom Asbury, Golden Oak Land Group, LLC
Sean Marston, Urban Catalyst Consultants
Mechelle Cook, Administrative Associate V
Project Dox File LSP150035

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Hopping Green & Sams
Attorneys and Counselors

December 14, 2016

VIA ELECTRONIC MAIL

Shawna Martin
Sr. Planner, Development Services
435 N. Macomb Street
Renaissance Center, 2nd Floor
Tallahassee, FL 32301

Re: LSP150035; Brookside Village Application Review Meeting

Dear Ms. Martin:

Discussions with many of the neighbors are continuing as of today. Thus, for purposes of allowing those meetings to continue in good faith, please accept this letter as a request to further delay the Application Review Meeting for this project until Wednesday, February 1, 2017.

Please let me know if you have any questions or concerns. Otherwise, I appreciate your attention to this request and will keep you advised if the need arises for a further delay. With kind regards, I remain

Sincerely,

Gary K. Hunter, Jr.

cc: Steve Ghazvini
Tom Asbury

Leon County

Board of County Commissioners

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VINCENT S. LONG
County Administrator

HERBERT W.A. THIELE
County Attorney

January 18, 2017

Gary K. Hunter
Hopping, Green & Sam's
P.O. Box 6526
Tallahassee, FL 32314

RE: Request to Reschedule Application Review Meeting
Brookside Village Residential Subdivision
Type "B" Site and Development Plan Review (FDPA Track)
Project ID#: LSP150035

Dear Mr. Hunter:

This letter is to notify you that on Wednesday, January 18, 2017, your request to reschedule the Application Review Meeting for Brookside Village Residential Subdivision has been granted. In your attached letter you indicated more time was needed to meet with neighbors. As per your request, the rescheduled Application Review Meeting will be held on **February 15, 2017 at 2:30 p.m.** A new resubmittal of any revised plans shall be submitted no later than Wednesday, February 1, 2017.

Sincerely,

Shawna Martin

Shawna Martin
Principal Planner, Development Services

Enclosures

cc: Steve Ghazvini, Golden Oak Land Group, LLC
Tom Asbury, Golden Oak Land Group, LLC
Sean Marston, Urban Catalyst Consultants
Mechelle Cook, Administrative Associate V
Project Dox File LSP150035

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January 18, 2017

VIA ELECTRONIC MAIL

Shawna Martin
Sr. Planner, Development Services
435 N. Macomb Street
Renaissance Center, 2nd Floor
Tallahassee, FL 32301

Re: LSP150035; Brookside Village Application Review Meeting

Dear Ms. Martin:

Discussions with neighbors of the proposed Brookside Village development are ongoing. We expect to bring those to a positive close in the coming days. Thus, for purposes of allowing those meetings to continue in good faith, please accept this letter as a request to further delay the Application Review Meeting for this project until Wednesday, February15, 2017.

Please let me know if you have any questions or concerns. Otherwise, I appreciate your attention to this request and will keep you advised if the need arises for a further delay. With kind regards, I remain

Sincerely,

Gary K. Hunter, Jr.

cc: Steve Ghazvini
Tom Asbury

Leon County

Board of County Commissioners

301 South Monroe Street, Tallahassee, Florida 32301
(850) 606-5302 www.leoncountyfl.gov

Development Support and Environmental Management
Development Services Division
Renaissance Center, 2nd floor
435 N. Macomb St
Tallahassee, FL 32301-1019
(850) 606-1300

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VINCENT S. LONG
County Administrator

HERBERT W.A. THIELE
County Attorney

January 30, 2017

Gary K. Hunter
Hopping, Green & Sam's
P.O. Box 6526
Tallahassee, FL 32314

RE: Request to Reschedule Application Review Meeting
Brookside Village Residential Subdivision
Type "B" Site and Development Plan Review (FDPA Track)
Project ID#: LSP150035

Dear Mr. Hunter:

This letter is to notify you that on Monday, January 30, 2017, your request to reschedule the Application Review Meeting for Brookside Village Residential Subdivision has been granted. In your attached letter you indicated more time was needed to meet with neighbors. As per your request, the rescheduled Application Review Meeting will be held on **March 15, 2017 at 1:30 p.m.** A new resubmittal of any revised plans shall be submitted no later than Wednesday, March 1, 2017.

Sincerely,

Shawna Martin

Shawna Martin
Principal Planner, Development Services

Enclosures

cc: Steve Ghazvini, Golden Oak Land Group, LLC
Tom Asbury, Golden Oak Land Group, LLC
Sean Marston, Urban Catalyst Consultants
Mechelle Cook, Administrative Associate V
Project Dox File LSP150035

"People Focused. Performance Driven."

January 30, 2017

VIA ELECTRONIC MAIL

Shawna Martin
Sr. Planner, Development Services
435 N. Macomb Street
Renaissance Center, 2nd Floor
Tallahassee, FL 32301

Re: LSP150035; Brookside Village Application Review Meeting

Dear Ms. Martin:

Discussions with neighbors of the proposed Brookside Village development are ongoing. Thus, for purposes of allowing those meetings to continue in good faith, please accept this letter as a request to further delay the Application Review Meeting for this project until Wednesday, March 15, 2017.

Please let me know if you have any questions or concerns. Otherwise, I appreciate your attention to this request and will keep you advised if the need arises for a further delay. With kind regards, I remain

Sincerely,

Gary K. Hunter, Jr.

cc: Steve Ghazvini
Tom Asbury

Leon County

Board of County Commissioners

301 South Monroe Street, Tallahassee, Florida 32301
(850) 606-5302 www.leoncountyfl.gov

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435 N. Macomb St
Tallahassee, FL 32301-1019
(850) 606-1300

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VINCENT S. LONG
County Administrator

HERBERT W.A. THIELE
County Attorney

February 24, 2017

Gary K. Hunter
Hopping, Green & Sam's
P.O. Box 6526
Tallahassee, FL 32314

RE: Request to Reschedule Application Review Meeting
Brookside Village Residential Subdivision
Type "B" Site and Development Plan Review (FDPA Track)
Project ID#: LSP150035

Dear Mr. Hunter:

This letter is to notify you that your request submitted on February 22, 2017 to reschedule the Application Review Meeting for Brookside Village Residential Subdivision has been granted. In your attached letter you indicated more time was needed to meet with neighbors. As per your request, the rescheduled Application Review Meeting will be held on **Wednesday, April 5, 2017 at 1:30 p.m.** A new resubmittal of any revised plans shall be submitted no later than Wednesday, March 22, 2017.

Sincerely,

Shawna Martin

Shawna Martin
Principal Planner, Development Services

Enclosures

cc: Steve Ghazvini, Golden Oak Land Group, LLC
Tom Asbury, Golden Oak Land Group, LLC
Sean Marston, Urban Catalyst Consultants
Mechelle Cook, Administrative Associate V
Project Dox File LSP150035

"People Focused. Performance Driven."

February 22, 2017

VIA ELECTRONIC MAIL

Shawna Martin
Sr. Planner, Development Services
435 N. Macomb Street
Renaissance Center, 2nd Floor
Tallahassee, FL 32301

Re: LSP150035; Brookside Village Application Review Meeting

Dear Ms. Martin:

Discussions with neighbors of the proposed Brookside Village development are ongoing. Thus, for purposes of allowing those meetings to continue in good faith, please accept this letter as a request to further delay the Application Review Meeting for this project until Wednesday, April 5, 2017.

Please let me know if you have any questions or concerns. Otherwise, I appreciate your attention to this request and will keep you advised if the need arises for a further delay. With kind regards, I remain

Sincerely,

Gary K. Hunter, Jr.

cc: Steve Ghazvini
Tom Asbury

Leon County

Board of County Commissioners

301 South Monroe Street, Tallahassee, Florida 32301
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At-Large

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County Administrator

HERBERT W.A. THIELE
County Attorney

March 21, 2017

Gary K. Hunter
Hopping, Green & Sam's
P.O. Box 6526
Tallahassee, FL 32314

RE: Request to Reschedule Application Review Meeting
Brookside Village Residential Subdivision
Type "B" Site and Development Plan Review (FDPA Track)
Project ID#: LSP150035

Dear Mr. Hunter:

This letter is to notify you that your request submitted on March 20, 2017 to reschedule the Application Review Meeting for Brookside Village Residential Subdivision has been granted. In your attached letter you indicated more time was needed to meet with neighbors. As per your request, the rescheduled Application Review Meeting will be held on **Wednesday, April 19, 2017 at 1:30 p.m.** A new resubmittal of any revised plans shall be submitted no later than Wednesday, April 5, 2017.

Sincerely,

Shawna Martin

Shawna Martin
Principal Planner, Development Services

Enclosures

cc: Steve Ghazvini, Golden Oak Land Group, LLC
Tom Asbury, Golden Oak Land Group, LLC
Sean Marston, Urban Catalyst Consultants
Mechelle Cook, Administrative Associate V
Project Dox File LSP150035

"People Focused. Performance Driven."

March 20, 2017

VIA ELECTRONIC MAIL

Shawna Martin
Sr. Planner, Development Services
435 N. Macomb Street
Renaissance Center, 2nd Floor
Tallahassee, FL 32301

Re: LSP150035; Brookside Village Application Review Meeting

Dear Ms. Martin:

Discussions with neighbors of the proposed Brookside Village development are ongoing. Thus, for purposes of allowing those meetings to continue in good faith, please accept this letter as a request to further delay the Application Review Meeting for this project until Wednesday, April 19, 2017.

Please let me know if you have any questions or concerns. Otherwise, I appreciate your attention to this request and will keep you advised if the need arises for a further delay. With kind regards, I remain

Sincerely,

Gary K. Hunter, Jr.

cc: Steve Ghazvini
Tom Asbury

Leon County

Board of County Commissioners

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At-Large

VINCENT S. LONG
County Administrator

HERBERT W.A. THIELE
County Attorney

April 5, 2017

Gary K. Hunter
Hopping, Green & Sam's
P.O. Box 6526
Tallahassee, FL 32314

RE: Request to Reschedule Application Review Meeting
Brookside Village Residential Subdivision
Type "B" Site and Development Plan Review (FDPA Track)
Project ID#: LSP150035

Dear Mr. Hunter:

This letter is to notify you that your request submitted on April 4, 2017 to reschedule the Application Review Meeting for Brookside Village Residential Subdivision has been granted. In your attached letter you indicated that discussion with neighbors had concluded but more time was now needed to make revisions to the submittal package. As per your request, the rescheduled Application Review Meeting will be held on **Wednesday, May 3, 2017 at 1:30 p.m.** A resubmittal of revised plans shall be submitted no later than Wednesday, April 19, 2017.

Sincerely,

Shawna Martin

Shawna Martin
Principal Planner, Development Services

Enclosures

cc: Steve Ghazvini, Golden Oak Land Group, LLC
Tom Asbury, Golden Oak Land Group, LLC
Sean Marston, Urban Catalyst Consultants
Mechelle Cook, Administrative Associate V
Project Dox File LSP150035

"People Focused. Performance Driven."

April 4, 2017

VIA ELECTRONIC MAIL

Shawna Martin
Sr. Planner, Development Services
435 N. Macomb Street
Renaissance Center, 2nd Floor
Tallahassee, FL 32301

Re: LSP150035; Brookside Village Application Review Meeting

Dear Ms. Martin:

Discussions with neighbors of the proposed Brookside Village development have successfully concluded and their concerns have been resolved. Thus, for purposes of repackaging consistent with those conversations, please accept this letter as a request to further delay the Application Review Meeting for this project until Wednesday, May 3, 2017.

Please let me know if you have any questions or concerns. Otherwise, I appreciate your attention to this request and will keep you advised if the need arises for a further delay. With kind regards, I remain

Sincerely,

Gary K. Hunter, Jr.

cc: Steve Ghazvini
Tom Asbury

JOINT EXHIBIT OF THE PARTIES 8

LEON COUNTY
DEPARTMENT OF DEVELOPMENT SUPPORT & ENVIRONMENTAL MANAGEMENT
DEVELOPMENT SERVICES DIVISION

APPLICATION REVIEW MEETING
May 3, 2017 at 1:30 p.m.

PROJECT NAME:	Brookside Village Residential Subdivision
LEVEL OF REVIEW:	Type "B" Site and Development Plan, FDPA Track
PROJECT ID #:	LSP150035
PARCEL I.D. NUMBER:	14-19-20-001-0000
APPLICANT/OWNER:	Golden Oak Land Group, LLC 4708 Capital Circle NW Tallahassee, FL 32302
APPLICANT'S AGENT:	Sean Marston, P.E., Urban Catalyst Consultants 2840 Pablo Avenue Tallahassee, FL 32308
PARCEL SIZE:	35.17 +/- acres
LOCATION:	550 Ox Bottom Road, Tallahassee, FL
ROADWAY ACCESS:	Ox Bottom Road (Major Collector Roadway)
ZONING DISTRICT:	Residential Preservation (RP)
FUTURE LAND USE:	Residential Preservation (RP)
GROSS DENSITY:	1.73 dwelling units per acre
UTILITY PROVIDER:	City of Tallahassee Utilities
APPROVAL BODY:	Development Review Committee (DRC) in accordance with the provisions of Section 10-7.404 of the Land Development Code (Type "B" Review).

PROJECT SUMMARY:

The site is located inside the Urban Services Area, is zoned Residential Preservation and has a Residential Preservation designation on the Future Land Use Map of the Tallahassee-Leon County Comprehensive Plan. The project proposes 61 single-family detached dwelling units at a density of 1.73 dwelling units per acre. Lot sizes range from 0.14 acres to 2.31 acres in size with an average lot size of 0.2 acres, when not including the larger 2+ acre lots. Development is proposed on the upland portions of the property with environmentally sensitive areas being preserved in a conservation easement. Access is provided from Ox Bottom Road, a major collector roadway. This will be a public subdivision with streets and stormwater management facilities to be dedicated to and maintained by Leon County.

DEVELOPMENT SERVICES STAFF REVIEW:

Development Services along with other members of the Application Review Meeting (ARM) Staff have reviewed this application to determine compliance with applicable provisions of the Leon County Land Development Code (LDC - Chapter 10). In undertaking this review, emphasis has been placed on evaluating whether this application meets the criteria set out in Section 10-7.108, consistency with comprehensive plan; and, in Section 10-7.407, Site and Development Approval Criteria. These two sections are provided below.

Consistency with Comprehensive Plan, Section 10-7.108 of the LDC

(a) *All proposed subdivision or development shall be designed to be consistent with the adopted comprehensive plan, as amended.*

(b) *All proposed subdivisions or development shall be designed to comply with at least the county zoning, building regulations, concurrency, and environmental management ordinances, and such other applicable land development regulations, ordinances, and policies, for the area in which the proposed subdivisions or development shall be located.*

(c) *In accordance with this article and other applicable requirements of the local comprehensive plan and county ordinances, land, proposed subdivision or site and development plans shall be suitable for the characteristics of the underlying land. Sites where topographic features, flooding potential, drainage, soil type or other site specific features are likely to harm neighboring landowners, future users of the subject property, natural resources or public infrastructure demand, shall not be developed and/or subdivided, unless adequate methods of mitigation or correction of the harm area formulated by the developer and accepted by the county.*

(d) *Any applicant subdividing land shall record an approved final plat in accordance with the requirements of this chapter.*

(e) *The adequacy of necessary public or private facilities and services for traffic and pedestrian access and circulation, solid waste, waste water disposal, potable water supply, storm water management, parks and recreation and similar public facilities and services, shall be considered in the review of all subdivision or site and development plan proposals to assure the concurrency requirements of the local comprehensive plan and county ordinances are met.*

(f) *Unless installation of a required improvement is waived pursuant to Division 6, no final plat or certified survey shall be recorded until a site and development plan, as required by this article, has been approved, the required infrastructure or development improvements which are applicable to the subject parcel or parcels are completed or an appropriate surety instrument, as approved in advance by the county attorney, is posted, in accordance with the requirements of this article, and the terms and conditions of any applicable development order have been fulfilled.*

(g) *No parcel shall be approved for platting for any purpose unless it is suitable for a use permitted by Article VI. No parcel shall be approved for development unless it is consistent with the local comprehensive plan and contains an adequate development site, both in size for the use intended and in its relationship to abutting land uses.*

Site and Development Plan Criteria, Article VII, Section 10-7.407 of the LDC:
When deciding whether to approve, approve with conditions, or deny a site and development plan application, the County shall determine the following (In addition to compliance with Sections 10-7.107 and 10-7.108):

(a) Whether the applicable zoning standards and requirements have been met.
(b) Whether the applicable provisions of the Environmental Management Act have been met.
(c) Whether the requirements of Chapter 10 and other applicable regulations or ordinances which impose specific requirements on site and development plans and development have been met.

DEVELOPMENT SERVICES FINDINGS:

I. Description of the Comprehensive Plan Future Land Use Category:

According to the Future Land Use Map of the Tallahassee-Leon County Comprehensive Plan, the subject parcel is designated Residential Preservation (RP). The primary function is to protect existing stable and viable residential areas from incompatible land use intensities and density intrusions. Future development primarily will consist of infill due to the built out nature of the areas. Single family, townhouse and cluster housing may be permitted within a range of up to six units per acre. Consistency with surrounding residential type and density shall be a major determinant in granting development approval.

Finding #1: The Tallahassee-Leon County Planning Department shall determine that the proposed development is consistent with the Tallahassee-Leon County Comprehensive Plan. Please refer to the memorandum from Susan Poplin, Senior Planner (Attachment #1).

II. Concurrency Management (Article III):

According to Section 10-3.105(a) of the LDC, no final development order can be issued until such time it is determined that there is sufficient available capacity of concurrency facilities to meet level of service standards for the existing population, vested development, and for the proposed development. All proposed development (except vested development) shall undergo a concurrency review. In the event the proposed development trips deficient segments of a roadway facility, for example, the applicant has the option of entering into a proportionate fair share agreement to mitigate associated impacts. Additional information on mitigation of impacts and the criteria established for mitigation is set forth in the Concurrency Policies and Procedures Manual.

Finding #2: Leon County and City of Tallahassee Concurrency Management performed traffic impact analyses for the proposed development and determined that the proposal will not require transportation concurrency mitigation. A traffic study was not required as the project generates less than 100 p.m. peak hour trips. A Preliminary Certificate of Concurrency has been issued for the proposed development. A Final Certificate of Concurrency shall be issued upon final site plan approval.

A School Impact Analysis (SIA) application was submitted to the Leon County School Board for review and was approved at their board meeting on February 9, 2016.

For questions relating to concurrency, please contact Ryan Guffey, AICP, Leon County Concurrency Management Planner.

III. Environmental Management (Article IV):

The application must comply with the regulations and standards set out in the following sections of Article IV: [Topographic alterations (Section 10-4.327); Stormwater management facilities (Section 10-4.301); Protected Trees (Section 10-4.362); Tree Protection Requirements (Section 10-4.363); Pre-Development Reviews (Section 10-4.202); Natural Area Requirements (Section 10-4.345)].

Finding #3: A Natural Features Inventory (NFI) (LEA 15-0037) was approved with conditions on October 23, 2015. An Environmental Management Permit (EMP)(LEM1500072) has been applied for and is currently under review. The EMP is reviewed and approved concurrently with the Type "B" site plan approval under the FDPA Track.

Please refer to any comments from the Environmental Services Division (Attachment # 2) as they relate to the sections above and any other provisions set forth in Article IV of the Land Development Code.

IV. Zoning (Article VI): Sections 10-6.617, 10-6.637 and 10-6.647

Residential development in the Residential Preservation (RP) zoning district, when located inside the Urban Services Area (USA) and not within a recorded or unrecorded subdivision, shall be permitted densities in the range of zero to six units per acre, when connection to central sanitary sewer and water are proposed. If central potable water and central sanitary sewer are not available to the development, densities shall be permitted at a rate no greater than two dwelling units per acre. Parcels proposed for residential which are located inside the urban service area and not in a recorded or unrecorded subdivision shall develop consistent with the type of residential development pattern located adjacent to the vacant parcel. For new residential development in RP not located in a recorded or unrecorded subdivision, the applicable development standards including, but not limited to front, rear, side and side corner yard setbacks shall be established at the time of site and development plan review. The DRC is the entity that shall approve proposed setbacks for new single-family detached developments in the RP zoning district.

Finding #4: The metes-and-bounds property is located inside the Urban Services Area, is not located within a recorded or unrecorded subdivision, and proposes connection to City of Tallahassee central sanitary sewer and potable water. The application requests an overall gross density of 1.73 dwelling units per acre, which falls within the permitted density range of 0 to 6 dwelling units per acre allowed in the RP zoning district and defined by the LDC as low density residential. The proposed development type is detached, single-family dwellings which is consistent with adjacent residential development patterns.

The amount of permissible impervious surface (density) on-site is contingent on demonstrating compliance with the applicable stormwater management requirements within the closed basin.

Finding #5: The development standards listed below are being proposed by the applicant and will be considered by the Development Review Committee for approval. Some of the typical lot layouts seem extremely tight within the proposed setbacks which would not allow for any future expansion of these homes or the addition of screened porches. The applicant may want to consider establishing different setbacks for different Block and Lot numbers.

Development Standard	*Code Requirement*	*Proposed*
Front yard setback	*Established during site plan review*	*15 feet*
Rear yard setback	*Established during site plan review*	*15 feet*
Side interior yard setback	*Established during site plan review*	*5 feet*
Side corner yard setback	*Established during site plan review*	*15 feet*
Height	*Established during site plan review*	*2 story; maximum of 40 feet*
Minimum lot frontage	*Minimum of 15 feet*	*15 feet*

V. Subdivision and Site and Development Plan Regulations (Article VII)

Generally, Article VII was established to ensure protection for the public health, safety, and general welfare of the residents of Leon County as well as to encourage orderly and efficient growth and beneficial development of all unincorporated parts of the county while preserving natural and historical resources. Procedures and regulations set forth in Article VII govern the subdivision of land, standards for the development of property, and consistency with the Comprehensive Plan. It is the responsibility of Development Services staff to ensure coordination between review entities, consistency with other applicable county requirements.

A. Permitted Use Verification (Section 10-7.402.1)

Permitted Use Verifications are prerequisites to filing an application for site and development plan review. The primary purpose of a PUV is to determine eligibility for a proposed use and the appropriate level of permitting required to establish this use. PUVs are not development order approvals.

Finding #6: Permitted Use Verification (PUV) (VC150071R) was determined eligible with conditions for the proposed development.

B. Type "B" Review (Section 10-7.404)

According to Section 10-7.402 of the LDC, the application qualifies for review as a Type "B" site and development plan. There are two available review tracks for projects that qualify for Type "B" site plan review, a Concept Plan Approval (CPA) Track and a Final Design Plan Approval (FDPA) Track. The applicant has chosen the FDPA Track. The FDPA Track is an available option for Type "B" site plan applications. The FDPA Track provides concurrent review of the Environmental Management Permit and Type "B" site plan application. The DRC shall provide the final decision for Type "B" site plan applications.

Finding #7: Staff has made a determination that the application may proceed to the Development Review Committee (DRC). The remaining deficiencies outlined in this report and in the attached staff memorandums shall be addressed prior to requesting placement on the DRC Meeting agenda for final disposition. The schedule for DRC meetings and applicable submittal deadlines can be found on the County's website. Public noticing requirements for DRC meetings include mail notifications, posting of a sign on the property

and a newspaper advertisement. In addition the meeting agenda will be posted on the County's website and in ProjectDox.

VI. Substantive Standards and Criteria (Article XII, Div. 5)

A. General Layout and Design Standards (Section 10-7.502)

The proposed site plan shall comply with the general layout and design standards of this section. These design standards pertain to streets, driveways, lots and lot designs, and pedestrian and bikeway facilities.

Finding #8: Section 10-7502(2) requires that streets interconnect within a development and with adjoining development, unless physical conditions preclude an interconnection now or in the future. Properties surrounding the subject parcel are fully developed as single-family detached subdivisions. To the east and northeast is Moore Pond Subdivision, a private, gated subdivision, which accesses Ox Bottom Road via Heartland Circle, a privately maintained roadway. To the west and northwest are the Ox Bottom Gardens and Ox Bottom Manor subdivisions. There does not appear to be a feasible location for future interconnection with adjoining developments now or in the foreseeable future. The DRC shall assess feasibility and make the final determination on the requirement for interconnection.

Finding #9: As noted in the previous ARM reports, staff recommends the applicant consider alternative designs for the layout of the development. The applicant was provided with several preferred design alternatives by the City of Tallahassee Planning Department's Design Studio, which included a further reduction in density, alternative lot layouts and home placement, and turnaround areas that become functional spaces for residents while also being aesthetically appealing. See Attachment #9 for preferred design alternatives.

B. General Principles of Design Relating to Impacts on Nearby Streets and Property Owners (Section 10-7.505)

Each development shall be designed to be as compatible as practical to nearby development, shall minimize adverse environmental impacts, provide boundary buffers between the proposed development and differing land uses, provide fencing and screens where potential health and safety hazards may arise, maintain roadside trees, preserve open space and provide recreational opportunities where appropriate and provide for the ongoing operation and maintenance of supporting infrastructure.

Finding #10: The development proposes an enhanced Type "C" landscape buffer around much of the site which is typically only applied when abutting properties have differing land uses. The buffers and other common areas will be maintained by the Brookside Village Homeowner's Association.

Finding #11: Hiking trails are proposed to be constructed through the conservation easement to allow passive recreation on-site. Trail heads will be marked with signage.

Finding #12: Environmental Services indicates that the landscape area around the perimeter of the ponds does not appear to be of sufficient width to support the type and density of plantings and does not screen the entire length of fencing adjacent to lots. Additionally, staff recommends that the landscape architect design a planting plan for the trees lining the

streets and sidewalk to ensure a visually appealing streetscape and ensure the survival of the trees proposed. Please refer to related comments from Environmental Services (Attachment #2) and Public Works (Attachment #3).

C. Stormwater Management (Section 10-7.521)

The stormwater standards must be met for the proposed development. The storm drainage and surface water drainage system used shall be installed in accordance with Article IV and other requirements and specifications of the county.

Finding #13: Stormwater management standards must be found in compliance with Article IV and any other specifications and requirements of the County. Please refer to the memorandums from the Environmental Services Division (Attachment #2) and Public Works Department (Attachment #3).

D. Buffer Zone Standards (Section 10-7.522)

A buffer zone is a landscaped strip between adjacent land uses that is intended to serve a screen function, as well as, provide an attractive boundary between parcels. The width or degree of vegetation within the buffer zone depends on the type of land use(s) on the adjacent parcel(s). When proposed development is adjoining a single-family detached dwelling unit located within the RP zoning district, the proposed development must provide buffering meeting no less than the Type A landscape standard.

Finding #14: The RP zoning district requires a minimum of a 10 foot Type "A" landscape buffer around the entire perimeter of the site adjacent to other residential development. A 10-foot, Type "A" landscape buffer has been provided along the majority of the northern and northeastern property line. The applicant did incorporate staff's recommendation to provide a higher density of plantings within the landscape buffers. The proposed boundary buffers will utilize existing vegetation and augment as needed with evergreen species to achieve the buffer standards. The landscape plan indicates that the proposed buffers will achieve approximately 75% opacity at the time of planting and 90% within 5 years.

The applicant has provided 25-foot, Type "C" plus (enhanced) landscape buffers along the west, east and southern property boundaries. Buffer areas adjacent to Moore Pond are further enhanced with a berm and an 8 foot wooden fence interior to the buffer. A landscape buffer is not required along Ox Bottom Road; however, the developer has provided a 25-foot, Type "C" plus buffer in this area as well.

An 8 foot wooden fence has been provided adjacent to Ox Bottom Manor to the north of the cul-de-sac. Staff recommends that the proposed fence be located internal to the buffer instead of along the property line. Additionally, staff recommends that a wider buffer be extended west along this property boundary until reaching the property line of Lot 2C. It appears that at least a 20' buffer could be continued in this area adjacent to the proposed access easement.

E. Public Water Supply, Public Sanitary Sewer or On-site Sewage Disposal Systems and Electric Service (Sections 10-7.523, 10-7.524 and 10.7-526)

Potable water, public sanitary sewer facilities and electrical service shall be installed and necessary easements provided in accordance with the standards, specifications and policies of the county and/or city, the service provider and any other regulating agency.

Finding #15: The City of Tallahassee Water Resources Engineering Department approved a revised "Water and Sewer Concept Plan" (Attachment #4). This signed concept plan shall be included in the final site plan set. The City of Tallahassee Power Engineering Department also provided comments regarding the coordination of electrical design for the subdivision (Attachment #5).

F. Fire Protection Facilities (Section 10-7.527)

All development within the USA shall be required to provide fire protections by means of hydrant placement and fire flow in accordance with the requirements and specifications of the City of Tallahassee.

Finding #16: Fire protection facilities must be approved prior to site plan approval. See the memorandum from the City of Tallahassee Fire Department (Attachment #6).

F. General requirements for sidewalks with new development (Sections 10-7.529)

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. Sidewalks shall be designed and constructed to implement a pedestrian mobility system that facilitates access to residential development, business establishments, community facilities and other non residential land uses, and, provides safe and convenient linkage between developments and between the public and private street system.

Finding #17: Sidewalks have been provided along one side of the new streets within the proposed residential subdivision and adjacent to Ox Bottom Road. At staff's recommendation, the applicant has extended the sidewalk along Ox Bottom Road further than required in order to connect to existing sidewalks along Ox Bottom Manor Drive. This helps to eliminate sidewalk gaps and facilitate pedestrian mobility.

Refer to any additional comments from Public Works (Attachment #3).

G. Off-Street Parking Spaces (Sec. 10-7.545)

Residential parking requirements are calculated generally based on the type of land use (single-family, multi-family, apartments, etc.) and/or the number of bedrooms per unit. This information is set forth in Schedule 6-2 of this section. Based on the proposed land use (detached single-family), the required number of off-street parking spaces for one, two and three bedroom units is two (1.5) parking spaces per dwelling. Four bedroom units or more require two (2) off-street parking spaces per unit. If on-street parking is not permitted (or restricted) then each dwelling unit is also required to provide one (1) visitor space. The site must demonstrate that these requirements can be met without blocking sidewalks or right-of-way.

Finding #18: The site plan indicates that a 5-bedroom home will be the maximum building standard which would require each lot to accommodate 3 parking spaces. The typical section indicates that each lot should be able to accommodate 2 parking spaces within an attached garage and 2 spaces within the driveway; however, some lots do not appear to provide sufficient driveway space for vehicles without blocking sidewalk access.

Finding #19: As noted in previous ARM reports, the applicant is encouraged to explore design options that utilize side-loaded and/or rear-loaded garages (see preferred design alternatives below and Attachment #9). A slightly recessed garage still dominates the architectural focal point of homes on front-loaded lots, unless the width of the front porch, entryway, or other prominent front elevation feature exceeds the width of the garage. Larger lot widths have been provided adjacent to Ox Bottom Manor and Moore Pond that could now accommodate alternative-entry garages.

Please refer to any additional comments from Public Works (Attachment #3).

VII. Plats (Article XII, Div. 6)

A. Generally (Section 10-7.601)

No building permit shall be issued for a project that requires platting until a plat has been accepted and approved by the Board of County Commissioners and recorded in the plat books of the County. Every plat of a development or subdivision made for recording shall conform to the provisions of Chapter 177, Florida Statutes and should conform to the requirements of Section 10-7.607, LDC.

Finding #20: A final plat is required. No plat shall be approved and accepted by the County unless and until the developer has installed all infrastructure improvements. The preliminary plat provided as part of the site plan submittal still does not comply with the platting provisions outlined in Florida Statute (Chapter 177) or Section 10-7.607 of the LDC. Please refer to any additional comments from Public Works (Attachment #3).

B. Plats Containing Improvements Not Dedicated to the Public (Section 10-7.610)

If a proposed plat contains streets, roads, alleys, rights-of-way, common areas, utility, conservation and drainage or other easements not dedicated to the public, the applicant, shall file with the county attorney certified copies of the executed and filed articles of incorporation and the bylaws of a homeowners' or property owners' association, or other corporate entity, together with restrictive covenants applicable to the property, approved by the county attorney as to form, content, and manner of execution, providing enforceable assessment procedures for financing the maintenance of the streets or roads, alleys, rights-of-way, common areas and facilities, utility and drainage or other easements. The plat shall not be submitted to the Board of County Commissioners until the articles, bylaws, and restrictive covenants have been approved as to form and manner of execution by the county attorney. Minimum requirements for restrictive covenants are outlined in this section.

Finding #19: The County Attorney's Office has reviewed and approved as to form the draft Declarations and Covenants, Conditions and Restrictions, Articles of Incorporation and Bylaws for Brookside Village.

Exhibits "A" and "B" were missing from the submittal and shall be provided as part of the Declarations and Covenants, Conditions and Restrictions. Additionally, several scriveners' errors have been noted in mark-ups for these documents on ProjectDox.

Please refer to any additional comments from Environmental Services (Attachment #2) and Public Works (Attachment #3).

VIII. On-Site Signs (Article IX)

Specific sign codes (i.e. size and height), are reviewed for compliance with Article XII (signs) at the time of permitting. However, to ensure adequate visibility for motorists, bicyclists and pedestrians, the location of the subdivision sign shall be included on the plan sheets. The location of the signage does not exempt the signs from permitting. The physical location shown on the site plan is for location purposes only. The signs must meet the criteria established in Article IX, Section 10-9.201, and Leon County Land Development Code.

Finding #20: The proposed subdivision sign is shown on several sheets with different orientations. If sign orientation is unclear at this time, it may be more appropriate to designate a sign easement area on the plan set without showing the orientation.

IX. Aquifer Protection (Article X, Div. 1)

This article is intended to protect and maintain the quality and quantity of groundwater in the county by providing criteria for regulating the use, handling, production, storage and disposal of regulated substances.

Finding #21: The Aquifer Protection Division has provided clearance (Attachment #7) contingent on the action items outlined being completed prior to site development.

X. Uniform Street Naming and Property Numbering System (Article XI)

This article is intended to provide for the assignment and approval of street names, subdivision names, and for providing for a uniform numbering system for the assignment of address numbers to properties in the interest of public health, safety and welfare.

Finding #22: The proposed subdivision and street names shall be determined consistent and approved in accordance with the standards outlined in Article XI of the LDC. Please see comments from the County's Addressing Unit in Attachment #8.

XI. Technical Site Plan Deficiencies [Section 10-7.402(8)(b)2)].

Finding #23: Please make the requested revisions outlined in Findings #1-22 above and in the attached memorandums from other reviewing agency staff. Additionally, please review the site plan markups from reviewing staff in ProjectDox. Please contact the Project Manager if you need assistance viewing these markups.

PREFERRED DESIGN ALTERNATIVES:

Based upon the findings provided above, Development Services recommends that the following preferred design alternatives be incorporated into the applicant's site and development plan:

1. **Overall Subdivision Design** – As noted in the previous ARM reports, staff recommends the applicant consider alternative designs for the layout of the development. The applicant was provided with several preferred design alternatives by the City of Tallahassee Planning Department's Design Studio, which included a further reduction in density, alternative lot layouts and home placement, and turnaround areas that become functional spaces for residents while also being aesthetically appealing.

2. **Alternative Garage Placement** – The applicant is encouraged to consider side-loaded or rear-loaded garages for those lots widths of 70 feet or greater that could support this style floor plan. This would eliminate the garage from becoming the dominate architectural focal point of the home and allow for forward entry onto the street rather than backing out, thus making a safer vehicular and pedestrian environment. Side and rear-loaded garages also eliminate the view of rows of parked cars and garage doors, adding to the aesthetic appeal of the neighborhood.

3. **Landscape Buffers & Screening** - It is recommended that the buffer fencing provided on the northeastern property line adjacent to Ox Bottom Manor be relocated interior to the buffer. This would afford Ox Bottom Manor residents adjacent to the development to view landscaping as opposed to the proposed wooden fence. Additionally, staff recommends that a wider buffer be extended west along this property boundary until reaching the property line of Lot 2C. It appears that at least a 20' buffer could be continued in this area adjacent to the proposed access easement. This would help address concerns regarding noise and lights from cars turning down this driveway.

4. **County LID Standards** – In coordination with the Environmental Services Division, the applicant is encouraged to incorporate Low Impact Development (LID) Standards.

NOTE:

If any of the comments presented in this memorandum are unclear, or if the applicant requires additional information, please contact Shawna Martin of Development Services at (850) 606-1385 or e-mail at MartinS@leoncountyfl.gov.

PUBLIC NOTIFICATIONS AND COMMENTS:

Sign posted at project site	4/20/17
Legal advertisement	4/26/17
Agenda posted on County's website	4/21/17
Mail notification sent to property owners and homeowner's associations registered with the County within 800 feet of the project site	4/21/17
Notices Mailed	104
Notices Returned (as of 5/1/17)	2

Written Public Comments Received: (1) Diane Perkins (2) Gavin Burgess (3) Jeannette Andrews (4) Susan and Emory Jay Yelton (5) Paul Mitchell (6) Phillip Downs (7) Teresa Little (8) Ox Bottom Manor Community Association, Inc. (One form letter has been included in this attachment for reference. As of 5/3/17, 157 letters have been received and have been uploaded to the project file in ProjectDox as part of the public record.)	Attachment #10

REPORT ATTACHMENTS:

1. Memorandum from the Tallahassee Leon County Planning Department
2. Memorandum from the Environmental Services Division
3. Memorandum from the Leon County Public Works Department
4. Memorandum from the City of Tallahassee Water Resources Engineering Department
5. Memorandum from the City of Tallahassee Power Engineering Department
6. Memorandum from the City of Tallahassee Fire Department
7. Memorandum from the City of Tallahassee Aquifer Protection Division
8. Memorandum from the Leon County Addressing Unit
9. Preferred Design Alternatives
10. Public Comments

PLANNING DEPARTMENT
a division of PLACE

MEMORANDUM

Submitted to ProjectDox May 2, 2017

TO: Shawna Martin, Leon County Development Services

FROM: Susan Poplin, Senior Planner

DATE: May 2, 2017

SUBJECT: Brookside Village Residential Subdivision (Type B) FDPA Track LSP 150035
Leon County Application Review Meeting May 3, 2017

APPLICANT: Golden Oak Land Group, LLC
AGENT: Sean Marston, P.E., Urban Catalyst Consultants
PARCEL ID: 14-19-20-001-0000
ZONING: Residential Preservation
FUTURE LAND USE: Residential Preservation

Findings

1. The proposed project is for the development of a 61-unit single-family residential subdivision on 35 acres north of Ox Bottom Road near Heartland Circle road. The project is adjacent to and accessed by Ox Bottom Road, which is a Leon County major collector.

2. The proposed project is consistent with the density and intensity of the Residential Preservation Future Land Use Map Category of the *Tallahassee-Leon County Comprehensive Plan*.

3. Residential Preservation Future Land Use Element Policy 2.2.3 states that its primary function is to protect existing stable and viable residential areas from incompatible land use intensities and density intrusions. The Brookside project's proposed gross density at 1.73 dwelling units per acre is classified as low-density residential in the comprehensive plan. The density of surrounding neighborhoods is also classified as low-density residential, ranging from 2.13 dwelling units/acre (Ox Bottom Gardens) down to .17 dwelling units per acre (Rosehill). The densities are consistent with low-density residential uses identified in the comprehensive plan and the land development code.

   The Leon County Land Use Development Matrix and Conservation Policies 1.3.2.d, 1.3.3., and 2.2.5, indicate density of development will be permitted only to the extent that sufficient stormwater capacity is available. A compatibility analysis dated October 19, 2016 and updated April 26, 2017, provided by the applicant, examines Conservation Policies 1.3.2 and 1.3.3 including provisions for stormwater and conservation. Conservation Policies 1.3.2.d, 1.3.3 and 2.2.5 provide that the areas permitted to develop are dependent on sufficient stormwater capacity within a closed basin (which applies in this case) to ensure maintenance of water quality and flow. The current conditions provide for surface flow of stormwater from ravines, eventually draining to Moore Pond. The application indicates that adequate

stormwater is provided for the project including on-site retention facilities for a 100-year, 24-hour storm event. Additionally, stormwater within the ponds will be recovered via exfiltration trenches, which will be filtered down to the groundwater. The applicant's response to comments dated April 19, 2017 states that the proposed stormwater facilities exceed the required Leon County stormwater standards and meet the closed basin standards for retention. Leon County staff are in the process of analyzing the recently submitted stormwater analysis to determine if it meets the local code requirements; until that analysis is completed Planning cannot determine if consistency with the Conservation Element of the comprehensive plan is maintained. It is recommended that the final approval of the site plan be contingent on the County's final approval of the stormwater analysis.

With regard to conservation within the project, the application includes a large conservation area centrally located on the property. The conservation area includes natural features on the site including floodplains, wetlands and steep slopes. The conservation areas are to be dedicated as conservation easements in perpetuity with the Brookside HOA responsible for maintenance.

Land Use Element Policy 2.2.3.e states that a number of factors shall be considered when determining a land use compatible with the residential preservation land use category. There is no proposal to change the assigned land use in this case. It does not appear the compatibility criteria in section 2.2.3.e are readily applicable to the proposed project given both the existing and proposed use are both low-density Residential Preservation land uses. Nonetheless, Planning staff have reviewed the criteria as additional information, including intensity, density, scale, building size, mass, bulk, height and orientation, lot coverage, lot size/configuration, architecture, screening, buffers (including vegetative buffers), setbacks, signage, lighting, traffic circulation patterns, loading area location, operating hours, noise and odor. The applicant provided a compatibility analysis dated October 19, 2016 and updated April 26, 2017, conducted by land use consultant Wendy Grey, that examines these factors with regard to the project:

- Density: The density of the proposed development is 1.73 dwelling units per acre, which is comparable with adjacent Ox Bottom Gardens and Ox Bottom Manor, 2.13 and 1.10 dwelling units per acre, respectively. It is also within the allowable range for the Residential Preservation land use category which allows up to 6 dwelling units per acre within the category.

Table 1 Subdivision Density

Subdivision	Density (dwelling units/acre)
Ox Bottom Gardens	2.13
Brookside Village	1.73
Ox Bottom Manor	1.10
Moore Pond	.23
Rose Hill	.17

- Scale: Building scale is usually associated with more urban settings that include multiple stories. The limitation of the dwellings to 2 stories or less in the Brookside development

ensures that the scale of the buildings are lower and similar to those in surrounding neighborhoods.

- Building Size, Mass and Bulk: As a measure of mass and bulk, the compatibility analysis examined the ratio of the linear building to linear frontage on the property line. Brookside has a higher ratio at approximately .81 along the Ox Bottom Manor side and .82 along the Moore Pond side. Ox Bottom Manor and Moore pond have ratios of .45 and .29 respectively. There is notable difference in these ratios, but given the separation between the two subdivisions including an intervening conservation area, buffer and larger lots provided in the rear of the proposed subdivision, staff does not believe there is a negative impact based on the measure of mass and bulk. With regard to building size, there is a wide range from 3,400 square feet to 14,929 square feet in surrounding neighborhoods. Brookside dwellings are sized between 2,848 square feet and 3,278 square feet with an average of 3,063 square feet. These dwelling sizes are consistent with those in adjacent subdivisions.

Table 2 Building Size

Subdivision	Building Size Range (Square Feet)	Average Building Size (Square Feet)
Moore Pond	3,485-14,929	6,301
Rose Hill	3,732-10,620	6,143
Ox Bottom Manor	2,329-4,817	3,459
Brookside Village	2,848-3,278	3,063
Ox Bottom Gardens	1,974-3,249	2,389

- Height and Orientation: The surrounding area includes residential uses that are a mix of one-story, 1½ story and 2-story dwellings. Brookside will consist of 1 and 1½-story dwellings. The dwellings are oriented such that upper stories are on the front portion of the homes and no windows face adjacent subdivisions. This height and orientation is consistent with others in the surrounding area, and minimizes view encroachments.

- Lot Coverage, Size/Configuration: Lot coverage is measured by comparing the building size in square feet to the lot size in square feet to derive a percentage. The compatibility analysis examines the lot coverage for Brookside Village and surrounding areas and has identified the average lot coverage as 23%. Comparatively, it is within the range of surrounding subdivisions where lot coverages vary from 5% (Moore Pond) up to 28% (Ox Bottom Gardens).

Table 3 Lot Coverage

Subdivision	Density (dwelling units/acre)
Moore Pond	5%
Rose Hill	6%
Ox Bottom Manor	10%
Brookside Village	23%
Ox Bottom Gardens	28%

For lot size, Brookside Village is within the range of surrounding subdivisions, which vary from an average of 3.08 to .19. The larger lots are found in Moore Pond and Rose Hill subdivisions. To better assimilate with these subdivisions, Brookside Village has proposed two larger lots that are more than 2 acres in size in the rear of the project adjacent to Moore Pond. The project also proposes buffers and screens which are described in more detail below.

Table 4 Lot Size

Subdivision	Lot Size (Acres)	Average Lot Size (Acres)
Moore Pond Ox	1.49-12.39	3.08
Rose Hill	1.48-6.97	2.53
Ox Bottom Manor	.53-.96	.67
Brookside Village	.14-2.51	.27
Ox Bottom Gardens	.13-.32	.19

- Architecture: The compatibility analysis compares the proposed architecture of Brookside Village with those in surrounding neighborhoods. Within the Ox Bottom Manor and Ox Bottom Gardens typical features include peaked roofs, brick or stucco front facades and covered entrances. The analysis provides sample pictures of anticipated Brookside Village architecture which has the same roof and entrance features. Brookside Village appears to be typical suburban development.

Brookside Village Prototype

Ox Bottom Gardens

Ox Bottom Manor

- Screening and Buffers: Buffers for the surrounding subdivisions were compared with those proposed for Brookside Village. The buffers are smaller than those in Rose Hill and Ox Bottom Gardens. Moore Pond and Ox Bottom Manor did not provide buffers as part of the subdivision plats.

Table 5 Buffers Provided in Subdivision Plats

Subdivision	Buffer
Rose Hill	Approximately 100 feet (labeled "Common Area"). Additional 100 foot utility easement provided along eastern property line
Ox Bottom Gardens	Approximately 75 feet along boundary with Ox Bottom Manor
Brookside Village	25 feet Type C+ Buffer

	(east/south/west); some 8 Foot Fence
Moore Pond	None provided in plat
Ox Bottom Manor	None provided in plat

Brookside Village is proposing a 25-foot wide buffer with Type C+ plantings along Ox Bottom Road, adjacent to Ox Bottom Manor and the along the eastern boundary adjacent to Moore Pond. The proposed Type C+ buffer includes plantings of 7 evergreen canopy trees, 6 evergreen understory trees and 24 evergreen shrubs per 100 linear feet of buffer. The buffer along the eastern and northwestern portion of the property also includes an 8-foot fence. Along the northern and northeastern boundaries, the project proposes a 10-foot Type A buffer which includes plantings of 1.2 canopy trees, .4 understory trees and 4 shrubs per 100 linear feet. Staff believes the project has provided satisfactory buffers to adjacent suburban residential development.

- Setbacks: The compatibility analysis states that site visits and aerial images reveal that setbacks appear to be typical for suburban residential development: e.g., buildings are set back from the curb (as opposed to being placed near the front property line) and from adjoining properties (e.g., no zero lot lines). Staff concurs with the analysis. It appears the setbacks for Ox Bottom Manor range from 75 to 100 feet, for Ox Bottom Gardens, from 18 to 30 feet, and for Moore Pond, from 75 to 150 feet. Brookside Village has setbacks of 15 feet from the right-of-way. Brookside Village setbacks are consistent with the pattern in neighboring Ox Bottom Gardens but not Ox Bottom Manor or Moore Pond.

- Traffic Circulation Patterns: The proposed traffic circulation pattern includes an internal road system as well as sidewalks throughout the project, connection to Ox Bottom Road, and a passive recreation path. Staff does not identify any negative issues with the proposed circulation plan.

- Items Not Applicable to the analysis for this development include signage, lighting, loading area locations, operating hours, noise and odor, which are associated with nonresidential development.

4. The Mobility Element of the Tallahassee-Leon County Comprehensive Plan requires development to provide full accommodations for pedestrian access and movement including sidewalks and enhanced crossings (Mobility Element Policies 1.1.8(a-b), 1.2.3 and 1.4.3). The application shows a 6-foot sidewalk along Ox Bottom Road and internal to the project. The sidewalk along Ox Bottom Road connects to the existing facility that runs north along Ox Bottom Manor Road. The application also indicates the intent to place passive trails within the Conservation Area (a recommended design alternative).

5. The Conservation Element of the Tallahassee-Leon County Comprehensive Plan requires that wetlands and floodplains be regulated as conservation or preservation features, and that wetland function be preserved [Conservation Policies 1.3.1, 1.3.2, 1.3.4, 1.3.6, 2.2.1 and 2.2.2]. The application identifies the details of planned wetland, floodplain and significant slope conservation within the proposed project. The features are contained within an 11+ acre conservation easement. The conservation area includes natural features on the site including floodplains, wetlands and steep slopes. Additionally, the application also reflects a passive

trail within the Conservation Area which was a recommended design alternative previously. The conservation areas are to be dedicated as conservation easements in perpetuity with the Brookside HOA responsible for maintenance.

Planning Department Recommendations

The Planning Department recommends that the Brookside Village Type B site plan application (LSP1500035) as submitted on April 19, 2017 be approved subject to the condition that the applicant receive final County approval for the stormwater analysis.

Preferred Design Alternatives

1. The buffer located in the north and northwestern portion of the property includes an 8-foot fence that it located at the rear of the buffer, and as the buffer continues eastward it is reduced to a 10-foot buffer. Consider revising the buffer to include the additional 10-feet that is already within an easement where the buffer narrows. This revision will result in a more enhanced buffer.
2. Consider additional tree variety and planting along infrastructure and particularly along the sidewalks. The trees along the streets appear to be 50 to 75 feet apart which will not provide continuous shade on the sidewalk. Planning staff also supports comments from Leon County staff regarding variety of plantings along the stormwater infrastructure.

Board of County Commissioners

Interoffice-Memorandum

DATE: May 3, 2017

TO: Shawna Martin, Principal Planner, Development Services

FROM: Anna Padilla, P.E., CFM, Sr. Environmental Engineer, Environmental Services

SUBJECT: Brookside Village
Project ID: LSP15-0035; Type B – FDPA Track
Tax Identification Number: 14-19-20-001-000-0

Environmental Services has reviewed the revised Site Plan (LSP15-0035) and Environmental Management Permit (LEM15-00072) resubmittal, both received April 19, 2017, for the Brookside Village Subdivision. The following are the Environmental Services Division findings and recommendations.

The following comments from the February 3, 2016 Application Review Meeting #2 Staff Report, prepared by Charley Schwartz, were not addressed:

1. Leon County Land Development Code (LDC) Section 10-4.327(2)c requires that 50% of significant grades be left in an undisturbed, pre-development state and shall be protected by a conservation easement. As proposed, Conservation Easement B does not meet these requirements due to proposed tree thinning and landscape planting. It appears the significant grade preservation requirement can easily be addressed in other areas contiguous to Conservation Easement A, which will result in better protection of the downstream environmentally sensitive areas. Please revise the plans and conservation easement documents so that the Conservation Easement B area is only used for a buffer and the Conservation Easement A includes the additional area of significant grade.
2. Limited access points to the landscape buffers along the perimeter of the development are provided and it is not clear how these areas will be adequately accessed and maintained by the HOA. The applicant's response to this concern was that the HOA will access the landscape buffers through the proposed right-of-way (ROW) and access easements. This answer does not adequately address staff concerns or address how the areas along adjacent residential areas will be accessed. The proposed buffers will be heavily planted and will be full of dense vegetation. Only accessing the landscape buffers through the ROW and HOA areas will result in stretches of over 400 feet without an access point.
3. Although the required finished floor elevations (FFE) were provided for most structures, the specified elevations do not meet the requirements of the Leon County LDC; further, the elevations specified are not constructible for the proposed home types. Leon County LDC requires that the finished flood elevation of a structure be at least 1 foot higher than the existing grade at a distance of 5 feet out from the structure. The specified FFE for most lots are proposed at 3-4 feet below the proposed finished grade, and as much as 12 feet below the proposed finished grade on Lot 19, Block A where the proposed grade

adjacent to the structure is 220 feet and the proposed FFE is 208 feet. In addition, an FFE was not provided on one lot and two lots have been removed from the proposed layout but are still included in the table. Please revise the FFE table accordingly.

4. The provided information is not sufficient to demonstrate that the off-site stormwater runoff from Ox Bottom Manor will not cause adverse impacts to the new residential dwelling units. Please revise the plans to include revised grading, swales, finished floor elevations, etc. that clearly demonstrate how this off-site stormwater runoff will be diverted around proposed structures.

The following comments are deficiency items in the Site Plan resubmittal package that shall be addressed:

5. Staff communications with the Northwest Florida Water Management District (NWFWMD) indicate that a dam permit will be required for the modifications to the two impoundments. It is strongly suggested that the applicant coordinate with NWFWMD as soon as possible.
6. The proposed plan includes the outfall for the 10-foot long sand filter inside the conservation easement. The stormwater management system (i.e., grading, outfall pipes, fencing, etc.) cannot be located within the conservation easement. Please revise the conservation easement area to exclude this outfall. In addition, this proposed structure discharges onto a steep slope without any energy dissipation shown. Please provide evidence that the discharge from this pipe will not cause an erosion problem on the slope. Please also show how this pipe will be accessed for maintenance purposes.
7. The applicant shall provide a barrier (e.g., guardrail or barrier wall) along the retaining wall section of Pond 100, adjacent to Village Ridge Lane West. This section has a drop-off hazard ranging from 6 to 7 feet. FDOT considers a drop off hazard as 6 feet or greater within 22 feet of the edge of pavement for urban sections. Consideration should be given to utilities that may conflict with any proposed barriers.
8. Sediment and erosion control needs to be provided on the upstream sides of both embankments to protect the water within the embankment. Sediment and erosion control is only proposed on the downstream sides of the embankments. Please add a note that care should be taken to minimize impacts to the environmentally sensitive areas when selecting and placing sediment and erosion control.
9. The limits of clearing and limits of construction were not included in the plans. Please include in the plans (on the demolition plan or other sheets) limits of construction, limits of clearing, employee parking, staging and stockpiling areas, and any other pertinent information for demolition, sediment and erosion control, and construction.
10. The submitted site plan does not include any tree protection barricades or delineate the trees to be protected. Please clearly delineate all trees to be protected and include the location of all tree protection barricades in the plans.
11. The line around the Leon County stormwater management facility (SWMF) is different on Sheet C-111 than it is on Sheet C-110. Sheet C-110, shows areas where it is not clear who owns the property. Please revise the plans accordingly.
12. The 10' Type A buffers on Lot 17, Block A and Lot 2, Block C shall be maintained by the HOA. Please place these areas in an easement dedicated to the HOA or revise the site layout so these areas are HOA property.

13. Please provide information on the foot trail proposed through the conservation easement. Information should include a typical section, widths, materials, and other information relevant to construction and maintenance. Care should be taken when planning this proposed trail to minimize impacts to the conservation area.
14. The fence around the SWMF is on the conservation easement boundary in several locations. It is not feasible to construct and maintain the fence on the boundary and not impact the conservation easement. In addition, the proposed fence is shown on the property boundary of Lots 1-8, Block B. It is not possible to construct and maintain this fence without trespassing onto private property. Please revise the proposed fence location to allow construction and maintenance of the fence without encroachment into the conservation easement or private property.
15. Conservation easement signs were included around the perimeter of the conservation easement; however, signs were not included in areas where the boundary changes directions leaving access points into the easement without a visible sign. Please place conservation easement markers at turning points of the easement boundary. In addition, please place conservation easement markers at trailheads. As an alternative, information about the easement could be placed on the trailhead sign, but should be clearly noted in the plans that this is required.
16. The proposed side setback is 5 feet, which is inconsistent with the typical swale detail on Sheet C-112.1 that shows a minimum swale width of 12 feet. Please revise accordingly to provide consistency between the setbacks and the swale.
17. The turning movement plan for the SU-30 clips the corner of the fence on the rear corner of Lot 1, Block B. Please revise accordingly.
18. Stormwater from the proposed swale along Lot 11, Block B must pass through a chain-link fence and dense plantings before entering the stormwater conveyance system. Please address any issues and maintenance concerns with this potential flow impediment or revise the plans accordingly.
19. Please specify the top of wall height and use the same line type for the retaining walls. The proposed walls on Lots 14, 15, and 18, Block A are shown with a different line type and the proposed wall on Lot 18, Block A is not called out on the Site Grading Plan (Sheet C-115.1).
20. Several of the retaining walls are proposed on the property boundary between private lots and HOA space or immediately adjacent to or in close proximity (less than 5 feet) of the conservation easement boundary. Please provide information as to who is responsible for the maintenance of the walls on private lot lines. For the walls that are adjacent to the conservation easements, please provide information as to how the wall will be constructed and maintained without encroaching into or impacting the conservation easement. Keep in mind that all vegetation within the easement is protected and ground disturbance within the easement is prohibited.
21. A 3-foot high berm is proposed along the rear of Lots 4-12, Block A. It appears the proposed berm will impact several off-site trees. Please located potentially impacted off-site trees and address any impacts to the trees including but not limited to the percent encroachment into the critical protection zone of these trees as well as a mitigation plan for tree impacts.
22. An 8-inch PVC water main is proposed under the roadside (upper) retaining wall around Pond 100. Please address potential construction and maintenance conflicts with placing the water line directly under the retaining wall. Further, the Site Utility Layout (C-116)

that has been stamped "Concept Plan Approved" by the City of Tallahassee, dated September 30, 2016, has a different layout that the current Sheet C-116, including a change to the locations of the retaining walls.

23. Please provide additional contour labels on the grading plans for existing and proposed contours. Several areas with long contours have inadequate labeling.
24. The grading along the conservation easement adjacent to Pond 200 is not buildable. Several existing contours are cut off and proposed contours do not tie into existing contours. The proposed grading plan just stops at the conservation easement boundary. It is not feasible to grade immediately adjacent to a conservation easement boundary and not encroach into the conservation easement. No thought was given to any sediment and erosion control and tree protection that will be in installed when the grading plan was developed. Further, the proposed grading encroaches into the conservation easement area.
25. The proposed plan includes significantly planted buffers along Ox Bottom Road but this area also includes grading of a stormwater swales. Please provide information on the potential impacts of placing buffer plantings within a stormwater swale, including but not limited to how this may impact stormwater conveyance and how both the swale and the buffer will be maintained.
26. Leon County LDC, Section 10-4.351(d)(2) requires ***at least*** 3 feet between trees and any impervious surfaces. The proposed street trees do not meet this requirement. The distance between the back of curb and the sidewalk in the ROW is approximately 4-5 feet, which is not enough room to plant the trees and be at least 3 feet from any impervious surface. Further, this Section requires an interior planting volume for each tree of a minimum 1,200 cubic feet with a minimum width of 12 feet and a depth of 3 feet, which is not currently met with the proposed street tree planting plan. Staff recommends that the applicant work with their landscape architect to design a planting plan for the trees lining the streets and sidewalk to ensure a visually appealing streetscape and ensure the survival of the trees proposed.
27. Leon County LDC, Section 10-4.350(a) states, "a visual screen shall be placed around the entire perimeter of any detention or retention facility around which fencing is required". The proposed plantings do not screen the entire length of the required SWMF fencing. In addition, the width provided to plant the proposed buffer shrubs is not sufficient to support the species and density. A 4-foot wide area is proposed to be planted full of wax myrtle shrubs, which can reach 10 feet in width. Staff recommends that the applicant consider connecting the vinyl fencing with the block retaining walls (fencing on top of the walls) and work with their landscape architect to determine the most appropriate species to visually screen this area. Another potential design option is to create a landscape buffer (owned and maintained by the HOA) on the rear of the affected lots to meet screening requirements.
28. Please provide a clear tree debit/credit table. The tree debit table should include all protected trees to be removed; please reference Leon County LDC, Section 10-4.362 for protected tree definitions. Only select trees outside a surveyed tree line are shown on the tree removal sheet. The interior of the tree line is dense with trees and other vegetation. Only the select trees outside the tree line were shown for removal; however, the proposed developments encroach into the tree line. In addition, it appears trees will be impacted and/or removed with the enhancements to the impoundments. Please also provide a complete tree credit table for the proposed tree credits from tree preservation and tree replanting. The credit table should include the number of credits per proposed planting.

Please note wax myrtle does not receive tree replanting credit. Please provide the specific crepe myrtle variety so we can verify it meets the tree requirements of the LDC. As an alternative to surveying each individual tree to be removed and to be preserved, the applicant may select and survey all trees within a representative sample area (i.e., 100-foot by 100-foot or 50-foot by 50-foot). Multiple sample areas may be needed; however, one sample area may be used for both debit and credit calculation if the tree sizes are uniform throughout both preservation and proposed development areas. Please verify that all protected trees outside the tree line were included in the tree removal calculations.

29. The notes on Sheet C-132 and C-133 have numerous typographic errors. Please revise.
30. Please address planting on the berm and the survivability of the proposed plantings located in compacted soils.
31. Please include all line types and hatching in the legend.
32. Additional minor comments were noted as ProjectDox mark-ups. These revisions shall be incorporated into the revised plans.
33. Plans need to undergo a QA/QC procedure. Plans contained numerous errors that should have been caught during an internal QA/QC procedure. Many typographic errors were found, and it was clear that changes to the plans were made but not all impacted areas were checked and changed accordingly. Please QA/QC plans prior to resubmittals to ensure all information is accurate and all comments are adequately addressed.

Please be advised that building permits for all retaining walls shall be submitted prior to approval of the EMP.

Environmental Services received an Environmental Management Permit (EMP) resubmittal package on April 19, 2017. Prior to the resubmittal, staff met with the applicant regarding the Pond 200 modifications and staff conceptually agrees with the revised methodology. Environmental Services has not had sufficient time to perform a complete review of the EMP resubmittal application package; however, based on the submitted site plan, it is not anticipated that any revisions arising from the EMP review will drastically alter the layout of the proposed lots or the infrastructure.

BOARD OF COUNTY COMMISSIONERS
MEMORANDUM

DATE: May 2, 2017

TO: Shawna Martin – Senior Planner

FROM: Charley Schwartz P.E. – Senior Design Engineer

THROUGH: Kimberly A. Wood P.E. - Chief of Engineering Coordination

SUBJECT: Brookside Village Subdivision (LSP150035 – Type B)
Review Comments for May 3, 2017, ARM Meeting

Public Works has completed the review of the supplied Site Plan materials. The following comments shall be addressed prior to Development Review Committee submittal.

1. The proposed SWMFs must have sufficient access to the back of any walls to allow for maintenance access. The walls need to provide sufficient information to ensure they can be built and maintained prior to site plan approval. Information should include but not be limited to, wall type, footer and tie back information to ensure that there is not encroachment into adjacent properties, maintenance access, etc. Fencing and landscaping cannot block maintenance access to the walls. Please note that there appears to be a proposed retaining wall on lot 18 Block A that is not labeled. Several walls sections are located on or very near property lines which would prevent maintenance access and could require the need to encroach on private property and within the conservation easements with footers and/or tie backs.

2. The sand filter discharge pipe shall be removed from the conservation easement and placed in a 30 foot drainage easement for future maintenance.

3. Since this will be a platted subdivision, plat information, including all typical plat information per FS Chapter 177, must be included on the preliminary plat. All lots and blocks must be shown, dimensioned, and consecutively numbered. Dedication information must be provided for easements, common areas, r/w, etc. All areas not in lots or right of way must be identified, including underlying ownership, i.e. open space, common area, etc. and appropriately dimensioned and limits of all must be clearly delineated (ex. Area under Conservation Easement "A" and "B"). All easements must clearly be dimensioned as well. All lots around the cul-de-sac should be radial to the center to prevent conflicts with adjacent driveways. There are areas where information is unclear or missing from line and/or curve tables. Please QA/QC the preliminary plat to ensure all areas are dimensioned and all plat information is called out.

4. Buffers on private property (ex. Type A buffer on Lots 2C and 17A) must be located within a proper easement with dedication information provided.

5. The provided Autoturn for the single unit truck shows clipping of fences and top of slope. Please revise.

6. Plans shall clearly denote that Public Works does not maintain the SWMF perimeter landscaping and clarify maintenance responsibility.

7. Plans need to be revised to demonstrate the location of proposed irrigation lines and heads. Note the irrigation lines and heads should not be located in County right of way and SWMF.

8. The typical lot layout provided shows the minimum 20 foot separation from right of way; however, there are a couple of lots around the cul-de-sacs and bulbed out areas that do not appear to meet this requirement. The new driveway configurations of lot 16 block A also does not meet this requirement without vehicle hanging into easement of Lot 17.

9. Ensure suitable street tree species are identified for planting especially in areas between sidewalk and curb to minimize damage associated with tree roots.

10. Home Owners Association (HOA) Declaration, Articles of Incorporation and Bylaws. The documents shall address HOA maintenance of trees and landscaping located within the public Right-of-Way (ROW) and surrounding the stormwater management facilities (SWMFs). The Bylaws do not address "HOA Easement Areas" within Article II. The Declaration does not address "HOA owned Common Areas" within Article I. "Easement Areas" need to be updated to reflect only the proposed easements within the development. Article II(a)(1) of the Declaration needs to be updated to reflect dedication of roadways and stormwater ponds to Leon County (Not City of Tallahassee). The Declaration shall clarify that the two impoundments within the Conservation Easement will remain the responsibility of the HOA.

11. Ensure all depicted scales are correct (ex. Sheets C-113, C-115 and C-115-1 are not to scale).

12. Identify how off-site water entering the site will be addressed and how water from lots will be conveyed to the SWMF. In addition, the berm on the east side of the subdivision has grading to the property line which will block the off-site water on the private property which is not acceptable; however, the provided detail of this berm shows a swale. The grading plan shall be revised to show the swale.

13. The typical section must be revised to be incompliance with FDOT standards, SP 12.5 minimum thickness is 1 ½" for a fine mix and 2" for a coarse mix.

14. Permits will include - Driveway Connection Permits and Utility Placement.

City of Tallahassee
UNDERGROUND UTILITIES
"Setting the Standard for Excellence"

MEMORANDUM

TO: Shawna Martin
Senior Planner – Leon County
FROM: Justin Hosey, P.E.
Program Engineer - Water Resources Engineering
DATE: April 27, 2017
SUBJECT: **LSP150035 Brookside Village**

I. Project Description:

Proposed single-family residential detached subdivision on a 35.18 acre parcel along Ox Bottom Road. The parcel is zoned Residential Preservation (RP).

II. Standards of Review:

1) Water Resources Engineering reviews utility service/concept plans for compliance with, *the Water and Sewer Agreement, The City of Tallahassee Design Specifications for Water and Sewer, Florida Department of Environmental Protection (FDEP) F.A.C. Section 62-555, The American Water Works Associations Manual of Practice "M31", FDEP F.A.C. Section 62-604, and FDEP MOP 9, as well as sound engineering practice.*

III. Findings of Fact:

1) Water and sewer are available to the site.
2) Connection to water and sewer is required.

IV. Condition of Approval:

1) Water Resources Engineering has approved a "Water and Sewer Concept Plan".
2) A Letter of Agreement (LOA) will be required prior construction plan approval.
3) Construction plans must be stamped approved by Water Resources Engineering prior to holding a pre-construction conference.

Water Resources Engineering Contact Information

Justin Hosey, P.E.
justin.hosey@talgov.com
891-6182

Bruce Kessler
bruce.kessler@talgov.com
891-6105

Mailing Address:
300 S. Adams St. B-26
Tallahassee, FL 32301

Office Location
408 N. Adams St. 3rd Floor
Tallahassee, FL 32301

City of Tallahassee
Your Own Utilities℠

Date: May 1, 2017

To: Shawna Martin

From: Tina Drose, COT Electric – Power Engineering
2602 Jackson Bluff Road, Tall, FL 32304
Tina.Drose@Talgov.com

Subject: LSP150035 – Brookside Village Residential

The proposed development is within the City of Tallahassee – Electric Utility's service territory. Electric service is available from an existing overhead power lines along Ox Bottom Road. Easements will be required to serve the development as part of final plat and Letter of Agreement. Developer will be required to provide the Electric Utility with final plans that included the final approved water and sewer layout. Subdivision is located outside the city limits and will pay a fee for underground electric power within the development. Relocation of any existing facilities that must remain in service will be at the property owner's expense. Please contact Marc Rodriguez (850-891-5024) to coordinate electric design for the subdivision.

TALLAHASSEE FIRE DEPARTMENT
SITE PLAN REQUIREMENTS

Project Name:	Brookside Village Residential
Parcel ID #	14-19-20-001-0000
	LSP 150035
AGENT:	Urban Catalyst Consultants
PLANNER:	Shawna Martin
MEETING DATE:	May 3, 2017

Listed below are the Tallahassee Fire Department's requirements concerning the above proposed development. The agent or owner prior to approval shall address the items listed below.

The Required width of a fire department access road shall not be obstructed in any manner, including the parking of vehicles. *NFPA 1, 18.2.4.1.1, Fifth Edition of the Florida Fire Prevention Code).*

1. Must meet NFF (needed fire flow) as determined by AWWA Manual M31, using NFPA 1 Method. Please provide needed fire flow calculations to the Tallahassee Fire Department representative and to Water Utilities Engineering and Inspections at this time. Please use the Required Fire Flow Information form *(NFPA 1, 18.4.1.1, Fifth Edition of the Florida Fire Prevention Code)* to provide fire flow calculations. The Fire Flow form is located on the Growth Management Department page within the City of Tallahassee's web page (www.talgov.com) in the "Applications and Forms" section. If hydrants are existing the following is required. After the NFF is determined, the existing fire hydrant(s) shall be flowed to determine its GPM. If the GPM meets or exceeds the NFF, no additional hydrants are required. If it does not meet the NFF, additional hydrant(s) are required.

2. Please show proposed fire hydrants a maximum of 10' from roadways. Hydrants shall not be spaced so that you have to pass the protected property in order to supply water for firefighting purposes. Please provide scaled plans in order to verify fire hydrant spacing.

3. Single family residential:

   (1) Maximum distance between fire hydrants shall not exceed 600 feet. The building footprint locations at Lots 2C and 17A have not been identified on the submitted site plan. The location of a building footprint on Lot 2C has the potential to be inconsistent with this requirement. The building plan review for this lot must be coordinated with Fire Department Site Plan review staff to determine whether the distance requirement has been satisfied prior to issuance of a building permit.

4. Every building constructed shall be accessible to fire department apparatus by way of access roadways with all-weather driving surface of not less than 20 feet of unobstructed width, with adequate roadway turning radius capable of supporting the imposed loads of fire apparatus (32 tons) and having a minimum clearance of 13 feet, 6 inches, angle of approach and departure not exceeding 1 ft. drop in 20 ft. (0.3 drop in 6 m.) or the design limitations of the Fire Department apparatus, subject to Fire Department approval. Please use auto-turn software (BUS-40) throughout the site to show turning radii. Fire Department approval will also request that any on street parking be restricted to the opposite street side of proposed fire hydrant locations. Please relocate the hydrants at Lots 3D and 13A to the opposite sides of the street in compliance with this request.

5. An approved turnaround shall be provided where an access road is a dead end and is in excess of 150 feet. Please extend the BUS-40 auto turn paths at the cul-de-sac locations of the roadway alignment into the access easements leading to Lots 2C and 17A, indicating that the roadway consists of an all-weather driving surface capable of supporting the imposed loads of fire apparatus (32 tons) and having a minimum clearance of 13 feet 6 inches. The auto turn for each of these lots is identified as an "SU-30" vehicle path on the Turning Movement Analysis on Sheet C-114. The building plan review for each lot should be coordinated with Fire Department Site Plan review staff to address vehicular turnaround requirements prior to issuance of building permits.

6. If unsupervised and isolated above ground fuel storage tanks are to be located on the property during construction, City of Tallahassee Plans Review staff must be contacted prior to tank installation. *NFPA 1, 66.21.7.2.1 and 66.21.7.2.2, Fifth Edition of the Florida Fire Prevention Code*

Gary Donaldson
Tallahassee Fire Department
435 N. Macomb St. – 1st Floor
Tallahassee FL 32301
(850)891-7179
Gary.Donaldson@talgov.com

Aquifer Protection Site Review Clearance Form

City of Tallahassee
Your Own Utilities

Site Information

Site Name: **Brookside Village Residential Subdivision**

Team:

Location: 550 Ox Bottom Road

Tax ID: 14-19-20-001-0000

Status: TYPE B SITE PLAN/DRC

AgendaDate:

Date of Site Visit: Monday, May 01, 2017

Inspected by: Kathleen Downey

Important: It is the permittee's responsibility to provide the documentation indicated in the checked sections below. Aquifer Protection Clearance will be issued only after the required documentation is provided to: Aquifer Protection Section, 3805 Springhill Road, Tallahassee, FL, 32305-6502; Phone (850)891-1200; Fax (850)891-1062. If additional wells, borings, or Regulated Substances not described below are discovered by the permittee during site clearing or other permitted activities, the permittee shall comply with the appropriate provisions in Leon County Land Development Code Article XIV and shall notify the Aquifer Protection Section of actions taken to comply with these provisions.

Aquifer Protection Items Found on Site And Action Required:

Unused Well(s) Number Of Wells: 0

The unused well(s) must be properly abandoned by a licensed well contractor following Northwest Florida Water Management District guidelines [(850)539-5999]. The NWFWMD inspection report will required as proof of proper abandonment. [Authority -- Leon County Code Section 10-1957(a)(1) and Chapter 40A-3.531(1), (2)(b), (4), and (5), Florida Administrative Code.]

Geotechnical Borings

The geotechnical borings must be properly abandoned. Borings less than 25 feet deep may be back-filled with the original or other clean soil. Borings deeper than 25 feet shall be grouted with neat cement from bottom to top. A signed statement from the geotechnical consultant that the borings have been properly abandoned will be considered adequate proof of action completion. [Authority -- Leon County Code Section 10-1957(b)]

Regulated Substances/Waste

The on-site waste described above must be disposed of properly. On-site waste which could present a hazard to water resources if improperly handled (including solvents, paints, pesticides, waste oil, batteries, fluorescent lights or other mercury containing devices, etc.) must be removed from the site by either a Department of Environmental Protection-approved hazardous waste transporter, recycler, or in many cases may be transported by the permittee to the Leon County Hazardous Waste Center, located at the Leon County Landfill. If the Hazardous Waste Center is used, they must be contacted for approval and delivery scheduling (922-0400) prior to the contractor removing the waste from the site. Regardless of the approved method of disposal chosen the permittee must obtain receipts documenting the proper disposal of the waste. Copies of waste receipts will be required as proof that action was properly completed. [Authority -- Leon County Code Section 10-1959.]

Other:

Aquifer Protection approves the revised plans. Clearance is granted for permitting purposes and is contingent on this site obtaining a required demolition permit and completion of a hazardous waste inspection. All issues noted from the hazardous waste inspection must be properly mitigated. Abandonment of the well and septic tanks must be conducted prior to any beginning site work.

Aquifer Protection Clearance

This Clearance form will be singed by a member of the Aquifer Protection Section when all actions identified above have been completed completed. The final environmental inspection will not be conducted and the permit will not be issued until the Aquifer Protection Clearance is completed.

Aquifer Protection Clearance: **Kathleen Downey** Date: **05/01/2017**

LSP150035

*Revised memo to correct mistakes

Attachment # 8
Page 1 of 4

LEON COUNTY
DEVELOPMENT SUPPORT AND ENVIRONMENTAL MANAGEMENT
***Addressing Unit** Memorandum*

DATE: May 2, 2017

SUBJECT: LSP150035 – Brookside Village Residential Subdivision

Addressing Staff Contact: Lisa Scott, Addressing Program Coordinator

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Finding:

Original Communication: February 2, 2017:

The street name for this pending project cannot be approved with the requested suffix of road. As noted by the LC Emergency Management Team and the CDA "Village Ridge Road" could pose a potential conflict with the existing street name of "Ridge Road".

Therefore, we are requesting the applicant change the suffix from road to Lane. The approval would be reflected as *"Village Ridge Ln"*.

Additionally, as outlined in the LDC of Section 10-11.106 (2); directional's can only be approved for streets which break the meridian or baseline. As, for the flow of the address ranges for this approved alignment; the range will be one continuous flow starting from west to east. LC P/W Sign Shop was contacted regarding signage, and they indicated that the range for each section could be posted on the street sign for 9-1-1 purposes.

Final Street Name Communication/Agreement: May 2, 2017:

1. Applicant has agreed to the elimination of the post directional's as originally requested.
2. The suffix changes have been agreed upon as follows:
   A. Village Ridge Ln – starting at the intersection of ~~Heartland Cir~~ Ox Bottom Road continuing west.
   B. Village Ridge Way – branching east off Village Ridge Ln.

Print Form

Leon County
Growth and Environmental Management
Development Services Division

Application for Street Name Approval

Street Location:
☐ City of Tallahassee
☒ Leon County
(Unincorporated area)

1. **Applicant Name:** Golden Oak Land Group, LLC
Mailing Address: 4708 Capital Circle NW
Tallahassee, FL. 32303
Telephone Number: 850-933-5899

Agent Name: Urban Catalyst Consultants, Inc. - Sean K. Marston
Mailing Address: 2840 Pablo Ave.
Tallahassee, FL. 32308
Telephone Number: 850-999-4241

2. **Location of Requested Street Name: Required Map or Plat Drawing Attached?** ☐ Yes ☐ No
   a. **Township, Section and Range of Proposed Street:** Town 2N, Sec. 30, Range 1E
   b. **Name of Subdivision or Development:** Brookside Village
   c. **Number of Existing Buildings on the Street:** 0

3. **Proposed Street Name(s)**

All proposed street names must be approved for use by the Leon County Department of Growth and Environmental Management through the submission of an application. Potential street names can be verified before submitting the application by calling the Addressing Unit at (850) 606-1300. In order to be placed on the Street Name Reserve List, the request must be accompanied by a completed application. <u>There can be no more than fourteen (14) characters per chosen street name.</u> List each street name, starting with the first choice below.

	Pre-directional	Name	Suffix
1.	W	Village Ridge	~~Road~~ LN
2.	E	Village Ridge	~~Road~~ WAY
3.			
4.			

Street naming requested by: ☐ Residents ☒ Agent ☐ Staff

4. **Request for Street Signage:** **Street(s) Ready for Street Sign Placement:** ☐ Yes ☒ No
Street(s) Eligible for Public Street Signage: ☒ Yes ☐ No

Street Type: ☒ Public ☐ Private ☐ Paved ☐ Unpaved

This application must include the signatures from at least 75% of the legal, abutting property owners stating that they are in agreement with the proposed street name and your signature must be notarized.

Lisa Scott - RE: LSP150035 - Street Naming Application for the Proposed Brookside Village

From: Sean Marston <smarston@ucceng.com>
To: Lisa Scott <ScottL@leoncountyfl.gov>
Date: 5/1/2017 11:32 AM
Subject: RE: LSP150035 - Street Naming Application for the Proposed Brookside Village
Cc: Ryan Culpepper <CulpepperR@leoncountyfl.gov>, Shawna Martin <MartinS@leo...

Lisa,

After speaking with the Client we will choose the western sections as Village Ridge Lane and the east section as Village Ridge Way. Please let me know if you need any additional information.

Best Regards,

Sean K. Marston, P.E.
President
2840 Pablo Ave.
Tallahassee, FL. 32309
850-999-4241

Urban Catalyst Consultants

From: Lisa Scott [ScottL@leoncountyfl.gov]
Sent: Monday, May 01, 2017 11:08 AM
To: Sean Marston <smarston@ucceng.com>
Cc: Ryan Culpepper <CulpepperR@leoncountyfl.gov>; Shawna Martin <MartinS@leoncountyfl.gov>
Subject: RE: LSP150035 - Street Naming Application for the Proposed Brookside Village

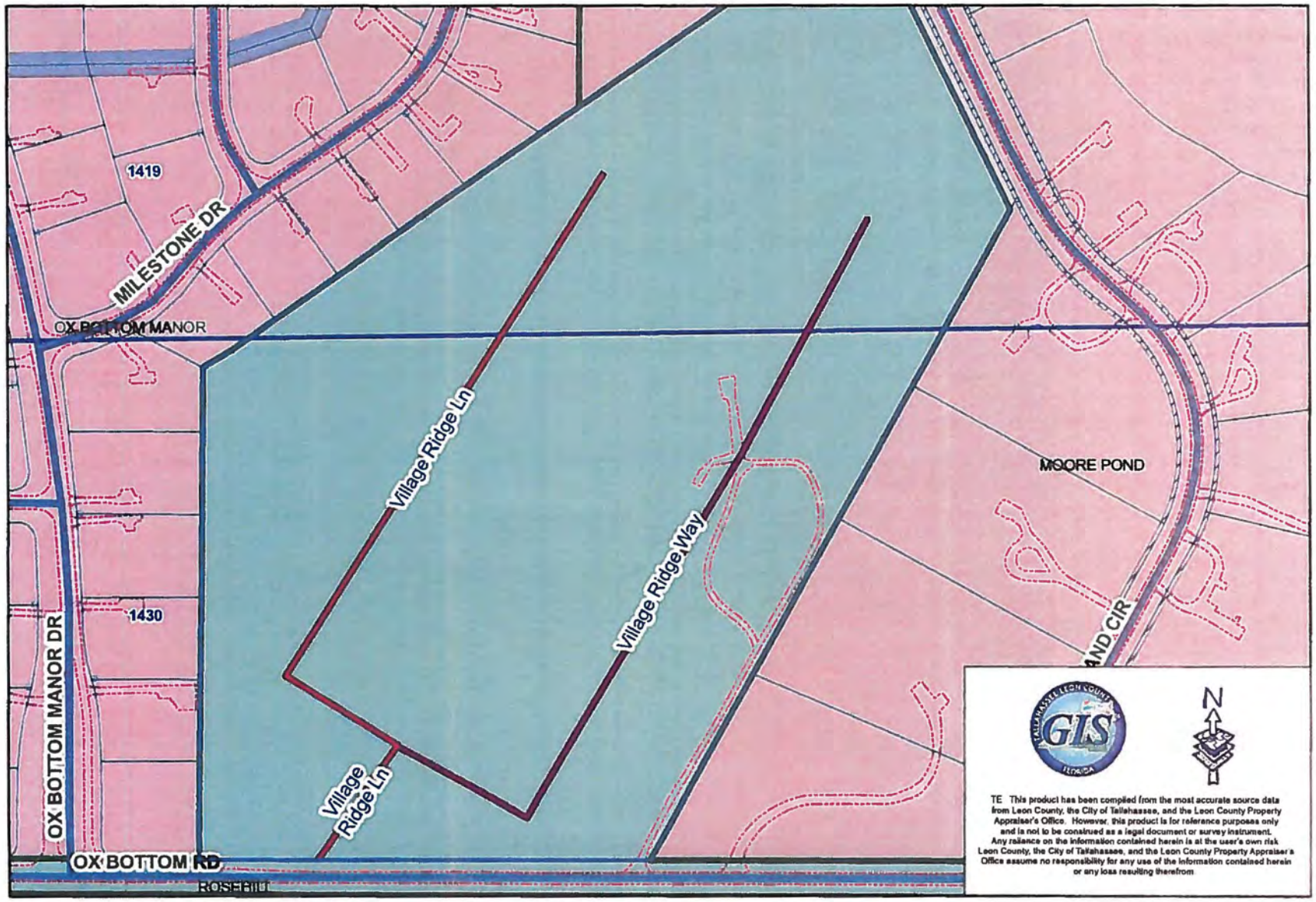
Greeting Sean,

As per the conversation this morning, click the link below and on page 9 are a list of the USPS approved suffixes that can be used for this project.

http://cms.leoncountyfl.gov/Portals/0/growth/addressing/docs/Addressing%20P-P%20Manual.pdf

Lisa Scott

Brookside Village Proposed Street Name Layout
Located in Township and section 14-19, 1N 1E.
With access for this development off
Ox Bottom Rd.

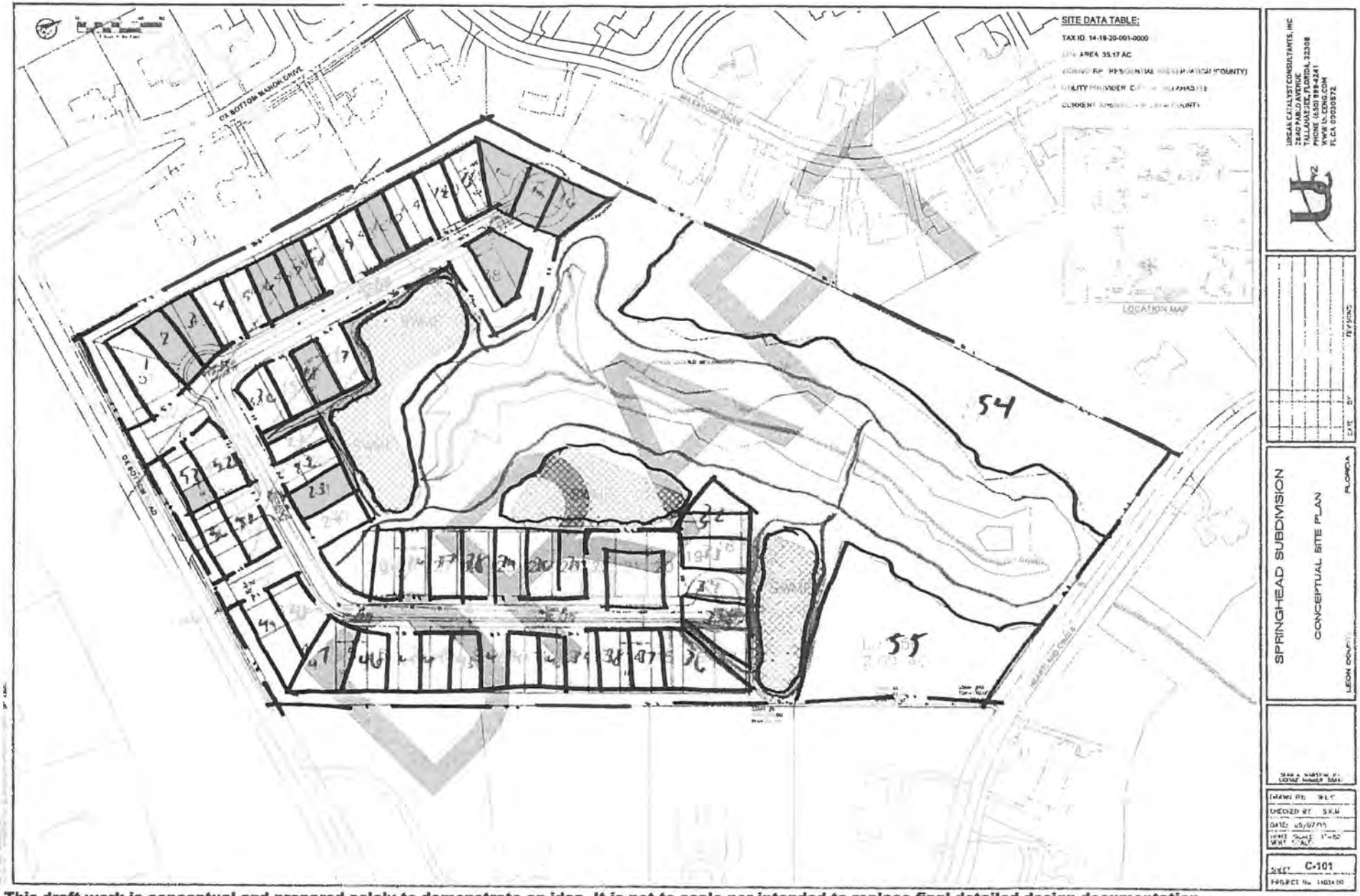


Attachment # 6
Page 6 of 6

000035

Note: This draft work is conceptual and prepared solely to demonstrate an idea. It is not to scale nor intended to replace final detailed design documentation.

000036



Note: This draft work is conceptual and prepared solely to demonstrate an idea. It is not to scale nor intended to replace final detailed design documentation.

000037

Pictures Showing Examples of Rear -Loaded Garages:

From: Diane Perkins <dedp70@gmail.com>
To: <martins@leoncountyfl.gov>
Date: 04/19/2017 8:54 PM

This new development is not for seniors. What seniors do you know of that would a two story house. It's more for young families with children. I object to it for the simple fact it will add a lot of additional traffic (and pedestrians) to our already crowded streets. It will, again, overcrowd our schools. Let's get real here!

From: Gavin Burgess <gburgess14@gmail.com>
To: "Lewis@lewispm.com" <Lewis@lewispm.com>, <martins@leoncountyfl.gov>
Date: 04/23/2017 9:12 AM
Subject: Brookside Village development

Dear Commissioners,

I am a homeowner in Ox Bottom Manor and oppose the Brookside Village Development. As proposed, the density of the development is not compatible with the surrounding area.

Developers of new neighborhoods across the county are tightly packing homes into their developments, and the result is clustered, cookie-cutter homes. Why should the county make an exception when these types of developments are being constructed and meeting demand in more appropriate areas, such as Bull Run and the corner of Ox Bottom and Thomaville? High-dense communities in those locations are appropriate because of their proximity to commercial uses and the main thoroughfare. On the other hand, the area around the proposed Brookside development is low-density residential, and the main thoroughfare is a canopy road, which our community has prioritized for protection (and Meridian needs less traffic, not more).

Please do not approve this development as proposed. This type of development will negatively impact the character of our neighborhood, as well as increase traffic in an area where our community has placed a high priority on limiting development.

Thanks you.

Sincerely,

Gavin Burgess

From: "Jeannette M. Andrews" <jandrews@Andrewscrabtree.com>
To: "martins@leoncountyfl.gov" <martins@leoncountyfl.gov>
Date: 04/27/2017 8:43 PM
Subject: development of 62 homes adjacent to OxBottom and Moore pond

I live in Ox Bottom manor and the proposed density is not compatible with that of ajacent property. I very strongly oppose the proposed development- I fully understand development but the density should be compatible with what exists and not detract from it. Most of the owners of the homes in this area are longtime owners and what is being proposed will devalue their properties.

My home address is 6297 Blackfox Way in Ox Bottom Manor.

Jeannette M. Andrews
Andrews, Crabtree, Knox & Longfellow, LLP
1558 Village Square Blvd.<x-apple-data-detectors://14/0>
Tallahassee, FL 32309<x-apple-data-detectors://14/0>
(850) 297-0090<tel:(850)%20297-0090>
(850) 297-0219<tel:(850)%20297-0219> (fax)

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BROOKSIDE VILLAGE DEVELOPMENT

My husband I are not able to attend the meeting on May 3, 2017 and this is our public comment regarding the proposed development.

Susan and Emery Jay Yelton
232 Rosehill Drive North
Tallahassee, Florida 32312

We reside in a single family home on 2.2 acres in Rosehill Subdivision. Our back property line, which is 320 feet, is parallel to Ox Bottom Road. We are impacted by the proposed development because the developer proposes to build 11 houses and an entrance to the development on the 360 feet of his property that faces our property.

I (Susan Yelton) have met with Steve Ghazvini twice and while they were cordial meetings, my husband I continue to object to the development as proposed. I expressed my concern about the density and impact upon Rosehill property values and not only was I not heard, but the new plan for the development increases the number of houses on the Ox Bottom Road section of the development. The few bushes and trees that are proposed do not mitigate the impact those houses will have on our property.

The Brookside property under discussion is classified as a residential preservation for good reason. Most of the property is environmentally sensitive. The Municipal Code Section 10-6.617 which addresses residential preservation states that the district is characterized by existing homogenous residential areas ... and to protect existing and viable residential areas from incompatible land uses and uses of density intrusions. Houses that are on an .14 of an acres and have much more less value than the average home prices in Rosehill, Moore Pond and Ox Bottom Manor, is not my definition of compatibility.

Law is always open to interpretation. In the case of Brookside Village Development, our position is that to approve the proposed plan for development of this piece of property is not consistent with the intent of the Municipal Code and the values of our government's mission statement.

From: Paul Mitchell <PMitchellKWF@aol.com>
To: <MartinS@leoncountyfl.gov>
Date: 04/30/2017 4:02 PM
Subject: Brookside Village Residential Subdivision

Dear Ms. Martin:

Please accept this note as registration of my opposition to the proposed Brookside Village Residential Subdivision in the Oxbottom area, as I will not be able to attend the meeting on May 3rd.

My opposition is based on the proposed scale and high density of the the subdivision, and the fact that such a subdivision would be out of character with the surrounding neighborhoods. The much higher density would detract from the adjacent property values of those areas that currently surround the proposed new subdivision. Leon County can ill afford any reduction in its tax base.

Further, such a densely populated subdivision, once built out, would add considerably to the traffic issues on Oxbottom Road, and those streets that feed into it. As you know, there are no sidewalks or bike paths on either Oxbottom Road or Merdian Road; this additional traffic will exacerbate an already bad situation for the pedestrians and cyclists that use those two roads. As it exists today on Oxbottom and Meridian Roads, there are not even any shoulders to exit the roadway if you are walking or riding a bicycle, making the current situation dangerous in that regard. Adding more traffic because of a high density subdivision would make it intolerable for pedestrians and cyclists.

Even for automotive traffic, given the narrow roads, lack of shoulders, absence of turning lanes, minimal street lighting, relatively high speed limit and limited sight distances, driving in the current traffic load and flow is challenging. Adding to that an increased traffic flow due to a new, high density subdivision, would magnify difficulties to the current situation and driving conditions.

This additional traffic flow, and the construction of the subdivision per se, would have a deleterious environmental impact on the indigenous wildlife that inhabit this area. As a resident and homeowner, one of the things that drew us here was the abundance of deer, turkey, opossum, coyote, foxes, bobcat, birds of prey and other game. This proposed subdivision would disrupt the natural flow of the wildlife as it forages, will reduce habitat, and would result in numerous additional roadkill scenarios resulting from the additional traffic.

In summary, I feel that the subdivision as proposed is inappropriate for the location, would lower surrounding property values and would create unsafe traffic conditions on Oxbottom and Meridian Roads. Many of us bought out here because of the spaciousness, bucolic nature and the lack of density; the net effect of this proposed subdivision would be antithetical to that entire concept.

Please add this to the official record, and read it into the transcript as my statement of opposition to this project.

Sincerely,

Paul J. Mitchell, PE
259 Rosehill Drive North
Tallahassee, FL 32312

From: "Phillip Downs" <pd@dsg-research.com>
To: <MartinS@leoncountyfl.gov>
CC: "Bryan Desloge" <deslogeb@leoncountyfl.gov>, <ProctorB@LeonCountyFl.gov>...
Date: 05/01/2017 4:25 PM
Subject: Brookside

Ms. Martin

I respectfully request a delay of the May 3 meeting concerning the Brookside project.

I do this with the full knowledge that the developer has requested and been granted several delays, and that it would only be fair to give homeowners in the impacted areas an opportunity to develop additional information for the committee's review.

I request this delay for the purpose of conducting opinion surveys of:

1. Residents of the three neighborhoods most closely impacted, namely Ox Bottom, Rose Hill, & Moore Pond, and
2. Residents of Leon County

The purpose of these survey is to define, from the public's perspective, what "consistency with surrounding residential type and density" means to the public and the impacted homeowners.

It is clear that, in addition to the impact on the quality of water in Moore Pond, the proposed Brookside development has the potential to have significant quality of life and economic impact on homeowners in Moore Pond, Rose Hill, and Ox Bottom.

The public's perception of "consistency with surrounding residential type and density" can clearly impact the values that prospective buyers place on existing homes in the three impacted neighborhoods.

It is also clear that your committee and Leon County government, in general, should consider public opinion regarding "consistency with surrounding residential type and density" when making development decisions since your committee's charge is to guide development in this community in a manner that provides for managed growth while preserving the special quality that makes this area unique and desirable.

It is also clear that your committee has considerable flexibility in defining the number of units permissible in Brookside, not only permissible from a gross density perspective, but also from the perspective of preserving the quality of surrounding neighborhoods. It is my understanding that Ordinance Section 10-6.617 - Residential Preservation, provides, in part, that the "primary function is to protect existing stable and viable

residential areas from incompatible land uses and density intrusions." It is also my understanding that Paragraph 1 of the December 2 Development Services Findings states: "Consistency with surrounding residential type and density shall be a major determinant in granting development approval."

It is also clear that the Residential Preservation zoning code clearly states in part "The primary function is to protect existing stable and viable residential areas from incompatible land uses and density intrusions." In addition, "Compatibility with surrounding residential type and density shall be a major factor in the authorization of development approval and in the determination of the permissible density".

While not usurping the power of your committee, a survey of the pubic and a survey of the impacted neighborhoods can only provide additional, valuable information for your consideration when deciding on such an important decision. Since this decision currently does not rise to the level of the Leon County Commission, these surveys can provide all parties a clear working definition of "consistency with surrounding residential type and density."

To complete these surveys will require about one month.

So, I respectfully request a delay until June 5 or thereafter.

Thank you for considering my request.

Phillip Downs, Ph.D.

Senior Partner | Downs & St. Germain Research

Owner I Growing Room Child Development Centers, Tallahassee, Ft. Myers, & Bonita Springs

Professor of Marketing | Florida State University (retired)

ph. 850-906-3111 | cell 850.545.9255 | fax 850-906-3112

From: <TELFL@aol.com>
To: <schwartzc@leoncountyfl.gov>
CC: <martins@leoncountyfl.gov>
Date: 05/01/2017 6:12 PM
Subject: Fwd: Proposed BROOKSIDE VILLAGE comments
Attachments: oledata.mso; image003.emz

Hello Charley,

My husband and I reviewed the most recent submittal for the Proposed Brookside Village subdivision on Ox Bottom Road and we noticed that the applicant's proposal still does not meet minimum NWFWMD standards as follows:

Teresa Little

Comments are:
- At impoundments, they still have unfenced steep slopes that are not allowed due to safety issues.
- The impoundments are over 10 feet high and need to be assessed for dam safety.
- The exfiltration system is required to use perforated pipe in a coarse aggregate filter media.
- The exfiltration system is required to include inspection and cleanout structures (sumps) for sedimentation control. The current approach to use mounded sand over the trench is inadequate (not equal or better than the minimum requirement).

----SEE REFERENCES BELOW FROM NWFWMD REFERENCE:
.....
.....
.....

Environmental Resource Permit
Applicant's Handbook
Volume II
(Design and Performance Standards
Including Basin Design and Criteria)

FLORIDA Department of
Environmental Protection and northwest Florida water management district

All Appendices are Incorporated by Reference
in subsection 62-330.010(4), F.A.C.

Effective October 1, 2013
Excerpts from Section 2:

- Dam Safety
As part of the determination as to whether a dam meets the criteria in Rule 62-330.301, F.A.C., a dam over five feet in height (as measured from the crest of the dam to the lowest elevation on the downstream toe) with the

potential to store 50 acre feet or more of water, and any dam that is 10 feet or more in height must be designed, constructed, operated, and maintained consistent with generally accepted engineering practices as applied to local conditions, considering such factors as: the type of materials used to construct the dam, the type of soils and degree of compaction, hydrologic capacity, construction techniques, and hazard rating. A document that provides useful information for this purpose is Design of Small Dams, U.S. Department of Interior, Bureau of Reclamation, Third Edition, 2006.

-Public Safety/Side Slopes
Detention, retention, and normally dry basins that are capable of impounding more than two feet of water, must contain side slopes that are no steeper than 4H:1V (horizontal to vertical) extending to a depth of 2 feet below the control elevation. As an alternative, the basins can be fenced or otherwise restricted from public access if the slopes must be deeper due to space limitations or other constraints.
Excerpts from Section 7 :
Exfiltration Trench Design and Performance Criteria
The operational life of an exfiltration trench is short (possibly 5 to 10 years) for most exfiltration systems. Sediment accumulation and clogging by fines can reduce the life of an exfiltration trench. Total replacement of the trench may be the only possible means of restoring the treatment capacity and recovery of the system. Periodic replacement of the trench should be considered routine operational maintenance when selecting this management practice.
There are several design and performance criteria which must be met in order for an exfiltration trench system to meet the rule requirements. A description of each criterion is presented below.
Perforated Pipe and Coarse Aggregate Filter Media required Minimum Dimensions
The perforated pipe shall be designed with a 12 inch minimum inside pipe diameter and a 3 foot minimum trench width. The perforated pipe shall be located within the trench section to minimize the accumulation of sediment in the aggregate void storage and maximize the preservation of this storage for stormwater treatment. To meet this goal, it is recommended that the perforated pipe be located at or within 6 inches of the trench bottom.
Inspection and Cleanout Structures
Inspection and cleanout structures that extend exfiltration pipe to the surface of the ground shall be provided, at a minimum, at the inlet and terminus of each exfiltration pipe. Inlet structures shall include sediment sumps. These inspection and cleanout structures provide four primary functions:
(a) Observation of how quickly the trench recovers following a storm;
(b) Observation of how quickly the trench fills with sediment;
(c) Maintenance access to the perforated pipe; and
(d) Sediment control (sumps).
Standard precast concrete inlets and manholes are widely used to furnish the inspection and cleanout access.

Attachment # 10
Page 10 of 12

Ox Bottom Manor Community Association, Inc.

4/10/2017

Dear County Commissioners,

Please consider this a formal request to include this communication, and all of the foregoing and following, into the official record.

This communication sets forth formal opposition to the proposed Brookside Village Residential Subdivision, Project ID# LSP150035 (the "Project"). I reside in the adjacent Ox Bottom Manor subdivision, at Ox Bottom Manor Community, Tallahassee, 32312, and as such face significant adverse impacts should the Project, as currently proposed, be approved. Indeed the current proposal violates both the letter and the spirit of the Residential Preservation zoning ordinance (Sec. 10-6.617), places a Third or Fourth Magnitude Spring at risk of contamination and pollution of the underlying aquifer, fails to guarantee harmful runoff will not enter Moore Pond, and places additional, unwarranted burdens on both area traffic and schools.

Ox Bottom Manor has 668 home sites, Summerbrooke has 657 home sites, Moore Pond has 61 home sites, and Rosehill has 94 home sites; these nearly 1500 home sites have close to or in excess of 1 acre lots!

Paragraph 1 of the December 2 Development Services Findings states: "Consistency with surrounding residential type and density shall be a major determinant in granting development approval." One statement in Susan Poplin's Planning Department memorandum of December 1 declares this project to be consistent, without further elucidation. While this may be based on the official measure called "Gross Density", a development of 1350 square foot residential units on 1/8- 1/4 acre lots in the middle of Ox Bottom Manor, Moore Pond, and Rosehill subdivisions is clearly not consistent in type nor density.

The Project proposes to surround an existing Spring with homes at a density of 6 units per acre. As you know, the Project is adjacent to the Moore Pond (1 unit per 3+ acres) and Ox Bottom (1-2 units per acre) communities. Therefore, any proposed density in excess of that on the adjacent properties is expressly prohibited.

Ordinance Section 10-6.617. - Residential Preservation, provides, in pertinent part, that the "primary function is to protect existing stable and viable residential areas from incompatible land uses and density intrusions." (Emphasis added). To that end, when new residential development is proposed for an area not located within a recorded or unrecorded subdivision, "densities shall be permitted in the range of zero to six dwelling units per acre...." This of course does not create an entitlement to the maximum, but rather establishes the range for consideration consistent with the about quoted "primary function" of the ordinance. Further, Ordinance subsection (a)(5) places a cap on the discretion to be applied within the above described range of zero to six units. That subsection provides, in pertinent part, that "parcels proposed for residential which are . . . not in a recorded or unrecorded subdivision shall develop consistent with the type of residential development pattern located adjacent to the vacant parcel." (Emphasis added). Florida courts have interpreted the word "shall" as contained in statutes, rules and ordinances as

Attachment # 10
Page 11 of 12

mandatory language compelling the stated result and granting no discretion whatsoever for deviation.

Therefore, even in the absence of the substantial environmental concerns associated with the Project, which require an even more restrictive approach, the RP zoning ordinance alone mandates rejection of the Project's proposed density. The Residential Preservation zoning code clearly states in part "The primary function is to protect existing stable and viable residential areas from incompatible land uses and density intrusions." In addition, "Compatibility with surrounding residential type and density shall be a Major Factor in the authorization of development approval and in the determination of the permissible density".

Many of our concerns are shared by all residents living on or near Ox Bottom Road, as development continues to intensify. Traffic and School impacts weigh in favor of denial of the Project. As proposed currently, the Project will add hundreds of daily automobile trips to the western portion of Ox Bottom Road . Its location just east of entrances to the Rosehill and Ox Bottom Manor neighborhoods will add significant traffic to an already busy area, particularly as the Ox Bottom Manor Road entrance is used for travel through our neighborhood to and from Hawks Rise Elementary School.

Additionally, the addition of some 60+ new homes within the school district further burdens limited resources, and potentially risks the dislocation of some current students.

Moore Pond residents have described increasing problems with the pond's water quality and flooding in their neighborhood - and like them, we share concern about the adverse effects of this proposal on the natural springs and aquifer underlying the proposed development. Like other area residents, we are very concerned about direct harm to our property caused by proposed changes to drainage patterns, as well as potential flooding of nearby areas and roadways.

In addition, Ox Bottom Manor homeowners whose property is adjacent to or near the proposed development have particular concerns related to the size and nature of the buffer area to be provided, and its continued maintenance. Although the site plan includes a 25-foot buffer in some areas, a road/driveway extending along the northern boundary of the property is planned within approximately 10 feet of several existing backyards.

Consistent with the Leon County Development Code, we Ox Bottom Manor homeowners, have a right to protect and conserve the value of our land and investment, and to minimize the conflict of uses of land and buildings. Ox Bottom Manor property owners purchased their property to maintain a certain lifestyle, and financial investment. Approval of the subject development, would negatively encroach on the interests and property values of Ox Bottom Manor owners.

Finally, "The Development Review Committee (DRC) shall provide the final decision for Type "B" site and development plan applications. The proposed development will not be decided by the Leon County Commission! A development decision affecting three premier neighborhoods in north Leon County with over 1,000 homes and more than 4,000 residents surely is worthy of County Commission oversight and involvement, if not direct decision making.

Attachment # 10
Page 12 of 12

In sum, this scenario is not compatible with Ox Bottom Manor, Moore Pond or Rosehill.

I strongly oppose ANY approval of the subject development, and/or modifications to said development now and in the future. The size and number of any home sites on the site plan should be no denser than the surrounding communities.

Possible Solutions

Given the character of Moore Pond, Rosehill, and Ox Bottom Manor neighborhoods, all adversely impacted by the proposed development, **the best solution is to not allow Brookside development**. The 35 acres in question would make an attractive recreational respite for the 4,000 plus voters in the surrounding areas should the County decide to purchase the property.

The only other option is a larger size for dwelling units and fewer lots would enhance the proposed development as well as maintain the integrity of the existing communities. I strongly urge the review board to consider these adjustments when making your final decision.

Leon County Planning Commission Staff should enforce the code as it is written to protect the existing developments from density intrusions, **specifically as the code states and requires them to do!**

Based upon the proposed 1/8 acre lots within Brookside Village Residential Subdivision, the Ox Bottom Manor Community Association consisting of over **668 voting homeowners OPPOSES** the proposed development.

Respectfully,

Name : ANGIE GADDY
Address : 446 San Martin Drive
Email Id : Agaddy98@gmail.com
Phone : 850-566-0270

*****Please do not reply this email.*****

Thanks !!!

Frs|ujkw#C #5338#Dc#ujkw#uhvhuyhg#00A #Iru#Txhvwlrqv/#Schdvh#Frqwdfw#

webmaster
Ox Bottom Manor Community Association
(850) 668-1173
7113 Beech Ridge Trail, Suite #2; Tallahassee, Florida 32312

Confidentiality Statement:#Wkh#qirup dwrq#wkl#h0p dl#frqwdlqv#v#frqilghqwldd#qirup dwrq#qwhqghg#rqd|#iru#wkh#xvh#ri#wkh#qgly|gxdd# ru#hqwdw|#qdp hg#deryh1#Vxfk#qirup dwrq#p d|#dlor#eh#hjdo|#sulylnjhg1#Li#wkh#uhdghu#ri#wkl#p hvvdjh#v#qrw#wkh#qwhqghg#uhflslhqw/#|rx# duh#khuh|#qrwlilng#kdw#wkh#glvhp lqdwrq/#Frs|lqj#ru#dnlqj#ri#dq|#dfwrq#q#uhdlqfh#rq#wkh#Frqwhqw#ri#wkl#Frp p xqlfdwrq#v#vwulfwd|# surkleklwg1#d#|rx#uhfhlyh#wkl#h0p dl#q#huuru/#schdvh#qrwli|#kv#p p hgldwhd|#e|#vhqglqj#dq#p dl#wr#_____#dqg#ghdwh#wkh#rulqdd# p hvvdjh#q#w#hqwlhw|1#

Moore Pond Homeowners Association

3968 N. Monroe Street ~ Tallahassee, FL ~ 32303
Phone: (850) 562-8708 – Fax: (850) 364-8628

May 2, 2017

Ms. Shawna Martin
Senior Planner
Development Services Division
Department of Development Support and Environmental Management
Renaissance Center, 2nd Floor
435 North Macomb Street
Tallahassee, FL 32301-1019

RE: Moore Pond HOA Negotiated Conditions of Approval
Brookside Village Residential Subdivision
Type "B" Site and Development Plan Review (FDPA Track)
Project ID#: LSP150035

Dear Ms. Martin:

The Moore Pond HOA is opposed to the Brookside development because we find it violates the Residential Preservation zoning ordinance, is inconsistent with surrounding residential types, potentially devalues our property values, and adds unnecessary congestion and traffic concerns to the Ox Bottom Road community of homeowners.

During the past year, we have submitted letters to the County detailing our concerns and have met with the developer and his engineer on numerous occasions to share our concerns with them. The purpose of this letter is to make you aware of the discussions we have held with the developer and to ask the County to include conditions of approval consistent with our discussions should Leon County Staff and the Development Review Committee conclude this project warrants approval.

Over the last few months, you and your staff at Leon County and the developer have taken time to meet with us to address and work out solutions to some environmental concerns we have with the project. In the end, the Moore Pond HOA and the developer have determined that the following conditions should be included in the final project (all of which should now be reflected on the final plans and submittals by the developer).

<u>Quantity and Quality of Stormwater Discharge</u>

1. Peak stormwater flow rates leaving the Brookside Village site will be restricted by installation of a 12-inch diameter discharge pipe from the lower impoundment and maintaining a spillway elevation no lower than the current lower impoundment berm elevation.
2. The development will provide for discharge from the developed area for small, frequent storm events by installing a sand filter in the bottom of Pond 200. The sand filter shall be sized such that the required volume is retained by Pond 200 per the Leon County Land Development Code requirements for Closed Basins.
3. Water quality treatment for discharge from the site will be enhanced by improvements to the lower impoundment (Impoundment #2) to include raising the berm, providing for an emergency spillway and providing wetland plantings between elevations 157.37 and 163.

Density

1. Proposed residential lots along the eastern property line and adjacent to Moore Pond Lots 22, 23, 24 and 25, Block 'B', will have expanded width so as to minimize the impacts along the property line adjacent to Moore Pond. Lots 4A and 15A (on the April 19, 2017 submittal) shall have a width of 105' and 114', respectively. Lots 5A through 13A will alternate lot widths of 80' and 75', and lot 14A shall have a width of 100'.
2. An enhanced 25' Type C Buffer will be created along the eastern property line adjacent to Moore Pond Lots 22, 23, 24 and 25, Block 'B'. The buffer will be 25' wide, each 100 linear feet of the buffer will be planted with 7 evergreen canopy trees, 6 evergreen understory trees and 24 evergreen shrubs, it will include an 8' privacy fence and, only adjacent to Moore Pond Lots 24, 25 and a portion of lot 23, Block 'B', a 3' high berm.
3. The canopy trees planted in the Type C Buffer described in 2 above will be a minimum of 45 gallon trees and the planted vegetation will otherwise be larger and more mature so as to speed the infill process.
4. All homes on lots 4A through 15A (on the April 19, 2017 submittal), the lots along the eastern property line and adjacent to the Moore Pond subdivision will mandate a minimum 2,000 square feet of heated and cooled living space.

Despite these commitments by the developer, the environmental impact of a development of this size is unpredictable. There are many unknown factors that cannot be adequately predicted. Therefore, we reserve the right to hold the county and developer accountable for any adverse impacts on Moore Pond.

Additionally, none of the foregoing or the underlying discussions with the developer constitutes a concession the proposed development meets the Residential Preservation zoning requirements and/or that the proposed development is "consistent with" the adjacent Moore Pond (or other) parcels as set forth in Section 10-6.617, the Residential Preservation category. We feel that the project truly does not meet those criteria.

This letter reflects the collaborative efforts of all involved to derive an acceptable solution if indeed the County moves forward with approving this project. We appreciate the time and efforts of the developer in this regard, as well as the agreement by the developer to the above-described conditions. The cooperative nature of the discussions and the willingness to consider the impacts of the development certainly advanced the progress towards resolution.

The Moore Pond HOA will remain vigilant throughout the progress of the development to ensure the conditions are met and that there is no adverse impact on our water resources. We expressly reserve the right to act as necessary against all involved parties in the future to protect its valued water resources and/or to ensure compliance with the agreed conditions.

We respectfully request that these items, which have been agreed in good faith by the developer, are included as conditions of approval should the County grant the developer approval.

Sincerely,

Sonya Deen Hartley
Moore Pond HOA President

JOINT EXHIBIT OF THE PARTIES 9

DEPARTMENT OF DEVELOPMENT SUPPORT & ENVIRONMENTAL MANAGEMENT

APPLICATION FOR SITE AND DEVELOPMENT PLAN REVIEW

D - 4

Leon County
Board of County Commissioners

Department of Development Support & Environmental Management
435 North Macomb St., 2nd Floor
Tallahassee, FL 32301

Phone#: (850) 606-1300
Fax#: (850) 606-1301
Website: www.leonpermits.org

Level of Site Plan:
- ☐ Type A Development
- ☒ Type B Development
- ☐ Type C Development
- ☐ Type D Development

Review Process :
- ☐ Concept Plan Approval (CPA)
- ☒ Final Design Plan Approval (FDPA)
- ☐ Planned Unit Development (PUD)

This application must be completed and returned with all attachments referenced in items below to the Leon County Development Support and Environmental Management (DSEM) Department, 435 North Macomb Street, 2nd Floor, Tallahassee, FL, 32301. The completed application will be used by DSEM staff to review your development proposal for consistency with the Comprehensive Plan and demonstrations of compliance with the County Land Development Regulations prior to approval, approval with conditions or denial of the application.

Application for: Application Review Meeting ( ) Development Review Committee (✓) Planned Unit Development ( )

Project Name: Brookside Village Residential Subdivision

1. Applicant

Name:	Address:	Phone#: 850-402-1111
Golden Oak Land Group, LLC,	4708 CAPITAL CIRCLE NW	Fax#:
City: Tallahassee, FL. 32303	State:	Zip:
Email Address: sghazvini@sandcofl.com		

2. Agent/Representative

Name:	Address:	Phone#: 850-999-4241
Urban Catalyst Consultants	2851 Remington Green, Ste. D	Fax#:
City: Tallahassee, FL. 32308	State:	Zip:
Email Address: smarston@ucceng.com		

3. Property Owner

Name:	Address:	Phone#:
same as applicant		Fax#:
City:	State:	Zip:
Email Address:		

4. Property Information:

Future Land Use Designation:	Zoning Designation:
Bradfordville Mixed Use	Killearn Lakes DRI
Property Tax I.D. #'s: 14-19-20-001-0000	

Acreage of Property (consistent with legal description and boundary survey): 35.17
Type of Proposed Development and Nature of Request (be as specific as possible): The intent of this project is to develop the upland portion of the property as a residential subdivision and maintain the environmentally sensitive areas in a conservation easement. This development will be designed with smaller homes for empty nesters and people transitioning to downsizing residences.

5. Project Information:

Type of Proposed Development and Nature of Request (be as specific as possible): See Site Plan Narrative.	
Number of existing residential units: 3	
Number of existing non-residential buildings/structures:	
Proposed number of non-residential buildings/structures: 0	Total area of buildings/structures (s.f.): 0
Proposed number of residential dwelling units: 61	Type of residential unit(s): single family detached
Does the proposal include subdivision of the property? Yes	If yes, number of proposed lots: 61
Proposed impervious surface area (s.f.):	
Proposed building/structure height:	

6. Other Information:

Variances/Vested Rights Claim/Approved Deviations from Development Standards, existing or applied for, on the subject property (describe and attach appropriate documentation): n/a
Utility Providers: Sanitary Sewage Disposal: ☐ On-site Septic System(s) ☒ City of Tallahassee ☐ Talquin Electric Cooperative ☐ Other* Water Supplied By: ☐ On-site Potable Well(s) ☒ City of Tallahassee ☐ Talquin Electric Cooperative ☐ Other* Electric Provider: ☒ City of Tallahassee ☐ Talquin Electric Cooperative ☐ Other* * Please specify:_____

7. FDPA/Type D Site Plan Checklist:

One (1) original set of plans (signed and sealed) are needed for agenda submittal in addition to the electronic plan uploaded to Project Dox, including:

- ☒ Completed site and development plan application for the Application Review Meeting
- ☒ Affidavit of Ownership and Designation of Agent form
- ☒ Permitted Use Verification (PUV) determined 'Eligible' or 'Conditional'
- ☒ Completed application for Concurrency Management Determination
- ☒ Completed School Impact Analysis Form (for residential projects only)
- ☒ Approved Natural Features Inventory (NFI)
- ☒ Environmental Management Permit (EMP) – EMP application submittal required at the time of ARM submittal
- ☒ Site and development plans for review under the FDPA track shall include the following:
  (The specific submittal requirements outlined below may be waived by the County Administrator or designee if the applicant provides adequate documentation as to the inapplicability to the proposed development)

1) Title block containing the following:
   i. Name of proposed development.
   ii. Date of preparation.
   iii. Scale of the site and development plan, both written and graphic.
2) A signed and sealed boundary survey and legal description (by a professional surveyor licensed to practice in the State of Florida).
3) Tax identification number(s) for parcel(s) that are the subject of the application.
4) Total acreage of the parcel(s) that are subject of application.
5) A vicinity map with north arrow.
6) Names, addresses and telephone numbers of all owners of the parcel(s), developers, optionees and agents.
7) Location and type of proposed easements, including legal access.
8) Dimension of all proposed lots to the nearest foot.
9) Lot and block numbers, if applicable. If a re-subdivision of an existing plat is proposed, the numbering must be consistent with the existing system.
10) A circulation diagram or illustrative plan showing vehicular and pedestrian movements, including location and dimensions of access points, sidewalks, any special engineering features, and traffic control devices, if any.
11) Proposed changes to existing topography.
12) Location of stormwater management facilities, including all conveyances and drainage easements.
13) Location and type of buffers and conservation easements to be provided.
14) Number of spaces and location of parking facilities or other impervious surfaces, including calculation of the square footage of all impervious areas. This information should be provided in tabular form.
15) Location and depth of setbacks. This information should be provided in tabular form.
16) Location and use of temporary structures as defined in Section 10-7.109 of the Land Development Code.
17) Location and generalized footprint of each building existing or to be constructed by the applicant. For non-residential structures, a calculation of the gross square footage for each, including floor area ratios and height of any structure proposed. Existing buildings should be labeled as “to be removed” or “to remain”.
18) Location and footprint of each type of infrastructure to be constructed.
19) Areas to be protected by a conservation or preservation easement, or other method acceptable to the County.
20) If the development fronts on a street or roadway, include each street or roadway and street or roadway name.
21) Street plans, locations, designs, and names assigned in accordance with County regulations shall be depicted and described.
22) If the applicant will construct them, location and description of all structures to be built by the developer, and if common facilities are to be constructed, how they will be maintained.
23) Location and type of recreation facilities.
24) Refuse collection areas, and location and type of screening, if proposed.
25) Where the site and development plan covers only a portion of the landowner’s parcel, a map depicting all of the landowner’s contiguous property and proposed use for the balance of the property not included in the site which is the subject of the application.

26) Proposed build-out date of the infrastructure for the development in its entirety, and if the development will be built in phases, a development scheduled and proposed build out date for each phase. The proposed phasing schedule should also be noted graphically on the plan.

27) A utility service plan addressing proposed water supply, electric power supply and method and location of sewage disposal.

28) All lot lines, parcel tax identification numbers, roads, access easements on the subject parcel, structures and paved areas within 300 feet of the parcel boundaries.

☒ A site map depicting the existing natural and developed features on the parcels, which are the subject of the application, shall also be submitted. The information submitted shall include, and be consistent with, the provisions of this section:

1) Location of all wooded areas, differentiating between native forests, high quality successional forests and mature successional forests.
2) Location of any listed species and their habitats, as defined by the Environmental Management Act (EMA), and their occurrences on-site.
3) For multifamily residential and all non-residential site plans, identify trees defined as protected by the EMA which are impacted by the proposed development.
4) Location of wetlands as defined by the EMA.
5) Conservation and preservation areas as set forth in the Comprehensive Plan and the EMA.
6) Location of sinkholes and other karst features.
7) Location of all water bodies, watercourses, drainage ditches, canals, and other surface water features.
8) Location and type of known hazardous materials, hazardous wasteland, and underground storage tanks.
9) Location of 100 year floodplain.
10) Location of other natural features.
11) An aerial photograph showing the location of the site and adjacent properties within 300 feet of the site. The boundary of the subject property should be outlined or highlighted on the aerial photograph.
12) A conceptual landscaping plan, including a planting plan for public right-of-way, common areas, and buffers or open space areas showing types, sizes, and spacing of trees and other vegetation.
13) Location of closed basins and natural drainage divides.
14) Proposed covenants, grants, easements, dedications, and restrictions to be imposed on the land, buildings, and/or structure, including proposed easements for public utilities and instruments relating to the use and maintenance of common natural areas, open spaces, private streets, and other private infrastructure shall be furnished with an application. All such documents should be reviewed and approved by the County Attorney as to form and sufficiency consistent with the minimum requirements of the LDC, prior to action on the application. Such instruments shall allow access of public vehicles for public safety or maintenance purposes.

☐ For non-residential development, the applicant should also provide the following information consistent with the provisions of this Section:

1) Names and amounts of hazardous or toxic materials or wastes to be used or produced on-site.
2) Types and amounts of radioactive materials or wastes, explosives, or flammable materials to be used or produced on-site.
3) Types and amounts of smoke, dust, particulate matter, noxious or odorous gases or other pollution of the air produced on-site.
4) Types and amounts of materials identified in Section 10-7.402(b)(iii)(a), (b), and (c), which can be expected to be moved off-site.
5) Noise levels expected at the site boundaries.
6) The types of manufacturing, production, processing or other industrial activities which will take place.
7) Additional information as may be required by the County to clarify relevant points.

JOINT EXHIBIT OF THE PARTIES 10

Urban Catalyst Consultants

2840 Pablo Avenue
Tallahassee, FL 32308
(850) 999-4241

Site Plan Narrative

Tax ID 14-19-20-001-0000

The project site is located at 550 Ox Bottom Road in Northeast Leon County. The parcel is located on the north side of Ox Bottom Road, east of the Ox Bottom Manner Subdivision and west of the Moore Pond Subdivision. The parcel comprises of 35.17 acres of which has an approved Natural Features Inventory LEA 150037. The property has been used for agriculture pursuits in the past with improved pasture land. In the 1960's two water reservoirs were constructed in the middle of the site as part of the agricultural practices. As time pasted and the agricultural activities diminished, the vegetative communities matured which created a unique environmental feature. There are three dwelling units and several accessory buildings that exist on the property.

The intent of this project is to develop the upland portion of the property as a residential subdivision and maintain the environmentally sensitive areas in a conservation easement. This development will be designed with smaller homes for empty nesters and people transitioning to downsizing residences.

The project proposes 61 residential lots which range in size from 1/8 acre to 2+ acres. Majority of the single family detached units will be located on 1/8-1/4 acre lots. Since the environmental features fall within the middle of the site there will be a horseshoe shaped road on either side of the sensitive features, which will be connected to Ox Bottom Rd. The residential lots will be constructed adjacent the proposed road. There will be two residential lots that will be larger, these lots are located between the Moore Pond Subdivision and the remainder of the subdivision. The larger lots will be provided access through the proposed development. These lots will create a buffer from this development to the Moore Pond development there will also be a 10' wide buffer along this property line. There will be a 25' buffer around most of the perimeter of the property.

The environmental survey included classification and mapping of the vegetative communities (as described by the Florida Land Use, Cover and Forms Classification System-FLUCCS) and the review of any environmental features onsite, such as wetlands, listed species, watercourses, karst features or protected species. A brief description of the communities is provided in the Natural Features Inventory Permit. The property is included within the Lake Lafayette Basin and within the Moore Pond CB Watershed. Other features on the parcel include floodplain, wetlands, a watercourse, a waterbody, native forest and severe and significant slopes. The majority of the environmentally significant features are included in the 11.18 conservation easement.

The project site lies within the Moore Pond Closed Basin and ultimately drains to Moore Pond. The project is designed to accommodate the closed basin requirements. In addition there are two water reservoirs that currently exists on site. The outfall structures within these reservoirs will be repaired as part of this project.

The project has received preliminary approval from traffic concurrency and school concurrency (LCM 150024).

The proposed water, sewer, electrical and gas will be provided by the City of Tallahassee. The City of Tallahassee has reviewed and approved the concept water and sewer plan.

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Brookside Village Permitting Summary

As part of the resubmittal of the Brookside Village residential subdivision application, the following provides a historical overview of the events leading to the current proposal before the County and demonstrates the application's compliance with the relevant requirements of section 10-7.505 of the Leon County Land Development Code. As demonstrated below, the applicant has affirmatively reached out to neighbors to understand their concerns, has substantially modified design features of the project to address those concerns and is now resubmitting the project for review.

Presubmittal Meetings:

Prior to submitting the original Development Plans to the County, the applicant reviewed these plans with the Homeowners Association Board of Moore Pond and with President of the Homeowners Association of Ox Bottom Manor. He also held a well-attended meeting at a local church in Ox Bottom to discuss the plan with all area Homeowners. As a result of these meetings, the Development Plans were revised to address as many of the concerns of the neighbors as possible.

December 2, 2015 ARM:

Urban Catalyst Consultants (UC^2) submitted the Final Design Plan Approval FDPA Track Permit application for a December 2, 2015 Application Review Meeting (ARM) with Leon County. The Project consisted of 64 lots. Sixty-two lots ranged in width from 52-ft to 70-ft. Two larger lots (Lots 100 and 200), located south of Heartland Circle, were 2.0 acres and 2.19 acres, respectively. Also 11.8 acres were set aside in a conservation area for environmentally sensitive areas, which included wetlands, water courses, severe and significant slopes, native forest and altered 100 year floodplain.

The vegetative buffers provided for the project were 25 ft. wide buffers along the 62 smaller lots and Lot 100. A 10 ft. buffer was provided for Lot 200. Note the County requirement for this project is 10' minimum buffer, which requires less plantings than the proposed 25' buffer.

The December 2, 2015 ARM included comments from several departments including Planning, Development Services, Environmental, Public Works, Public Infrastructure, County Health, Fire and Aquifer Protection. Public comments received at the meeting raised concerns that the proposed density of the project was not consistent with surrounding development and that stormwater from the project might run off on to Moore Pond homeowner property or the pond. Due to the staff and public comment received, the project was continued.

Between the December 2, 2015 ARM meeting and the February 3, 2016 ARM meeting the following events occurred:

Meetings were held with both Leon County DSEM and Public works to go through the comments and revisions were made to the meet requirements.

A presubmittal meeting was held with NWFWMD to discuss the project and to discuss the potential improvements to the two existing ponds (impoundments). Several days after the presubmittal meeting an on-site meeting was held with the Water Management District to inspect the impoundments. The result of this meeting was the inclusion of existing water impoundment improvements which will provide additional temporary storage and water quality enhancements.

The developer and UC^2 met with Ron Mowrey (former Moore Pond HOA Board member) to discuss the resubmittal and organize a community meeting to discuss the current plans prior to the February 2nd ARM meeting. A public meeting was held the following week with the developer, UC^2, residents of Moore Pond, Ox Bottom and Rosehill. The purpose of the meeting was to discuss the redesigned stormwater system and the buffers provided for the development. There were changes to the buffers as a result of the meeting with the addition of privacy fencing in the northwestern corner of the project to avoid headlight conflicts.

February 3, 2016 ARM

Major changes were made to the project design to address the concerns of adjoining neighborhoods and resubmitted for a February 3, 2016 ARM review. The stormwater ponds were revised to include the retaining wall on the uphill side as opposed to the downhill side of the proposed ponds (which reduces the impacts in case of an emergency). The stormwater ponds were also redesigned to assure compliance with the county maintenance requirements with respect to access and maintenance. The exfiltration trenches were repositioned and extended. Large overflow spillways were added to Ponds 100 and 200 to control emergency discharge and promote sheet flow during pond discharge as a result of large rainfall events.

In addition, the control structures on the existing on-site ponds (impoundments) were redesigned to improve stormwater treatment and rate control. The height of the dam on Impoundment #1 was raised 3 ft. and was provided with an emergency spillway. By revising the dam height and the control structure, temporary storage was added within the onsite ravine which has the effect of reducing the peak stormwater discharge off-site.

The control structure in Impoundment #2 was proposed to be replaced with a concrete structure. The associated weirs were designed to allow for water quality treatment within the existing pond vegetation in the pond. Also an emergency spillway was added to the dam to control pond discharge during extreme events.

Additional water quality treatment swales were added to the back of lots 17-20, since these lots did not drain towards the proposed road and Pond 200.

The result of this redesign was a further reduction in the peak stormwater discharge from Brookside Village and an improvement to the quality of water leaving the site.

Additionally, to address concerns about the visual impact of the project, a 6' high wooden privacy fence was added along a portion of the Moore Pond subdivision boundary where there is a lack of existing vegetation (existing dirt drive).

Following the February 2, 2016 ARM meeting, a second continuance was issued by the County. The continuance focused on two main issues which were raised by staff and nearby residents: compatibility and stormwater.

The Planning Department requested additional time to assess land use compatibility considerations in concert with the County Development Support and Environmental Management staff.

County staff also requested an additional narrative on how the existing conditions input for the stormwater model was determined. Staff also requested additional analysis demonstrating that the stormwater ponds would not negatively impact the stages and volumes of Moore Pond.

In response to the County and neighbor concerns expressed as part of the February 3, 2016 ARM meeting, the following events occurred:

Several weeks after the ARM meeting the County Staff and the project team held a meeting to review the comments and the public response. The meeting resulted in the project team requesting an abeyance to allow for additional time to study the compatibility and additional stormwater investigations.

During the extended abeyance period the project team has held multiple meetings with the stakeholders and have altered the design to best accommodate the concerns relating to compatibility and stormwater management.

The project team has continued to have meetings with various groups of homeowners to address compatibility concerns. Lot sizes have been altered to provide larger lots adjacent to existing adjacent residences. The project buffers have been enhanced to provide a greater visual barrier between adjacent residential properties.

UC^2 has held multiple meetings with WSource, the Moore Pond Stormwater Consultant, and Leon County to review the methodologies of the stormwater system. The stormwater system has been revised to maintain consistency with County standards and to also address concerns identified by the Moore Pond Home Owners Association. Both the County and WSource have preliminarily approved the current stormwater design.

April 19, 2017 ARM

Since the Abeyance in late February, 2016, the Project Team further revised the development plans, as described below.

To address compatibility concerns, the lots adjacent to Moore Pond have been increased to provide four lots having a minimum width of 75 feet, five lots having a minimum width of 80 feet and the remaining three lots having over a 100' feet width. The lots adjacent to Ox Bottom Manor have been increased in width to provide a minimum of 70 ft. Lots less than 70' feet in width were shifted to the interior of the site, which ultimately resulted in a net reduction of 3 overall lots.

Below is a summary of the Lot changes that have occurred during the permitting process:

Lot Location	12/2/2015 ARM	2/03/16 ARM	Current Submittal
Moore Pond			
52'	3	4	0
62'	10	9	0
70+	2	2	12
Ox Bottom Road			
52'	2	3	4
62'	5	4	4
70'+	2	2	2
Ox Bottom Manor			
52'	3	3	0
62'	7	7	0
70'+	4	4	12
Brookside Interior			
52'	8	9	11
62'	11	10	8
70'+	5	5	6
Large 2 ac. Parcels	2	2	2
Total	64	64	61

As illustrated above, the lots adjacent to the Moore Pond and Ox Bottom Manor subdivisions have been altered to provide larger lots with a minimum width of 70'.

The redesigned project also reflects enhanced buffers. A Landscape Architect was retained to design enhanced buffers adjacent to the impacted neighborhoods. Those are now reflected as a Type C+ 25' buffer along sections of Moore Pond and Ox Bottom Manor. This buffer includes 7 evergreen canopy trees, 6 evergreen understory trees and 24 evergreen shrubs per 100 linear foot of buffer. While a buffer of this nature is not needed in a single family residential setting (and in fact not present with existing neighborhoods adjacent to Brookside), this is more vegetation than a Type C buffer and slightly less than a "Type D" buffer. A Type D buffer is the most intense buffer and is typically required between incompatible commercial uses and residential zoning.

Further, a new buffer section has been added to the eastern property boundary where the existing dirt drive is located. The new section will be a mounded 3' berm and also provide the Type C+ buffer plantings. An 8' tall privacy fence will be added to the center of the buffer to provide privacy to neighbors while the vegetative buffer matures.

An 8' tall privacy fence has been added to the portion of the Ox Bottom buffer where neighbors had expressed concern over headlight pollution into their off-site properties.

A 10 ft. buffer was added near Heartland Circle on either side of the conservation area. Unlike any surrounding development, this buffer provides an additional screen to the larger on-site lots and the Moore Pond neighboring lots.

A 25 ft. Type C+ buffer is also provided along Ox Bottom Road.

The Type C+ buffer is expected to achieve approximately 75% opacity at time of planting and over 90% opacity within five years.

The subdivision road has been redesigned to allow all of the lots to drain to the street and into the proposed stormwater ponds. This allows the elimination of the proposed water quality treatment swales that were required behind lots 15A, 16A and 18A (previously labeled lots 18-20)

The additional Geotechnical Investigations that were provided for the proposed on-site stormwater ponds were able to map the groundwater flow which occurs on-site. Currently the groundwater day lights at the bottom of the ravines and eventually drains to Moore Pond. The proposed improvements will not alter the existing groundwater flow, therefore the studies confirmed there will be no volume impacts to Moore Pond.

There was an issue raised from the Moore Pond HOA that during smaller storm events that the proposed on-site ponds would not discharge other than what seeps at the bottom of the ravine from the exfiltration trenches. The major concern was that Moore Pond would not receive stormwater runoff during these smaller storm events. To address this concern a small sand filter was added to Pond 200 which would allow Moore Pond to receive runoff from all storm events. The sand filter was designed to accommodate the closed basin volume through the exfiltration trenches and discharge the excess volume at a controlled rate.

A biological study was also performed to evaluate the impacts for the temporary storage within the ravine. The study indicated that since the main periods of increased storage is no more than 48 hours, there would be very limited impact to the ravine system.

The biologist report also recommended additional wetland plantings in Impoundment #2. This will benefit the final polishing treatment as water exits the site. In addition to the wetland plantings the existing dam will be raised by one-foot and an emergency spill way will be constructed at the existing dam height.

The Brookside stormwater system will reduce the peak runoff rate and provide for enhanced water quality currently leaving the site.

August 2, 2017 DRC Meeting

At the May 3 , 2017, ARM meeting the project received a recommendation to proceed to DRC from County Staff. The majority of the conditions involved the Environmental Management Permit submittal and the stormwater model. Since the May ARM meeting, the model has been revised to further evaluate conditions at Heartland Circle and changes to the soil assumptions previously utilized. The design of the stormwater facilities did not need to be changed and the additional modeling effort provided more evidence that the Stormwater Facilities located in the Brookside Village Project Area meet and exceed Leon County Stormwater Requirements.

An additional 10’ buffer was added adjacent to Lots 7 and 8 Block H of the Ox Bottom Manor Subdivision, making the total buffer width in this area 20-ft. to address the concerns by neighboring property owners to reduce concerns of cars circling the cul-d-sac and cars going to Lot 2C.

A new School Impact Analysis was submitted in May for consideration by the Leon County School Board. The revised request included 30 homes to be constructed in the 1,000 – 2,000 SF range

and 31 homes to be constructed in the 2,000 – 3,500 SF range. Note these numbers only include heated living space. Porches, garages, and deck areas, even if heated, shall not be included in this minimum square footage requirement. The revised request was approved by the LCSB at the June 20, 2017 meeting.

Compliance with Section 10-7.505 of the Leon County Land Development Code

Sec. 10-7.505. - General principles of design relating to impacts on nearby streets and property owners[1].
Each development shall be designed to:

(1) Be as compatible as practical with nearby development and characteristics of the land.

Analysis[2]: Brookside Village is a detached single family development surrounded by detached single family development. The density is one-third of the permitted maximum density for Residential Preservation. Within one quarter mile of the site, the subdivisions of Ox Bottom Gardens, Ox Bottom Manor, Moore Pond, and Rosehill have a range of densities and lot sizes.

The Brookside Village site plan contains an enhanced ("Type C+") buffer between the lots that adjoin the Ox Bottom Manor and Moore Pond. This buffer exceeds the Type A buffer required by the land development code in terms of width and number of plants. Additionally, the Type C+ buffer has been designed to realistically expect approximately 75% opacity at the time of planting and over 90% opacity within 5 years.

There is no interconnection between Brookside Village and the adjoining subdivisions.

A Type C+ buffer is also included along Ox Bottom Road.

The Natural Features Inventory identified portions of the site that were compatible for development. Sensitive environmental areas of the site are placed within a conservation easement.

(2) Minimize adverse environmental impacts both on-site and off-site.

Analysis: A Natural Features Inventory identified the following:

Severe Slopes
Significant Slopes
Wetlands
Water Courses

[1] Only those criteria relevant to Brookside Village are included in this analysis.
[2] Neither the Comprehensive Plan nor the Land Development Code provide a definition of compatibility. The State's Community Planning Act, Ch. 163.3164 (9), Florida Statutes defines compatibility as "…a condition in which land uses or conditions can coexist in relative proximity to each other in a stable fashion over time such that no use or condition is unduly negatively impacted directly or indirectly by another use or condition."

Altered Floodplain
Native Forest

All of the environmentally sensitive features, except 50% of the Significant Slopes (as allowed by the Land Development Code), have been placed in a conservation easement. Additional flood storage and vegetative enhancements to the existing surface waters will allow for a higher quality of water leaving the site than that which occurs today.

(3) Provide boundary buffers between the proposed development and differing land uses on abutting property as required by article IV.

Analysis: Article IV, Sec. 10-4.348. addresses required buffers relating to uncomplimentary land uses and zones. The section states: *Landscape requirements for uncomplimentary land use buffer strips shall be applicable to all new development or redevelopment which creates the land use conflicts identified in the zoning and site plan review code, section 10-7.522, buffer zone standards.*

Both the proposed development and adjoining development are the same land use: Low density single-family residential. Section 10-7.522 of the Code requires a Type A buffer between these uses when the development is within the Residential Preservation zoning district. The proposed development contains a buffer that far exceeds the Type A requirement and in fact exceeds standards of a Type C buffer (see Landscape Plan).

(5) Provide fencing and vegetative screens in locations where potential health or safety hazards may arise, such as, but not limited to, waste storage or collection areas, stormwater ponds, sewage treatment facilities, and immobile exposed machinery.

Analysis: Stormwater retention is located within the existing natural area of the project. Fences ensure safety. Landscaping is provided along the fence to buffer the fence.

(6) Maintain roadside trees, which are important to the character of the county, through careful siting of buildings, parking lots and access points.

Analysis: The Type C+ buffer along Ox Bottom Road will be achieved with a combination of existing & proposed vegetation.

(8) Site buildings, parking lots, and other structures by taking into account the topography of the site and avoiding development in environmentally sensitive areas where feasible.

Analysis: All of the proposed development will occur on the uplands of the project site.

(10) Preserve open space and provide recreational opportunities including pedestrian and bike paths where appropriate to the type of development.

Analysis: Approximately a third of the parcel is contained within a conservation easement. The easement has some unique environmental features and a walking trail is proposed within.

(11) Provide in accordance with this article for the ongoing operation and maintenance of supporting infrastructure which will remain in private ownership.

Analysis: A Home Owners Association will be established for this project and will provide for the operation and maintenance of the open areas.

Summary

Since this project was initially submitted to the County there have been numerous meetings held between the project team, county staff and concerned citizens. Below is a summary of the major changes made to the plan during this process:

- The lot sizes adjacent to Moore Pond have been increased with a minimum lot size of 75 feet with a majority being 80 feet and larger. The lots adjacent to Ox Bottom have been increased to a minimum of 70 feet;

- There has been an overall reduction of 3 lots

- Buffers have been enhanced including 25 foot buffers around the smaller lots with enhanced plantings above the Type "C" buffer standards. There are four types of buffers included in the plan that range from 25' on the smaller lots to 10' for the two larger lots. Areas that currently have no vegetation will be supplemented with a berm and 8' privacy fencing. In areas with a potential for head light conflicts, an 8' privacy fence will be constructed. In areas with overgrown vegetation within the buffer, vegetation will be managed and replanted to ensure a long term thriving buffer establishment.

- Additional geotechnical investigations have been performed to more accurately design the two proposed stormwater ponds. These investigations provided information on the natural recovery and they mapped the groundwater flow to the ravine. The investigations indicated that the proposed ponds will not increase the volume coming to Moore Pond. The proposed ponds constructed for the development have been designed to provide adequate capacity for the increased storm water volume from the site and a small sand filter has been added to Pond 200 to allow for a controlled discharge during small rainfall events.

- The existing two impoundments will be improved as part of this development. Currently the impoundments have control structures that are failing and there are no emergency spillways controlling emergency overflows. The improvements will install new concrete control structures and provide for emergency spillways to control overflows. Improvements to the dam systems will provide for additional temporary storage during large rainfall reducing the potential for offsite impacts. In addition wetland plantings in the lower impoundment will provide for final polishing of the Brookside Village stormwater prior to discharge into Moore Pond.

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Urban Catalyst Consultants

Ms. Shawna Martin
DEVELOPMENT SUPPORT
AND ENVIRONMENTAL MANAGEMENT
DEVELOPMENT SERVICES DIVISION
Renaissance Center, 2nd Floor
435 North Macomb Street
Tallahassee, FL 32301-1019

August 2, 2017

RE: Brookside Village Subdivision
Parcel Identification Number: 14-19-20-001-0000
LSP 150035

Dear Ms. Martin:

The letter is in response to the comments received at the Application Review Meeting on May 3, 2017. Our responses to the various department's comments are provided below:

Development Services Comments

All the comments from the previous May 3, 2017- ARM meeting have been addressed, if there are any questions please contact me directly.

Department of Developmental Support and Environmental Management Development Services Division

Finding #2: Leon County and City of Tallahassee Concurrency Management preferred traffic impact analysis for the proposed development and determine that the proposal will not require transportation concurrency mitigation. A traffic study was not required as the project generates less than 100 p.m. peak hour trips. A Preliminary Certificate of Concurrency has been issued for the proposed development. A Final Certificate of Concurrency shall be issued upon final site plan approval. A School Impact Analysis (SIA) application was submitted to the Leon County Board for review and was approved at their board meeting on February 9, 2016.
For questions relating to concurrency, please contact Ryan Guffey, AICP, Leon County Concurrency Management Planner.

Response – An updated SIA application was submitted to Ryan Guffey on May 12, 2017.

Finding #4: The metes – and – bounds property is located inside the Urban Services Area, is not located within a recorded or unrecorded subdivision, and proposes connection to City of Tallahassee central sanitary sewer and potable water. The application requests an overall gross density of 1.73 dwelling unit per acre, which fall within the permitted density by the LDC as low density residential. The proposed development type is detached, single – family dwellings which is consistent with adjacent residential development patterns.
The amount of permissible impervious surface (density) on – site is contingent on demonstrating compliance with the applicable stormwater management requirements within the closed basin.

Response – The stormwater report uploaded to project dox indicates the stormwater pond has been conservatively designed to accommodate the proposed project site.

Finding #5: The development standards listed below are being proposed by the applicant and will be considered by the Development Review Committee for approval. Some of the typical lot layouts seem extremely tight within the proposed setbacks which would not allow for any future expansion of these homes of the addition of screened porches. The applicant may want to consider establishing different setbacks for different Block and Lot numbers.

Response – The most of the setbacks are consistent with previous submittals, however the rear setbacks for Lots 12D, 14D and 15D have been adjusted to 10' .

Finding #14: The RP zoning district requires a minimum of a 10 foot Type "A" landscape buffer around the entire perimeter of the site adjacent to other residential development. A 1 0-foot, Type "A" landscape buffer has been provided along the majority of the northern and northeastern property line. The applicant did incorporate staff's recommendation to provide a higher density of plantings within the landscape buffers. The proposed boundary buffers will utilize existing vegetation and augment as needed with evergreen species to achieve the buffer standards. The landscape plan indicates that the proposed buffers will achieve approximately 75% opacity at the time of planting and 90% within 5 years. The applicant has provided 25-foot, Type "C" plus (enhanced) landscape buffers along the west, east and southern property boundaries. Buffer areas adjacent to Moore Pond are further enhanced with a berm and an 8 foot wooden fence interior to the buffer. A landscape buffer is not required along Ox Bottom Road; however, the developer has provided a 25-foot, Type "C" plus buffer in this area as well. An 8 foot wooden fence has been provided adjacent to Ox Bottom Manor to the north of the cul-de-sac. Staff recommends that the proposed fence be located internal to the buffer instead of along the property line. Additionally. staff recommends that a wider buffer be extended west along this property boundary until reaching the property line of Lot 2C. It appears that at least a 20' buffer could be continued in this area adjacent to the proposed access easement.

Response – The buffer along the Ox Bottom Manor has been widened to lot 2C.

Finding #15: The City of Tallahassee Water Resources Engineering Department approved a revised "Water and Sewer Concept Plan" (Attachment #4). This signed concept plan shall be included in the final site plan set. The City of Tallahassee Power Engineering Department also provided comments regarding the coordination of electrical design for the subdivision (Attachment #5).

Response – Attached is a signed water/sewer plan, which has been coordinated with Power Engineering.

Finding #18: The site plan indicates that a 5-bedroom home will be the maximum building standard which would require each lot to accommodate 3 parking spaces. The typical section indicates that each lot should be able to accommodate 2 parking spaces within an attached garage and 2 spaces within the driveway. however, some lots do not appear to provide sufficient driveway space for vehicles without blocking sidewalk access.

Response – All lots have been evaluated and can accommodate vehicles parking in the driveways and not interfering with sidewalks.

Finding #20: A final plat is required. No plat shall be approved and accepted by the County unless and until the developer has installed all infrastructure improvements. The preliminary plat provided as part of the site plan submittal still does not comply with the platting provisions outlined in Florida Statute (Chapter 177) or Section 10-7.607 of the LDC. Please refer to any additional comments from Public Works (Attachment #3).

Response – Public Works Comments in attachment 3 have been incorporated in the Preliminary Plat.

Finding #20: The proposed subdivision sign is shown on several sheets with different orientations. If sign orientation is unclear at this time, it may be more appropriate to designate a sign ease1nent area on the plan set without showing the orientation.

Response – A sign easement is shown on the preliminary plat.

Finding #21: The Aquifer Protection Division has provided clearance (Attachment #7) contingent on the action items outlined being completed prior to site development.

Response – These actions are noted on sheet C-107

Finding #22: The proposed subdivision and street names shall be determined consistent and approved in accordance with the standards outlined in Article XI of the LDC. Please see comments from the County's Addressing Unit in Attachment #8.

Response – County Addressing Unit has approved the Street and Subdivision names.

<u>Public Works</u>

Finding #1: The proposed SWMFs must have sufficient access to the back of any walls to allow for maintenance access. The walls need to provide sufficient information to ensure they can be built and maintained prior to site plan approval. Information should include but not be limited to, wall type, footer and tie back information to ensure that there is not encroachment into adjacent properties, maintenance access, etc. Fencing and landscaping cannot block maintenance access to the walls. Please note that there appears to be a proposed retaining wall on lot 18 Block A that is not labeled. Several walls sections are located on or very near property lines which would prevent maintenance access and could require the need to encroach on private property and within the conservation easements with footers and/or tie backs.

Response – A wall design has been uploaded to Project Dox, in addition a 5' HOA maintenance easement has been added to the back of the interior lots adjacent to the stormwater ponds.

Finding #2: The sand filter discharge pipe shall be removed from the conservation easement and placed in a 30-foot drainage easement for future maintenance.

Response – The conservation easement has been revised to include, the sand filter drain pipe.

Finding #3: Since this will be a platted subdivision, plat information, including all typical plat information per FS Chapter 177, must be included on the preliminary plat. All lots and blocks must be shown, dimensioned, and consecutively numbered. Dedication information must be provided for easements, common areas, r/w, etc. All areas not in lots or right of way must be identified, including underlying ownership, i.e. open space, common area, etc. and appropriately dimensioned and limits of all must be clearly delineated (ex. Area under Conservation Easement "A" and "B"). All easements must clearly be dimensioned as well. All lots around the cul-de-sac should be radial to the center to prevent conflicts with adjacent driveways. There are areas where information is unclear or missing from line and/or curve tables. Please QA/QC the preliminary plat to ensure all areas are dimensioned and all plat information is called out.

Response – The preliminary plat has been revised.

Finding #4: Buffers on private property (ex. Type A buffer on Lots 2C and 17A) must be located within a proper easement with dedication information provided.

Response – The buffer on private property has been placed in easements.

Finding #5: The provided Autoturn for the single unit truck shows clipping of fences and top of slope. Please revise.

Response – Grading has been revised on SWMF and the single unit does not clip the fence.

Finding #6: Plans shall clearly denote that Public Works does not maintain the SWMF perimeter landscaping and clarify maintenance responsibility.

Response – A note has been added to Sheet C – 132 the HOA is responsible for SWMF perimeter landscaping.

Finding #7: Plans need to be revised to demonstrate the location of proposed irrigation lines and heads. Note the irrigation lines and heads should not be located in County right of way and SWMF.

Response – Note #7 under irrigation notes on Sheet C – 132 states irrigation components shall not be in County ROW and SWMF.

Finding #8: The typical lot layout provided shows the minimum 20 foot separation from right of way; however, there are a couple of lots around the cul-de-sacs and bulbed out areas that do not appear to meet this requirement. The new driveway configurations of lot 16 block A also does not meet this requirement without vehicle hanging into easement of Lot 17.

Response – Driveway shown on Lot 16-A has been revised such that the vehicle does not encroach the easement of Lot 17-A.

Finding #9: Ensure suitable street tree species are identified for planting especially in areas between sidewalk and curb to minimize damage associated with tree roots.

Response – The street trees have been relocated to the other side of the sidewalk.

Finding #10: Home Owners Association (HOA) Declaration, Articles of Incorporation and Bylaws. The documents shall address HOA maintenance of trees and landscaping located within the public Right-of-Way (ROW) and surrounding the stormwater management facilities (SWMFs). The Bylaws do not address "HOA Easement Areas" within Article II. The Declaration does not address "HOA owned Common Areas" within Article I. "Easement Areas" need to be updated to reflect only the proposed easements within the development. Article II(a)(1) of the Declaration needs to be updated to reflect dedication of roadways and stormwater ponds to Leon County (Not City of Tallahassee). The Declaration shall clarify that the two impoundments within the Conservation Easement will remain the responsibility of the HOA.

Response – Changes to the HOA documents are included in the submittal.

Finding #11: Ensure all depicted scales are correct (ex. Sheets C-113, C-115 and C-115-1 are not to scale).

Response – The scales on sheets C-113, C115, and C115-1 were verified.

Finding #12: Identify how off-site water entering the site will be addressed and how water from lots will be conveyed to the SWMF. In addition, the berm on the east side of the subdivision has grading to the property line which will block the off-site water on the private property which is not acceptable; however, the provided detail of this berm shows a swale. The grading plan shall be revised to show the swale.

Response – The offsite water from Ox Bottom will flow in between the homes and will be collected by the road and concept grading plan has been uploaded demonstrating flow between houses. . The berm on the east side has been shifted 5' to allow space for the swale depicted on the detail.

Finding #13: The typical section must be revised to be incompliance with FDOT standards, SP 12.5 minimum thickness is 1 ½" for a fine mix and 2" for a coarse mix.

Response – The typical section has been revised for a minimum thickness of 2", constructing two lifts of SP9.5 at 1" thickness.

Finding #14: Permits will include - Driveway Connection Permits and Utility Placement.

Response – Utility permits and driveway permits have been submitted with DRC application.

Environmental Services

Finding #1: Leon County Land Development Code (LDC) Section 10-4.327(2)c requires that 50% of significant grades be left in an undisturbed, pre-development state and shall be protected by a conservation easement. As proposed, Conservation Easement B does not meet these requirements due to proposed tree thinning and landscape planting. It appears the significant grade preservation requirement can easily be addressed in other areas contiguous to

Conservation Easement A, which will result in better protection of the downstream environmentally sensitive areas. Please revise the plans and conservation easement documents so that the Conservation Easement B area is only used for a buffer and the Conservation Easement A includes the additional area of significant grade.

Response – Conservation easement A has been revised and includes the significant grade area from conservation easement B. The previous conservation area on Lot 17A is now a Type C+ Buffer

Finding #2: Limited access points to the landscape buffers along the perimeter of the development are provided and it is not clear how these areas will be adequately accessed and maintained by the HOA. The applicant's response to this concern was that the HOA will access the landscape buffers through the proposed right-of-way (ROW) and access easements. This answer does not adequately address staff concerns or address how the areas along adjacent residential areas will be accessed. The proposed buffers will be heavily planted and will be full of dense vegetation. Only accessing the landscape buffers through the ROW and HOA areas will result in stretches of over 400 feet without an access point.

Response – Access is provided for buffers, HOA will be responsible for maintenance.

Finding #3: Although the required finished floor elevations (FFE) were provided for most structures, the specified elevations do not meet the requirements of the Leon County LDC; further, the elevations specified are not constructible for the proposed home types. Leon County LDC requires that the finished flood elevation of a structure be at least 1 foot higher than the existing grade at a distance of 5 feet out from the structure. The specified FFE for most lots are proposed at 3-4 feet below the proposed finished grade, and as much as 12 feet below the proposed finished grade on Lot 19, Block A where the proposed grade adjacent to the structure is 220 feet and the proposed FFE is 208 feet. In addition, an FFE was not provided on one lot and two lots have been removed from the proposed layout but are still included in the table. Please revise the FFE table accordingly.

Response – The FFE's have been adjusted to show minimum FFE as they relate to the sanitary sewer. A concept grading plan has been included for Lots 2D – 14D.

Finding #4: The provided information is not sufficient to demonstrate that the off-site stormwater runoff from Ox Bottom Manor will not cause adverse impacts to the new residential dwelling units. Please revise the plans to include revised grading, swales, finished floor elevations, etc. that clearly demonstrate how this off-site stormwater runoff will be diverted around proposed structures.

Response – Offsite runoff will be diverted between the houses as shown on the detail on sheet C112.2. A concept grading plan has been included for Lots 2D – 14D. Final individual lot grading plans will be provided at the time of building permit.

Finding #5: Staff communications with the Northwest Florida Water Management District (NWFWMD) indicate that a dam permit will be required for the modifications to the two impoundments. It is strongly suggested that the applicant coordinate with NWFWMD as soon as possible.

Response – A permit to the NWFWM has been submitted.

Finding #6: The proposed plan includes the outfall for the 10-foot long sand filter inside the conservation easement. The stormwater management system (i.e., grading, outfall pipes, fencing, etc.) cannot be located within the conservation easement. Please revise the conservation easement area to exclude this outfall. In addition, this proposed structure discharges onto a steep slope without any energy dissipation shown. Please provide evidence that the discharge from this pipe will not cause an erosion problem on the slope. Please also show how this pipe will be accessed for maintenance purposes.

Response – The conservation easement has been revised to exclude the sand filter discharge. A bubble up structure has been added to the discharge end which will reduce erosion.

Finding #7: The applicant shall provide a barrier (e.g., guardrail or barrier wall) along the retaining wall section of Pond 100, adjacent to Village Ridge Lane West. This section has a dropoff hazard ranging from 6 to 7 feet. FDOT considers a drop off hazard as 6 feet or greater within 22 feet of the edge of pavement for urban sections. Consideration should be given to utilities that may conflict with any proposed barriers.

Response – A guardrail is included in the revised plans which is located as to not interfere with the proposed utilities.

Finding #8: Sediment and erosion control needs to be provided on the upstream sides of both embankments to protect the water within the embankment. Sediment and erosion control is only proposed on the downstream sides of the embankments. Please add a note that care should be taken to minimize impacts to the environmentally sensitive areas when selecting and placing sediment and erosion control.

Response – A turbidity barrier has been added to both impoundments and a note has been added to sheet C-108 to use care near environmentally sensitive areas.

Finding #9: The limits of clearing and limits of construction were not included in the plans. Please include in the plans (on the demolition plan or other sheets) limits of construction, limits of clearing, employee parking, staging and stockpiling areas, and any other pertinent information for demolition, sediment and erosion control, and construction.

Response – The limits of clearing are marked on sheet C-107

Finding #10: The submitted site plan does not include any tree protection barricades or delineate the trees to be protected. Please clearly delineate all trees to be protected and include the location of all tree protection barricades in the plans.

Response – Tree protection barriers are provided for the buffer trees on sheet C-107.

Finding #11: The line around the Leon County stormwater management facility (SWMF) is different on Sheet C-111 than it is on Sheet C-110. Sheet C-110, shows areas where it is not clear who owns the property. Please revise the plans accordingly.

Response – The SWMF are similar on both sheets

Finding #12: The 10' Type A buffers on Lot 17, Block A and Lot 2, Block C shall be maintained by the HOA. Please place these areas in an easement dedicated to the HOA or revise the site layout so these areas are HOA property.

Response – The buffer areas are placed in buffer easements on sheet C-111

Finding #13: Please provide information on the foot trail proposed through the conservation easement. Information should include a typical section, widths, materials, and other information relevant to construction and maintenance. Care should be taken when planning this proposed trail to minimize impacts to the conservation area.

Response – A detail of a foot trail is shown on the detail sheet included in the EMP plans.

Finding #14: The fence around the SWMF is on the conservation easement boundary in several locations. It is not feasible to construct and maintain the fence on the boundary and not impact the conservation easement. In addition, the proposed fence is shown on the property boundary of Lots 1-8, Block B. It is not possible to construct and maintain this fence without trespassing onto private property. Please revise the proposed fence location to allow construction and maintenance of the fence without encroachment into the conservation easement or private property.

Response – The fencing has been revised not to be within the conservation easement. Also, a 5' HOA maintenance are provided along the lots that are adjacent to the SWMFs.

Finding #15: Conservation easement signs were included around the perimeter of the conservation easement; however, signs were not included in areas where the boundary changes directions leaving access points into the easement without a visible sign. Please place conservation easement markers at turning points of the easement boundary. In addition, please place conservation easement markers at trailheads. As an alternative, information about the easement could be placed on the trailhead sign, but should be clearly noted in the plans that this is required.

Response – Conservation easements signs located in areas where there are changes in directions.

Finding #16: The proposed side setback is 5 feet, which is inconsistent with the typical swale detail on Sheet C-112.1 that shows a minimum swale width of 12 feet. Please revise accordingly to provide consistency between the setbacks and the swale.

Response – The detail has been revised to include a 10' min swale width.

Finding #17: The turning movement plan for the SU-30 clips the corner of the fence on the rear corner of Lot 1, Block B. Please revise accordingly.

Response – The grading plan has been revised to avoid clipping the fence.

Finding #18: Stormwater from the proposed swale along Lot 11, Block B must pass through a chainlink fence and dense plantings before entering the stormwater conveyance system. Please address any issues and maintenance concerns with this potential flow impediment or revise the plans accordingly.

Response – The plantings have been removed in this area and a flume is provided to catch runoff.

Finding #19: Please specify the top of wall height and use the same line type for the retaining walls. The proposed walls on Lots 14, 15, and 18, Block A are shown with a different line type and the proposed wall on Lot 18, Block A is not called out on the Site Grading Plan (Sheet C-115.1).

Response – Top of wall elevations have been to the plan.

Finding #20: Several of the retaining walls are proposed on the property boundary between private lots and HOA space or immediately adjacent to or in close proximity (less than 5 feet) of the conservation easement boundary. Please provide information as to who is responsible for the maintenance of the walls on private lot lines. For the walls that are adjacent to the conservation easements, please provide information as to how the wall will be constructed and maintained without encroaching into or impacting the conservation easement. Keep in mind that all vegetation within the easement is protected and ground disturbance within the easement is prohibited.

Response – The grading has been revised to eliminate the retaining walls

Finding #21: A 3-foot high berm is proposed along the rear of Lots 4-12, Block A. It appears the proposed berm will impact several off-site trees. Please located potentially impacted offsite trees and address any impacts to the trees including but not limited to the percent encroachment into the critical protection zone of these trees as well as a mitigation plan for tree impacts.

Response – The berm has been shifted to the west to reduce impacts to existing trees.

Finding #22: An 8-inch PVC water main is proposed under the roadside (upper) retaining wall around Pond 100. Please address potential construction and maintenance conflicts with placing the water line directly under the retaining wall. Further, the Site Utility Layout (C-116) that has been stamped “Concept Plan Approved” by the City of Tallahassee, dated September 30, 2016, has a different layout that the current Sheet C-116, including a change to the locations of the retaining walls.
Response – An updated utility plan is included which was coordinated with WRE and Power Engineering.

Finding #23: Please provide additional contour labels on the grading plans for existing and proposed contours. Several areas with long contours have inadequate labeling.

Response – The contour labels have been adjusted.

Finding #24: The grading along the conservation easement adjacent to Pond 200 is not buildable. Several existing contours are cut off and proposed contours do not tie into existing contours. The

proposed grading plan just stops at the conservation easement boundary. It is not feasible to grade immediately adjacent to a conservation easement boundary and not encroach into the conservation easement. No thought was given to any sediment and erosion control and tree protection that will be in installed when the grading plan was developed. Further, the proposed grading encroaches into the conservation easement area.

Response – Grading plans have been revised to avoid conflicts with the conservation easement.

Finding #25: The proposed plan includes significantly planted buffers along Ox Bottom Road but this area also includes grading of a stormwater swales. Please provide information on the potential impacts of placing buffer plantings within a stormwater swale, including but not limited to how this may impact stormwater conveyance and how both the swale and the buffer will be maintained.

Response – The grading plan does impact several trees along Ox Bottom Rd., but will be mitigated with the plantings proposed for the Type C+ Buffer.

Finding #26: Leon County LDC, Section 10-4.351(d)(2) requires **at least** 3 feet between trees and any impervious surfaces. The proposed street trees do not meet this requirement. The distance between the back of curb and the sidewalk in the ROW is approximately 4-5 feet, which is not enough room to plant the trees and be at least 3 feet from any impervious surface. Further, this Section requires an interior planting volume for each tree of a minimum 1,200 cubic feet with a minimum width of 12 feet and a depth of 3 feet, which is not currently met with the proposed street tree planting plan. Staff recommends that the applicant work with their landscape architect to design a planting plan for the trees lining the streets and sidewalk to ensure a visually appealing streetscape and ensure the survival of the trees proposed.

Response – A landscape architect has been consulted to revise the interior landscape plan.

Finding #27: Leon County LDC, Section 10-4.350(a) states, “a visual screen shall be placed around the entire perimeter of any detention or retention facility around which fencing is required”. The proposed plantings do not screen the entire length of the required SWMF fencing. In addition, the width provided to plant the proposed buffer shrubs is not sufficient to support the species and density. A 4-foot wide area is proposed to be planted full of wax myrtle shrubs, which can reach 10 feet in width. Staff recommends that the applicant consider connecting the vinyl fencing with the block retaining walls (fencing on top of the walls) and work with their landscape architect to determine the most appropriate species to visually screen this area. Another potential design option is to create a landscape buffer (owned and maintained by the HOA) on the rear of the affected lots to meet screening requirements.

Response – A landscape architect has made recommendations on the planting of the visual buffer for the SWMF.

Finding #28: Please provide a clear tree debit/credit table. The tree debit table should include all protected trees to be removed; please reference Leon County LDC, Section 10-4.362 for protected tree definitions. Only select trees outside a surveyed tree line are shown on the tree

removal sheet. The interior of the tree line is dense with trees and other vegetation. Only the select trees outside the tree line were shown for removal; however, the proposed developments encroach into the tree line. In addition, it appears trees will be impacted and/or removed with the enhancements to the impoundments. Please also provide a complete tree credit table for the proposed tree credits from tree preservation and tree replanting. The credit table should include the number of credits per proposed planting. Please note wax myrtle does not receive tree replanting credit. Please provide the specific crepe myrtle variety so we can verify it meets the tree requirements of the LDC. As an alternative to surveying each individual tree to be removed and to be preserved, the applicant may select and survey all trees within a representative sample area (i.e., 100- foot by 100-foot or 50-foot by 50-foot). Multiple sample areas may be needed; however, one sample area may be used for both debit and credit calculation if the tree sizes are uniform throughout both preservation and proposed development areas. Please verify that all protected trees outside the tree line were included in the tree removal calculations.

Response – A tree sample area has been surveyed in the conservation area and is included on sheet C- 131. By applying the number of tree credits per acre and removing the surface water features the conservation area will preserve approximately 9,800 tree credits.

Finding #29: The notes on Sheet C-132 and C-133 have numerous typographic errors. Please revise.

Response – The notes have been revised to eliminate typographic errors.

Finding #30: Please address planting on the berm and the survivability of the proposed plantings located in compacted soils.

Response –The berm is three feet high and will constructed on top of the existing dirt road bed.

Finding #31: Please include all line types and hatching in the legend.

Response – All of the line types and hatching is labeled in the plans.

Finding #32: Additional minor comments were noted as ProjectDox mark-ups. These revisions shall be incorporated into the revised plans.

Response – The marked up plans on ProjectDox have been reviewed and included in the revised plans.

Finding #33: Plans need to undergo a QA/QC procedure. Plans contained numerous errors that should have been caught during an internal QA/QC procedure. Many typographic errors were found, and it was clear that changes to the plans were made but not all impacted areas were checked and changed accordingly. Please QA/QC plans prior to resubmittals to ensure all information is accurate and all comments are adequately addressed.

Response - Noted

Tallahassee Fire Department

Finding #1: Must meet NFF (needed fire flow) as determined by AWWA Manual M31, using NFPA 1 Method. Please provide needed fire flow calculations to the Tallahassee Fire Department representative and to Water Utilities Engineering and Inspections at this time. Please use the Required Fire Flow Information form (NFPA 1, 18.4.1.1, Fifth Edition of the Florida Fire Prevention Code) to provide fire flow calculations. The Fire Flow form is located on the Growth Management Department page within the City of Tallahassee's web page (www.talgov.com) in the "Applications and Forms" section. If hydrants are existing the following is required. After the NFF is determined, the existing fire hydrant(s) shall be flowed to determine its GPM. If the GPM meets or exceeds the NFF, no additional hydrants are required. If it does not meet the NFF, additional hydrant(s) are required.

Response – The NFF has been previously uploaded to projectdox.

Finding #2: Please show proposed fire hydrants a maximum of 10' from roadways. Hydrants shall not be spaced so that you have to pass the protected property in order to supply water for firefighting purposes. Please provide scaled plans in order to verify fire hydrant spacing.

Response – FH are shown 10' from proposed roadways, scaled plans are included in this submittal

Finding #3: Single family residential:

(1) Maximum distance between fire hydrants shall not exceed 600 feet. The building footprint locations at Lots 2C and 17A have not been identified on the submitted site plan. The location of a building footprint on Lot 2C has the potential to be inconsistent with this requirement. The building plan review for this lot must be coordinated with Fire Department Site Plan review staff to determine whether the distance requirement has been satisfied prior to issuance of a building permit.

Response – A fire hydrant has been included for Lot 17A. The fire hydrant in the cul-d-sac adjacent to Lot 2C is within the requirement.

Finding #4: Every building constructed shall be accessible to fire department apparatus by way of access roadways with all-weather driving surface of not less than 20 feet of unobstructed width, with adequate roadway turning radius capable of supporting the imposed loads of fire apparatus (32 tons) and having a minimum clearance of 13 feet, 6 inches, angle of approach and departure not exceeding 1 ft. drop in 20 ft. (0.3 drop in 6 m.) or the design limitations of the Fire Department apparatus, subject to Fire Department approval. Please use auto-turn software (BUS-40) throughout the site to show turning radii. Fire Department approval will also request that any on street parking be restricted to the opposite street side of proposed fire hydrant locations. Please relocate the hydrants at Lots 3D and 13A to the opposite sides of the street in compliance with this request.

Response – Fire hydrants have been relocated due to the shift in the waterline. No parking signs have been added to the cul-a-sac areas.

Finding #5: An approved turnaround shall be provided where an access road is a dead end and is in excess of 150 feet. Please extend the BUS-40 auto turn paths at the cul-de-sac locations of the roadway alignment into the access easements leading to Lots 2C and 17A, indicating that the roadway consists of an all-weather driving surface capable of supporting the imposed loads of fire apparatus (32 tons) and having a minimum clearance of 13 feet 6 inches. The auto turn for each of these lots is identified as an "SU-30" vehicle path on the Turning Movement Analysis on Sheet C-114. The building plan review for each lot should be coordinated with Fire Department Site Plan review staff to address vehicular turnaround requirements prior to issuance of building permits.

Response -See revised plan

Finding #6: If unsupervised and isolated above ground fuel storage tanks are to be located on the property during construction, City of Tallahassee Plans Review staff must be contacted prior to tank installation. NFPA 1, 66.21.7.2.1 and 66.21.7.2.2, Fifth Edition of the Florida Fire Prevention Code

Response – Note #4 has been added to sht. C-107

Best Regards,

Sean K. Marston, P.E.

President

JOINT EXHIBIT OF THE PARTIES 13

BROOKSIDE VILLAGE
A PUBLIC SUBDIVISION

TYPE 'B' SITE AND DEVELOPMENT PLAN
FDPA TRACK PERMIT SUBMITTAL

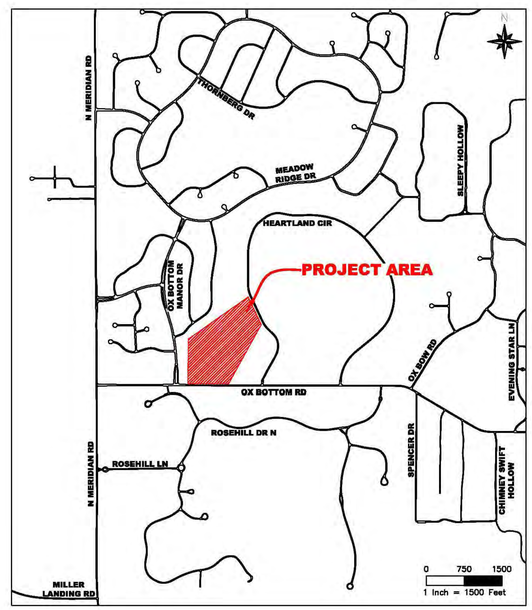
INDEX OF SHEETS

C-100	COVER
C-102-106	EXISTING CONDITIONS
C-107	DEMOLITION & EROSION CONTROL PLAN - PHASE 1
C-108	EROSION CONTROL PLAN - PHASE 2
C-109-111	PRELIMINARY PLAT
C-112.1	OVERALL SITE PLAN
C-112.2	SITE LAYOUT PLAN
C-113	SIGNAGE AND MARKINGS PLAN
C-114	TURNING MOVEMENT ANALYSIS
C-115	GRADING & DRAINAGE PLAN (EAST)
C-115.1	GRADING & DRAINAGE PLAN (WEST)
C-116	UTILITY PLAN
C-131	TREE REMOVAL PLAN
C-132	INTERIOR LANDSCAPE PLAN
C-133	BUFFER DETAILS

UTILITY PROVIDERS

STREET MAINTENANCE - LEON COUNTY
WATER SERVICE - CITY OF TALLAHASSEE
SEWER SERVICE - CITY OF TALLAHASSEE
ELECTRICAL SERVICE - CITY OF TALLAHASSEE
NATURAL GAS - CITY OF TALLAHASSEE

ZONING: RP - RESIDENTIAL PRESERVATION
TAX ID: 14-19-20-001-0000



LOCATION MAP

AUGUST 2, 2017

LEON COUNTY, FLORIDA

TYPE B FDPA TRACK
SITE PLAN APPROVAL

Leon County Public Works Dept. — Date

Leon County Department of Development Support and Environmental Management — Date

Tallahassee-Leon County Planning Dept. — Date

OWNER / APPLICANT:
GOLDEN OAK LAND GROUP LLC
4708 CAPITAL CIRCLE NW
TALLAHASSEE, FL 32303

PREPARED BY:
URBAN CATALYST CONSULTANTS
2840 PABLO AVENUE
TALLAHASSEE, FL 32308
(850) 999-4241
www.ucceng.com

ENGINEER OF RECORD:

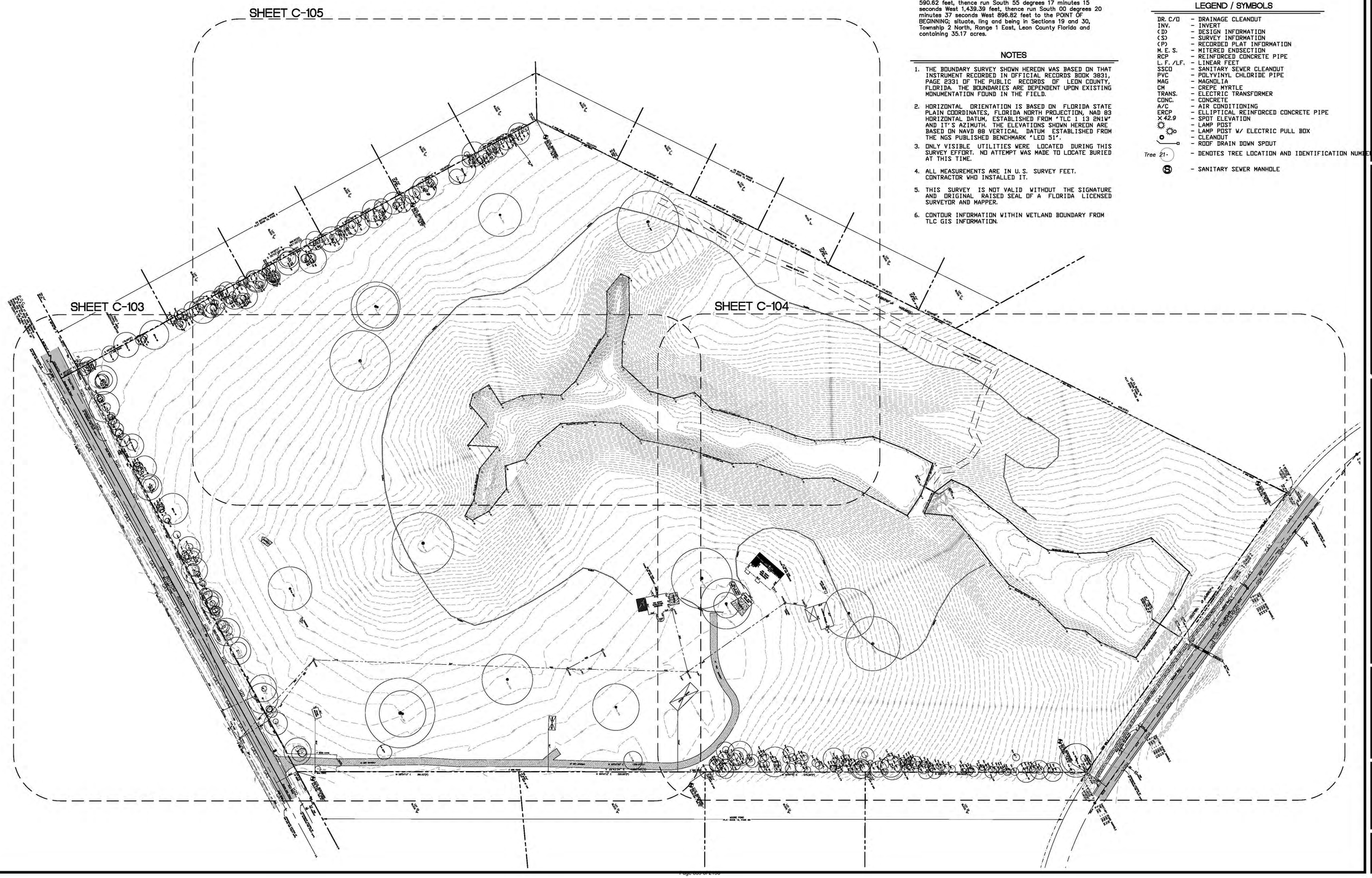
SEAN K. MARSTON, P.E.
FLORIDA LICENSE No. PE – 55987
CORPORATION CERTIFICATE OF AUTHORIZATION No. LB 30572

SEAN K MARSTON — DATE OF SIGNATURE
PROFESSIONAL ENGINEER

URBAN CATALYST CONSULTANTS, INC.
2840 PABLO AVENUE
TALLAHASSEE, FLORIDA, 32308
PHONE: (850) 999-4241
WWW.UCCENG.COM
FL CA 00030572

F:\15015.00 – Brookside Village\CADD\BASE.dwg COVER UC2-CAD Aug 02,2017-8:53am

80 0 40 80
1 Inch = 80 Feet



LEGAL DESCRIPTION

Commence at a nail and cap at the intersection of Ox Bottom Road and Meridian Road as per map or plat of State Road S-144 (Ox Bottom Road) as recorded in the Public Records of Leon County, Florida and run thence South 89 degrees 39 minutes 23 seconds East along the centerline of said Ox Bottom Road 1830.94 feet, thence run North 00 degrees 20 minutes 37 seconds East 33.00 feet to the North right-of-way of said Ox Bottom Road and the POINT OF BEGINNING, from said POINT OF BEGINNING run thence South 89 degrees 39 minutes 23 seconds East along said North right-of-way 786.77 feet, thence run North 28 degrees 53 minutes 50 seconds East 1356.87 feet, thence run North 25 degrees 27 minutes 27 seconds West 590.62 feet, thence run South 55 degrees 17 minutes 15 seconds West 1,439.39 feet, thence run South 00 degrees 20 minutes 37 seconds West 896.82 feet to the POINT OF BEGINNING; situate, ling and being in Sections 19 and 30, Township 2 North, Range 1 East, Leon County Florida and containing 35.17 acres.

NOTES

1. THE BOUNDARY SURVEY SHOWN HEREON WAS BASED ON THAT INSTRUMENT RECORDED IN OFFICIAL RECORDS BOOK 3831, PAGE 2331 OF THE PUBLIC RECORDS OF LEON COUNTY, FLORIDA. THE BOUNDARIES ARE DEPENDENT UPON EXISTING MONUMENTATION FOUND IN THE FIELD.
2. HORIZONTAL ORIENTATION IS BASED ON FLORIDA STATE PLAIN COORDINATES, FLORIDA NORTH PROJECTION, NAD 83 HORIZONTAL DATUM, ESTABLISHED FROM 'TLC 1 13 2N1W' AND IT'S AZIMUTH. THE ELEVATIONS SHOWN HEREON ARE BASED ON NAVD 88 VERTICAL DATUM ESTABLISHED FROM THE NGS PUBLISHED BENCHMARK 'LEO 51'.
3. ONLY VISIBLE UTILITIES WERE LOCATED DURING THIS SURVEY EFFORT. NO ATTEMPT WAS MADE TO LOCATE BURIED AT THIS TIME.
4. ALL MEASUREMENTS ARE IN U.S. SURVEY FEET. CONTRACTOR WHO INSTALLED IT.
5. THIS SURVEY IS NOT VALID WITHOUT THE SIGNATURE AND ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.
6. CONTOUR INFORMATION WITHIN WETLAND BOUNDARY FROM TLC GIS INFORMATION.

SURVEY PROVIDED BY:

Meridian
SURVEYING and MAPPING INC.
3201 Shamrock Street South, Suite #101
Tallahassee, Florida 32309
Office: (850) 668-7641 Fax: (850) 668-7648

LEGEND / SYMBOLS

DR. C/O	- DRAINAGE CLEANOUT
INV.	- INVERT
(D)	- DESIGN INFORMATION
(S)	- SURVEY INFORMATION
(P)	- RECORDED PLAT INFORMATION
M.E.S.	- MITERED ENDSECTION
RCP	- REINFORCED CONCRETE PIPE
L.F./LF.	- LINEAR FEET
SSCO	- SANITARY SEWER CLEANOUT
PVC	- POLYVINYL CHLORIDE PIPE
MAG	- MAGNOLIA
CM	- CREPE MYRTLE
TRANS.	- ELECTRIC TRANSFORMER
CONC.	- CONCRETE
A/C	- AIR CONDITIONING
ERCP	- ELLIPTICAL REINFORCED CONCRETE PIPE
×42.9	- SPOT ELEVATION
	- LAMP POST
	- LAMP POST W/ ELECTRIC PULL BOX
	- CLEANOUT
	- ROOF DRAIN DOWN SPOUT
Tree 21	- DENOTES TREE LOCATION AND IDENTIFICATION NUMBER
S	- SANITARY SEWER MANHOLE

URBAN CATALYST CONSULTANTS, INC.
2840 PABLO AVENUE
TALLAHASSEE, FLORIDA, 32308
PHONE: (850) 999-4241
WWW.UCCENG.COM
FL CA 00030572

DATE	BY	REVISIONS

BROOKSIDE VILLAGE
RESIDENTIAL SUBDIVISION
EXISTING CONDITIONS (OVERALL)

LEON COUNTY FLORIDA

SEAN K. MARSTON, P.E.
LICENSE NUMBER. 55987

DRAWN BY:	W.E.C.
CHECKED BY:	S.K.M.
DATE:	08/02/17
HORZ. SCALE:	1"=80'
VERT. SCALE:	

SHEET C-102
PROJECT No. 15015.00

August 1, 2017 (17:08:59 EST)
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August 1, 2017 (17:08:59 EST)
F:\15015.00 - BROOKSIDE VILLAGE\CADD\BASE.DWG

URBAN CATALYST CONSULTANTS, INC.
2840 PABLO AVENUE
TALLAHASSEE, FLORIDA, 32308
PHONE: (850) 999-4241
WWW.UCCENG.COM
FL CA 00030572

DATE	BY	REVISIONS

BROOKSIDE VILLAGE RESIDENTIAL SUBDIVISION

EXISTING CONDITIONS (SOUTH)

LEON COUNTY FLORIDA

SEAN K. MARSTON, P.E.
LICENSE NUMBER. 55987

DRAWN BY: W.E.C.
CHECKED BY: S.K.M.
DATE: 08/02/17
HORZ. SCALE: 1"=40'
VERT. SCALE:

SHEET C-103
PROJECT No. 15015.00

August 1, 2017 (17:08:59 EST)
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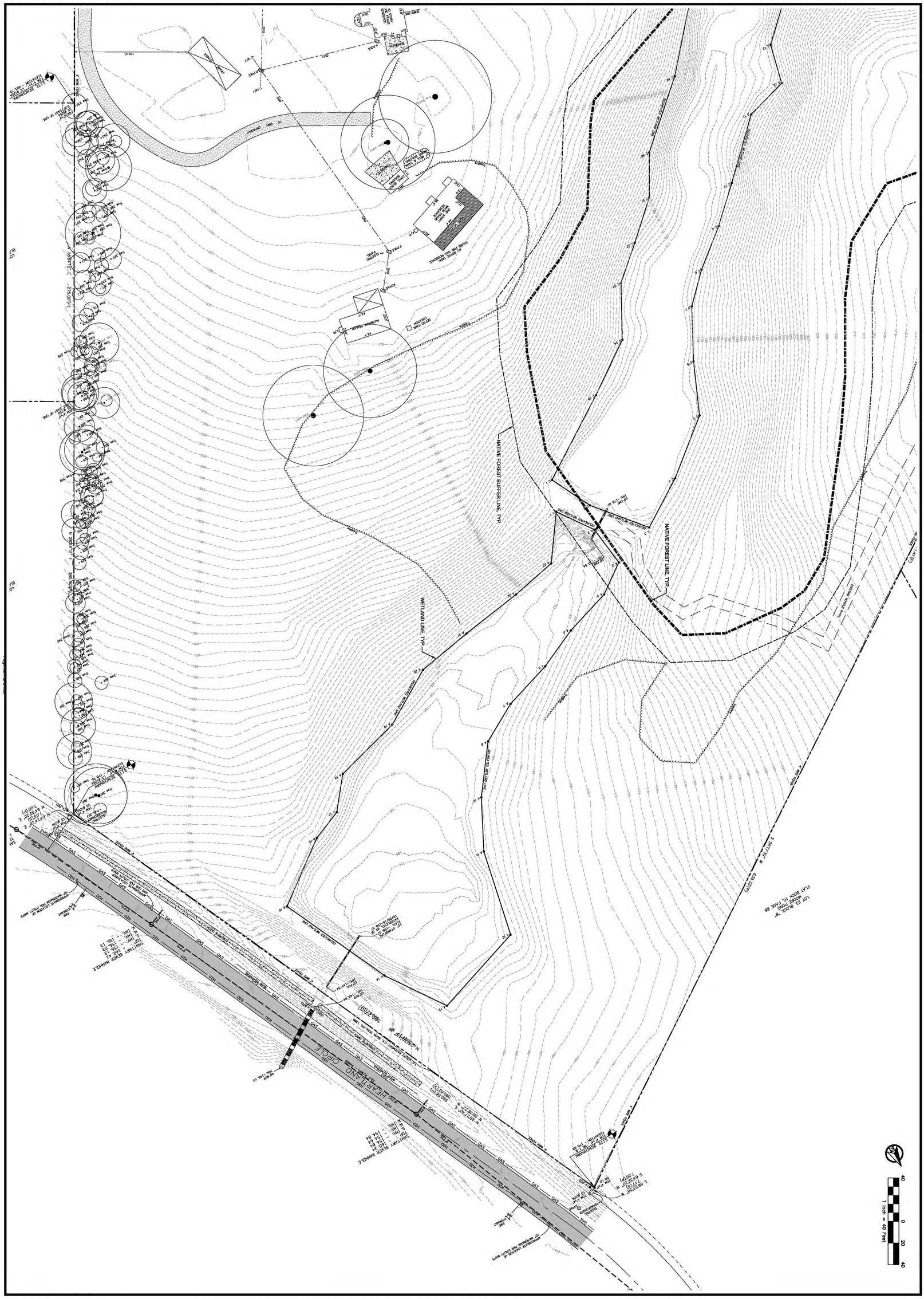


SHEET	C-104
PROJECT No.	15015.00
DRAWN BY:	W.E.C.
CHECKED BY:	S.K.M.
DATE:	08/02/17
HORZ. SCALE:	1"=40'
VERT. SCALE:	

SEAN K. MARSTON, P.E.
LICENSE NUMBER: 59997

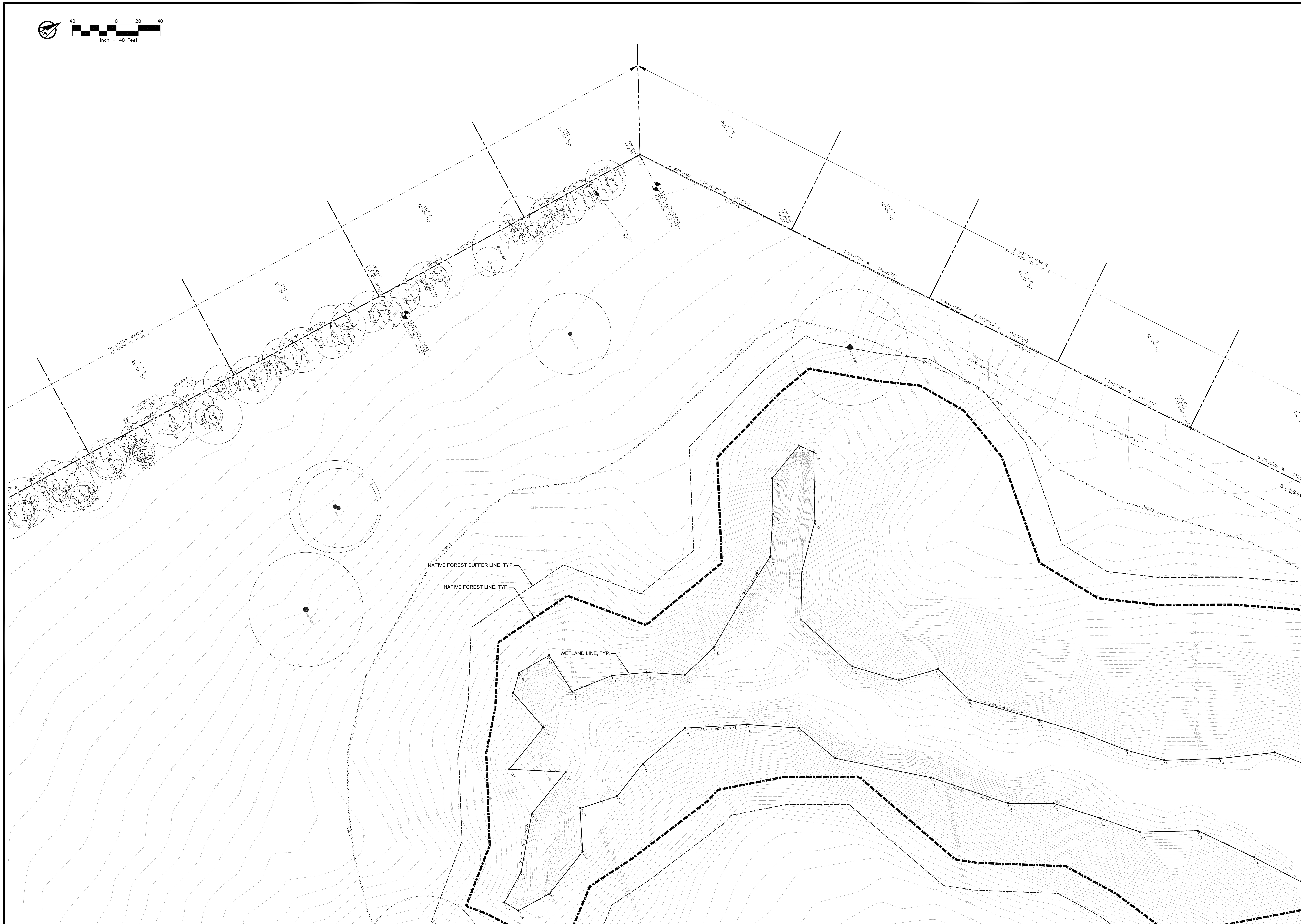
BROOKSIDE VILLAGE
RESIDENTIAL SUBDIVISION

EXISTING CONDITIONS
(NORTH)

LEON COUNTY FLORIDA

DATE	BY	REVISIONS

URBAN CATALYST CONSULTANTS, INC.
2840 PABLO AVENUE
TALLAHASSEE, FLORIDA, 32308
PHONE: (850) 999-4241
WWW.UCCENG.COM
FL CA 00030572



August 1, 2017 (17:08:59 EST)
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URBAN CATALYST CONSULTANTS, INC.
2840 PABLO AVENUE
TALLAHASSEE, FLORIDA, 32308
PHONE: (850) 999-4241
WWW.UCCENG.COM
FL CA 00030572

DATE	BY	REVISIONS

BROOKSIDE VILLAGE
RESIDENTIAL SUBDIVISION

EXISTING CONDITIONS (WEST)

LEON COUNTY FLORIDA

SEAN K. MARSTON, P.E.
LICENSE NUMBER. 55987

DRAWN BY: W.E.C.
CHECKED BY: S.K.M.
DATE: 08/02/17
HORZ. SCALE: 1"=40'
VERT. SCALE:

SHEET C-105
PROJECT No. 15015.00

ID #	Scientific Name	Common Name	DBH (in)
AW 1	Quercus virginiana	Live Oak	40, 60
AW 2	Quercus virginiana	Live Oak	37
AW 3	Quercus virginiana	Live Oak	53
AW 4	Quercus virginiana	Live Oak	36, 42
AW 5	Quercus virginiana	Live Oak	52
AW 6	Quercus virginiana	Live Oak	37.5
AW 7	Quercus virginiana	Live Oak	53
AW 8	Quercus virginiana	Live Oak	40
AW 9	Quercus virginiana	Live Oak	40
AW 10	Quercus virginiana	Live Oak	43.5
AW 11	Quercus virginiana	Live Oak	46.5
AW 12	Quercus virginiana	Live Oak	43
AW 13	Quercus virginiana	Live Oak	41.5
AW 14	Quercus virginiana	Live Oak	43.5, 22
AW 15	Quercus virginiana	Live Oak	52
1	Pinus taeda	Loblolly Pine	20.0
2	Prunus serotina	Black Cherry	4.4
3	Prunus serotina	Black Cherry	9.4
4	Prunus serotina	Black Cherry	4.8
5	Quercus nigra	Water Oak	5.2
6	Quercus nigra	Water Oak	5.6
7	Quercus nigra	Water Oak	26.2
8	Carya illinoinensis	Pecan	4.5
9	Pinus elliotii	Slash Pine	23.3
10	Pinus elliotii	Slash Pine	23.7
11	Quercus nigra	Water Oak	14.1
12	Quercus laurifolia	Laurel Oak	5.6
13	Pinus taeda	Loblolly Pine	23.6
14	Quercus nigra	Water Oak	9.5
15	Prunus serotina	Black Cherry	10.2
16	Quercus nigra	Water Oak	9.5
17	Quercus nigra	Water Oak	7.0
18	Quercus laurifolia	Laurel Oak	4.1
19	Quercus nigra	Water Oak	11.2
20	Quercus laurifolia	Laurel Oak	6.0
21	Quercus laurifolia	Laurel Oak	8.1
22	Quercus laurifolia	Laurel Oak	5.1
23	Prunus serotina	Black Cherry	4.7
24	Quercus laurifolia	Laurel Oak	11.3
25	Pinus elliotii	Slash Pine	19.4
26	Quercus virginiana	Live Oak	14.2
27	Liquidambar styraciflua	Sweet Gum	9.0
28	Liquidambar styraciflua	Sweet Gum	11.0
29	Carya illinoinensis	Pecan	5.1
30	Myrica cerifera	Wax Myrtle	4.9
31	Myrica cerifera	Wax Myrtle	5.1
32	Pinus taeda	Loblolly Pine	4.1
33	Quercus laurifolia	Laurel Oak	22.5
34	Quercus laurifolia	Laurel Oak	10.5
35	Quercus virginiana	Live Oak	10.3
36	Myrica cerifera	Wax Myrtle	6.8
37	Pinus taeda	Loblolly Pine	6.9
38	Quercus nigra	Water Oak	15.1
39	Pinus taeda	Loblolly Pine	8.9
40	Quercus nigra	Water Oak	19.2
41	Myrica cerifera	Wax Myrtle	6.2
42	Myrica cerifera	Wax Myrtle	4.3
43	Quercus alba	White Oak	6.2
44	Myrica cerifera	Wax Myrtle	6.5
45	Myrica cerifera	Wax Myrtle	4.3
46	Quercus virginiana	Live Oak	26.7
47	Myrica cerifera	Wax Myrtle	5.3
48	Myrica cerifera	Wax Myrtle	5.6
49	Myrica cerifera	Wax Myrtle	5.2
50	Myrica cerifera	Wax Myrtle	6.5
51	Myrica cerifera	Wax Myrtle	5.2
52	Pinus echinata	Shortleaf Pine	14.6
53	Quercus alba	White Oak	10.8
54	Pinus taeda	Loblolly Pine	22.4
55	Pinus elliotii	Slash Pine	20.3
56	Myrica cerifera	Wax Myrtle	6.4
57	Quercus nigra	Water Oak	6.2
58	Myrica cerifera	Wax Myrtle	4.8
59	Quercus laurifolia	Laurel Oak	7.8
60	Quercus laurifolia	Laurel Oak	8.0
61	Myrica cerifera	Wax Myrtle	4.0
62	Quercus nigra	Water Oak	9.4
63	Pinus elliotii	Slash Pine	20.0
64	Quercus nigra	Water Oak	10.9
65	Myrica cerifera	Wax Myrtle	7.0
66	Myrica cerifera	Wax Myrtle	6.7
67	Quercus nigra	Water Oak	11.0
68	Quercus nigra	Water Oak	9.6
69	Prunus serotina	Black Cherry	6.8
70	Myrica cerifera	Wax Myrtle	6.0
71	Myrica cerifera	Wax Myrtle	4.2
72	Myrica cerifera	Wax Myrtle	4.7
73	Prunus serotina	Black Cherry	7.1
74	Pinus elliotii	Slash Pine	26.1
75	Myrica cerifera	Wax Myrtle	6.5
76	Myrica cerifera	Wax Myrtle	4.8
77	Myrica cerifera	Wax Myrtle	4.4
78	Myrica cerifera	Wax Myrtle	4.1
79	Pinus taeda	Loblolly Pine	25.0
80	Quercus virginiana	Live Oak	14.6
81	Quercus virginiana	Live Oak	12.5
82	Quercus virginiana	Live Oak	11.7
83	Quercus virginiana	Live Oak	9.4
84	Pinus taeda	Loblolly Pine	11.2
85	Quercus virginiana	Live Oak	4.7
86	Quercus virginiana	Live Oak	7.9
87	Pinus taeda	Loblolly Pine	13.5
88	Quercus nigra	Water Oak	4.6
89	Prunus serotina	Black Cherry	7.1
90	Quercus alba	White Oak	14.0
91	Pinus elliotii	Slash Pine	21.6
92	Quercus nigra	Water Oak	4.5
93	Quercus laurifolia	Laurel Oak	8.6
94	Quercus nigra	Water Oak	5.0
95	Quercus laurifolia	Laurel Oak	4.3
96	Quercus nigra	Water Oak	24.9
97	Quercus laurifolia	Laurel Oak	5.9
98	Pinus taeda	Loblolly Pine	7.7
99	Pinus taeda	Loblolly Pine	5.1
100	Liquidambar styraciflua	Sweet Gum	4.1
101	Prunus serotina	Black Cherry	4.8
102	Prunus serotina	Black Cherry	9.2
103	Quercus nigra	Water Oak	4.1
104	Pinus taeda	Loblolly Pine	7.5
104b	Pinus taeda	Loblolly Pine	4.3
105	Prunus serotina	Black Cherry	9.0
105b	Pinus taeda	Loblolly Pine	4.5
106	Liquidambar styraciflua	Sweet Gum	13.2
107	Pinus taeda	Loblolly Pine	4.2
108	Prunus serotina	Black Cherry	4.5
109	Pinus taeda	Loblolly Pine	23.4
110	Prunus serotina	Black Cherry	5.2
111	Liquidambar styraciflua	Sweet Gum	12.6
112	Prunus serotina	Black Cherry	8.2
113	Quercus nigra	Water Oak	5.5
114	Pinus taeda	Loblolly Pine	23.0
115	Quercus nigra	Water Oak	4.5
116	Quercus nigra	Water Oak	4.1
117	Quercus nigra	Water Oak	4.1
118	Quercus nigra	Water Oak	4.6
119	Pinus taeda	Loblolly Pine	5.2
120	Pinus taeda	Loblolly Pine	4.3
121	Pinus taeda	Loblolly Pine	11.3
122	Liquidambar styraciflua	Sweet Gum	6.9
123	Liquidambar styraciflua	Sweet Gum	7.0
124	Liquidambar styraciflua	Sweet Gum	5.6
125	Pinus taeda	Loblolly Pine	12.9
126	Quercus nigra	Water Oak	5.8
127	Pinus taeda	Loblolly Pine	22.9
128	Quercus virginiana	Live Oak	5.8
129	Quercus nigra	Water Oak	7.6
130	Quercus nigra	Water Oak	5.2
131	Prunus serotina	Black Cherry	11.6
132	Quercus nigra	Water Oak	4.3
133	Quercus nigra	Water Oak	4.2
134	Quercus nigra	Water Oak	8.5
135	Quercus nigra	Water Oak	4.7
136	Pinus taeda	Loblolly Pine	21.0

ID #	Scientific Name	Common Name	DBH (in)
137	Quercus nigra	Water Oak	4.7
138	Pinus taeda	Loblolly Pine	9.3
139	Pinus taeda	Loblolly Pine	19.1
140	Pinus taeda	Loblolly Pine	16.0
141	Quercus nigra	Water Oak	5.0
142	Liquidambar styraciflua	Sweet Gum	6.8
143	Pinus taeda	Loblolly Pine	9.4
144	Pinus taeda	Loblolly Pine	8.0
145	Pinus taeda	Loblolly Pine	6.4
146	Pinus taeda	Loblolly Pine	11.7
147	Pinus taeda	Loblolly Pine	9.4
148	Quercus nigra	Water Oak	9.6
149	Pinus taeda	Loblolly Pine	9.0
150	Pinus taeda	Loblolly Pine	7.6
151	Pinus taeda	Loblolly Pine	4.4
152	Pinus taeda	Loblolly Pine	11.5
153	Quercus laurifolia	Laurel Oak	4.9
154	Quercus nigra	Water Oak	4.6
155	Pinus taeda	Loblolly Pine	19.8
156	Pinus taeda	Loblolly Pine	13.4
157	Pinus taeda	Loblolly Pine	17.9
158	Prunus serotina	Black Cherry	7.2
159	Prunus serotina	Black Cherry	7.1
160	Quercus nigra	Water Oak	8.3
161	Quercus nigra	Water Oak	7.5
162	Quercus nigra	Water Oak	9.4
163	Pinus taeda	Loblolly Pine	24.3
164	Quercus nigra	Water Oak	11.2
165	Quercus laurifolia	Laurel Oak	5.6
166	Pinus taeda	Loblolly Pine	16.0
167	Pinus taeda	Loblolly Pine	5.7
168	Pinus taeda	Loblolly Pine	7.2
169	Quercus nigra	Water Oak	10.1
170	Quercus nigra	Water Oak	4.1
171	Pinus taeda	Loblolly Pine	21.7
172	Prunus serotina	Black Cherry	7.7
173	Quercus nigra	Water Oak	4.4
174	Pinus taeda	Loblolly Pine	5.2
175	Quercus nigra	Water Oak	4.2
176	Cornus sp.	Dogwood	4.7
177	Prunus serotina	Black Cherry	4.2
178	Pinus taeda	Loblolly Pine	17.8
179	Quercus nigra	Water Oak	5.9
180	Pinus taeda	Loblolly Pine	20.5
181	Quercus nigra	Water Oak	7.2
182	Quercus nigra	Water Oak	6.5
183	Quercus nigra	Water Oak	16
184	Quercus nigra	Water Oak	18.7
185	Quercus nigra	Water Oak	9
186	Quercus nigra	Water Oak	5.7
187	Quercus nigra	Water Oak	16.1
188	Quercus nigra	Water Oak	12
189	Quercus laurifolia	Laurel Oak	18.8
190	Liquidambar styraciflua	Sweet Gum	5.6
191	Quercus nigra	Water Oak	6.4
192	Quercus laurifolia	Laurel Oak	13.4
193	Quercus nigra	Water Oak	9
194	Quercus nigra	Water Oak	13.5
195	Quercus nigra	Water Oak	9.8
196	Quercus nigra	Water Oak	4.5
197	Pinus taeda	Loblolly Pine	20.5
198	Pinus taeda	Loblolly Pine	4.6
199	Pinus taeda	Loblolly Pine	5.3
200	Prunus serotina	Black Cherry	6
201	Prunus serotina	Black Cherry	10.1
202	Quercus nigra	Water Oak	13.3
203	Pinus echinata	Shortleaf Pine	23.6
204	Prunus serotina	Black Cherry	10.5
205	Quercus laurifolia	Laurel Oak	4.4
206	Quercus alba	White Oak	4.4
207	Quercus nigra	Water Oak	21
208	Quercus nigra	Water Oak	5.5
209	Quercus laurifolia	Laurel Oak	5.8
210	Quercus laurifolia	Laurel Oak	6.3
211	Quercus laurifolia	Laurel Oak	11.8
212	Quercus laurifolia	Laurel Oak	4.3
213	Prunus serotina	Black Cherry	15.7
214	Quercus laurifolia	Laurel Oak	4.5
215	Quercus laurifolia	Laurel Oak	7.7
216	Prunus serotina	Black Cherry	10.6
217	Quercus laurifolia	Laurel Oak	5.1
218	Quercus falcata	Red Oak	15.8
219	Quercus laurifolia	Laurel Oak	7.1
220	Liquidambar styraciflua	Sweet Gum	13.9
221	Quercus nigra	Water Oak	4.6
222	Quercus nigra	Water Oak	5.6
223	Quercus nigra	Water Oak	8.4
224	Pinus echinata	Shortleaf Pine	18.5
225	Quercus nigra	Water Oak	5.2
226	Quercus nigra	Water Oak	6.1
227	Morus sp.	Mulberry	12.8
228	Quercus nigra	Water Oak	4.3
229	Prunus serotina	Black Cherry	6.3
230	Pinus taeda	Loblolly Pine	15.8
231	Pinus taeda	Loblolly Pine	24.9
232	Liquidambar styraciflua*	Sweet Gum	11.6
233	Cinnamomum camphora**	Camphor**	11.4
234	Cinnamomum camphora**	Camphor**	10.1
235	Cinnamomum camphora**	Camphor**	12.1
236	Cinnamomum camphora**	Camphor**	4.4
237	Liquidambar styraciflua*	Sweet Gum	11.5
238	Quercus nigra	Water Oak	13
239	Quercus nigra	Water Oak	11.3
240	Quercus nigra	Water Oak	9.8
241	Carya sp.	Hickory	15.3
242	Pinus taeda	Loblolly Pine	5.6
243	Liquidambar styraciflua	Sweet Gum	9
244	Quercus laurifolia	Laurel Oak	13.5
245	Liquidambar styraciflua	Sweet Gum	5.5
246	Liquidambar styraciflua	Sweet Gum	14.6
247	Pinus taeda	Loblolly Pine	21.2
248	Prunus serotina	Black Cherry	9
249	Quercus nigra	Water Oak	17.6
250	Quercus nigra	Water Oak	16.4
251	Quercus nigra	Water Oak	7.3
252	Quercus nigra	Water Oak	11.3
253	Quercus nigra	Water Oak	6.1
254	Quercus nigra	Water Oak	5
255	Quercus nigra	Water Oak	7.3
256	Quercus nigra	Water Oak	4.5
257	Prunus serotina	Black Cherry	5.5
258	Quercus nigra	Water Oak	5.6
259	Liquidambar styraciflua	Sweet Gum	4.5
260	Quercus laurifolia	Laurel Oak	25.6
261	Liquidambar styraciflua	Sweet Gum	6
262	Liquidambar styraciflua	Sweet Gum	4.5
263	Liquidambar styraciflua	Sweet Gum	4.6
264	Liquidambar styraciflua	Sweet Gum	6.6
265	Liquidambar styraciflua	Sweet Gum	9.6
266	Quercus nigra	Water Oak	6.6
267	Liquidambar styraciflua	Sweet Gum	9.2
268	Liquidambar styraciflua	Sweet Gum	4.9
269	Prunus serotina	Black Cherry	10.2
270	Pinus elliotii	Slash Pine	10.6
271	Quercus nigra	Water Oak	4.5
272	Liquidambar styraciflua	Sweet Gum	5.3
273	Liquidambar styraciflua	Sweet Gum	6.8
274	Liquidambar styraciflua	Sweet Gum	6.6
275	Liquidambar styraciflua	Sweet Gum	7.8
276	Liquidambar styraciflua	Sweet Gum	5.1
277	Liquidambar styraciflua	Sweet Gum	5.6
278	Liquidambar styraciflua	Sweet Gum	5.3
279	Morus sp.	Mulberry	7.1
280	Morus sp.	Mulberry	4.2
281	Quercus nigra	Water Oak	4.6
282	Quercus nigra	Water Oak	18.4
283	Prunus serotina	Black Cherry	7.2
284	Liquidambar styraciflua	Sweet Gum	6.4
285	Quercus laurifolia	Laurel Oak	6.4
286	Quercus laurifolia	Laurel Oak	4.5
287	Quercus nigra	Water Oak	5.2

ID #	Scientific Name	Common Name	DBH (in)
288	Liquidambar styraciflua	Sweet Gum	4.8
289	Quercus nigra	Water Oak	5.7
290	Liquidambar styraciflua	Sweet Gum	4.3
291	Quercus laurifolia	Laurel Oak	17.2
292	Quercus laurifolia	Laurel Oak	14.6
293	Liquidambar styraciflua	Sweet Gum	13.2
294	Pinus taeda	Loblolly Pine	14.2
295	Liquidambar styraciflua	Sweet Gum	5.2
296	Prunus serotina	Black Cherry	7
297	Liquidambar styraciflua	Sweet Gum	4.3
298	Quercus nigra	Water Oak	14
299	Magnolia grandiflora	Southern Magnolia	9.2
300	Prunus serotina	Black Cherry	5.5
301	Quercus laurifolia	Laurel Oak	18.4
302	Quercus laurifolia	Laurel Oak	20.7
303	Pinus elliotii	Slash Pine	5.6
304	Liquidambar styraciflua	Sweet Gum	4.1
305	Prunus serotina	Black Cherry	5.6
306	Pinus taeda	Loblolly Pine	5.1
307	Pinus taeda	Loblolly Pine	5.5
308	Pinus taeda	Loblolly Pine	6.8
309	Pinus taeda	Loblolly Pine	5.6
310	Liquidambar styraciflua	Sweet Gum	5.5
311	Liquidambar styraciflua	Sweet Gum	5.3
312	Quercus nigra	Water Oak	7.2
313	Liquidambar styraciflua	Sweet Gum	4
314	Quercus laurifolia	Laurel Oak	4.7
315	Quercus nigra	Water Oak	4.2
316	Liquidambar styraciflua	Sweet Gum	10.5
317	Liquidambar styraciflua	Sweet Gum	9
318	Carya illinoinensis	Pecan	4
319	Quercus falcata	Red Oak	5.2
320	Pinus taeda	Loblolly Pine	9.8
321	Pinus taeda	Loblolly Pine	12.5
322	Quercus nigra	Water Oak	5.4
323	Cornus sp.	Dogwood	5.1
324	Quercus nigra	Water Oak	4.6
325	Pinus taeda	Loblolly Pine	11.8
326	Liquidambar styraciflua	Sweet Gum	4.6
327	Liquidambar styraciflua	Sweet Gum	5.5
328	Carya sp.	Hickory	6.8
329	Cornus sp.	Dogwood	6.3
330	Magnolia grandiflora	Southern Magnolia	6.1
331	Quercus nigra	Water Oak	8.2
332	Morus sp.	Mulberry	5.2
333	Cornus sp.	Dogwood	4.9
334	Quercus nigra	Water Oak	6.3
335	Carya sp.	Hickory	9.1
336	Pinus taeda	Loblolly Pine	5
337	Myrica cerifera	Wax Myrtle	4.1
338	Quercus laurifolia	Laurel Oak	5
339	Quercus laurifolia	Laurel Oak	4.8
340	Quercus laurifolia	Laurel Oak	10
341	Prunus serotina	Black Cherry	5
342	Prunus serotina	Black Cherry	5.8
343	Liquidambar styraciflua	Sweet Gum	5.2
344	Liquidambar styraciflua	Sweet Gum	5.2
345	Prunus serotina	Black Cherry	4
346	Carya sp.	Hickory	6.5
347	Carya sp.	Hickory	4.7
348	Pinus elliotii	Slash Pine	6.6
349	Carya sp.	Hickory	6.1
350	Quercus nigra	Water Oak	4.5
351	Pinus taeda	Loblolly Pine	17.4
352	Quercus nigra	Water Oak	5.7
353	Quercus laurifolia	Laurel Oak	7
354	Quercus laurifolia	Laurel Oak	5
355	Liquidambar styraciflua	Sweet Gum	16
356	Quercus nigra	Water Oak	6.6
357	Quercus laurifolia	Laurel Oak	5.2
358	Pinus taeda	Loblolly Pine	16.3
359	Liquidambar styraciflua	Sweet Gum	6.5
360	Pinus elliotii	Slash Pine	4.6
361-362	Quercus virginiana	Live Oak	26.0, 29.0
363	Quercus laurifolia	Laurel Oak	6
364	Liquidambar styraciflua	Sweet Gum	5.1
365	Liquidambar styraciflua	Sweet Gum	4.8
366	Quercus virginiana	Live Oak	13.2
367	Carya sp.	Hickory	7.2
368	Carya sp.	Hickory	6.9
369	Pinus taeda	Loblolly Pine	23.3
* Signifies Invasive Exotic Species			
** Signifies Ornamental Plants			

URBAN CATALYST CONSULTANTS, INC.
2840 PABLO AVENUE
TALLAHASSEE, FLORIDA, 32308
PHONE: (850) 999-4241
WWW.UCCENG.COM
FL CA 00030572

DATE	BY	REVISIONS

BROOKSIDE VILLAGE
RESIDENTIAL SUBDIVISION

EXISTING CONDITIONS
(TREE TABLE)

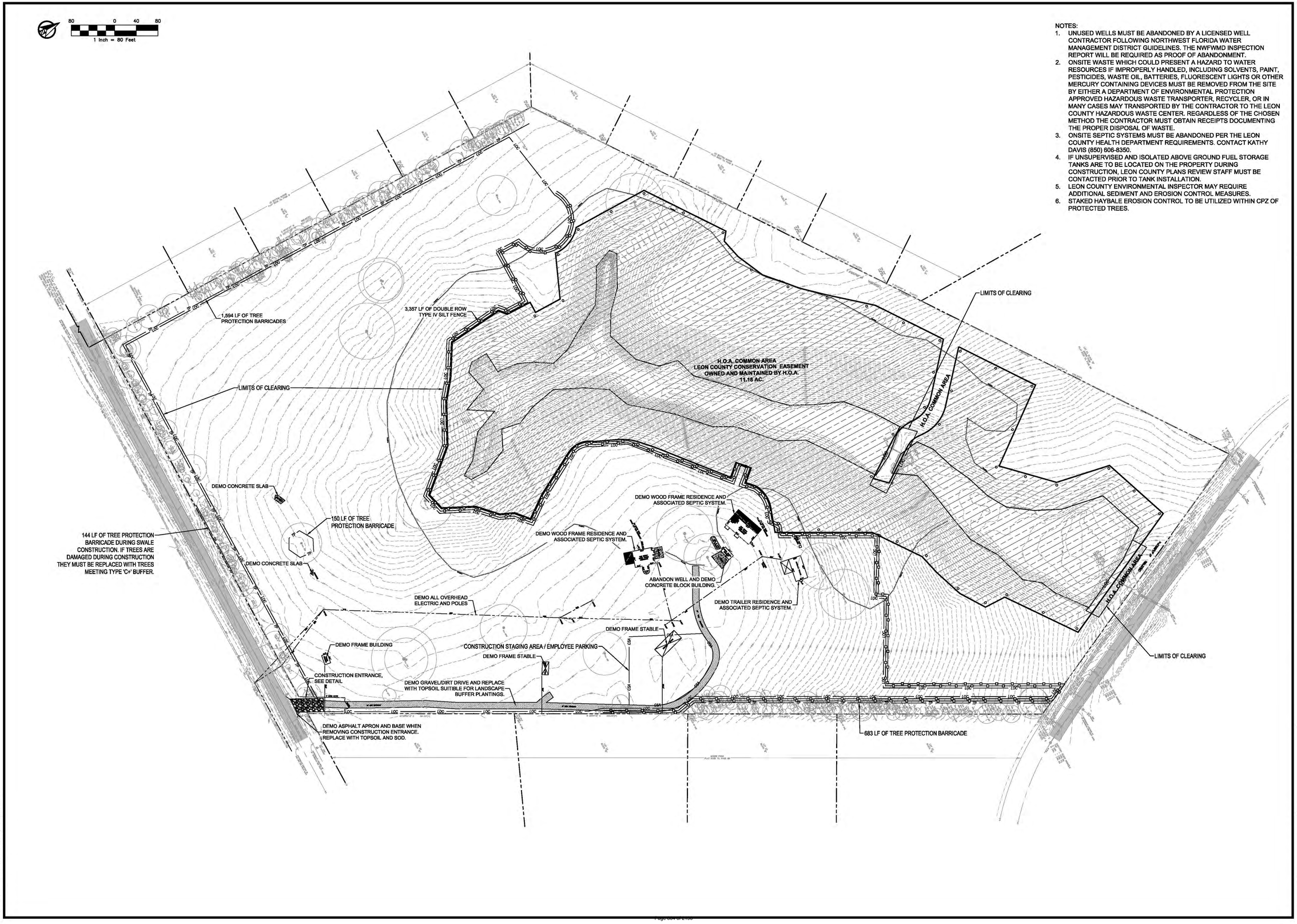
LEON COUNTY FLORIDA

SEAN K. MARSTON, P.E.
LICENSE NUMBER. 55987

DRAWN BY: W.E.C.
CHECKED BY: S.K.M.
DATE: 08/02/17
HORZ. SCALE:
VERT. SCALE:

SHEET C-106
PROJECT No. 15015.00

August 1, 2017 (17:08:59 EST)
F:\15015.00 - BROOKSIDE VILLAGE\CADD\BASE.DWG



NOTES:

1. UNUSED WELLS MUST BE ABANDONED BY A LICENSED WELL CONTRACTOR FOLLOWING NORTHWEST FLORIDA WATER MANAGEMENT DISTRICT GUIDELINES. THE NWFWMD INSPECTION REPORT WILL BE REQUIRED AS PROOF OF ABANDONMENT.
2. ONSITE WASTE WHICH COULD PRESENT A HAZARD TO WATER RESOURCES IF IMPROPERLY HANDLED, INCLUDING SOLVENTS, PAINT, PESTICIDES, WASTE OIL, BATTERIES, FLUORESCENT LIGHTS OR OTHER MERCURY CONTAINING DEVICES MUST BE REMOVED FROM THE SITE BY EITHER A DEPARTMENT OF ENVIRONMENTAL PROTECTION APPROVED HAZARDOUS WASTE TRANSPORTER, RECYCLER, OR IN MANY CASES MAY TRANSPORTED BY THE CONTRACTOR TO THE LEON COUNTY HAZARDOUS WASTE CENTER. REGARDLESS OF THE CHOSEN METHOD THE CONTRACTOR MUST OBTAIN RECEIPTS DOCUMENTING THE PROPER DISPOSAL OF WASTE.
3. ONSITE SEPTIC SYSTEMS MUST BE ABANDONED PER THE LEON COUNTY HEALTH DEPARTMENT REQUIREMENTS. CONTACT KATHY DAVIS (850) 606-8350.
4. IF UNSUPERVISED AND ISOLATED ABOVE GROUND FUEL STORAGE TANKS ARE TO BE LOCATED ON THE PROPERTY DURING CONSTRUCTION, LEON COUNTY PLANS REVIEW STAFF MUST BE CONTACTED PRIOR TO TANK INSTALLATION.
5. LEON COUNTY ENVIRONMENTAL INSPECTOR MAY REQUIRE ADDITIONAL SEDIMENT AND EROSION CONTROL MEASURES.
6. STAKED HAYBALE EROSION CONTROL TO BE UTILIZED WITHIN CPZ OF PROTECTED TREES.

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DATE	BY	REVISIONS

BROOKSIDE VILLAGE
RESIDENTIAL SUBDIVISION

DEMOLITION AND PHASE 1 EROSION CONTROL PLAN

LEON COUNTY FLORIDA

SEAN K. MARSTON, P.E.
LICENSE NUMBER. 55987

DRAWN BY:	W.E.C.
CHECKED BY:	S.K.M.
DATE:	08/02/17
HORZ. SCALE:	1"=80'
VERT. SCALE:	
SHEET	C-107
PROJECT No.	15015.00

August 1, 2017 (17:08:59 EST)
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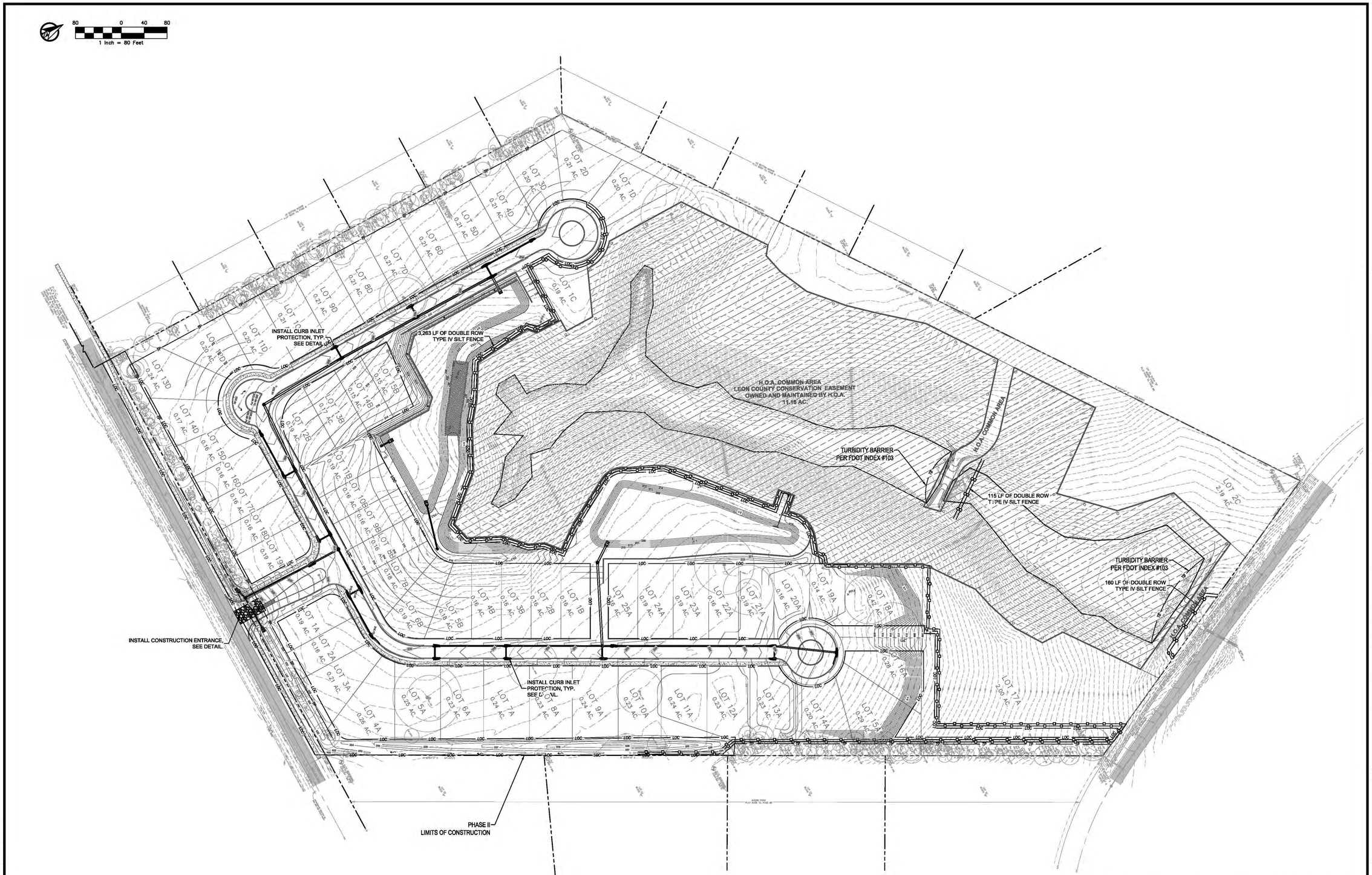

NOTES:

1. KEEP HEAVY MACHINERY OFF THE POND BOTTOM. POND BOTTOM TO BE CONSTRUCTED BY AN EXCAVATOR AND ANY GRADING TO BE DONE BY LIGHT TRACTOR.
2. ONCE EXFILTRATION TRENCHES ARE TESTED AND APPROVED, PROTECT TRENCHES WITH FDOT TYPE 3 FILTER FABRIC.
3. CONTRACTOR TO USE CARE TO MINIMIZE IMPACTS TO ENVIRONMENTALLY SENSITIVE AREAS WHEN SELECTING AND PLACING SEDIMENT AND EROSION CONTROLS.

URBAN CATALYST CONSULTANTS, INC.
2840 PABLO AVENUE
TALLAHASSEE, FLORIDA, 32308
PHONE: (850) 999-4241
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FL CA 00030572

DATE	BY	REVISIONS

BROOKSIDE VILLAGE
RESIDENTIAL SUBDIVISION

EROSION CONTROL PLAN
PHASE 2

LEON COUNTY FLORIDA

SEAN K. MARSTON, P.E.
LICENSE NUMBER. 55987

DRAWN BY:	W.E.C.
CHECKED BY:	S.K.M.
DATE:	08/02/17
HORZ. SCALE:	1"=80'
VERT. SCALE:	
SHEET	C-108
PROJECT No.	15015.00

August 1, 2017 (17:08:59 EST)
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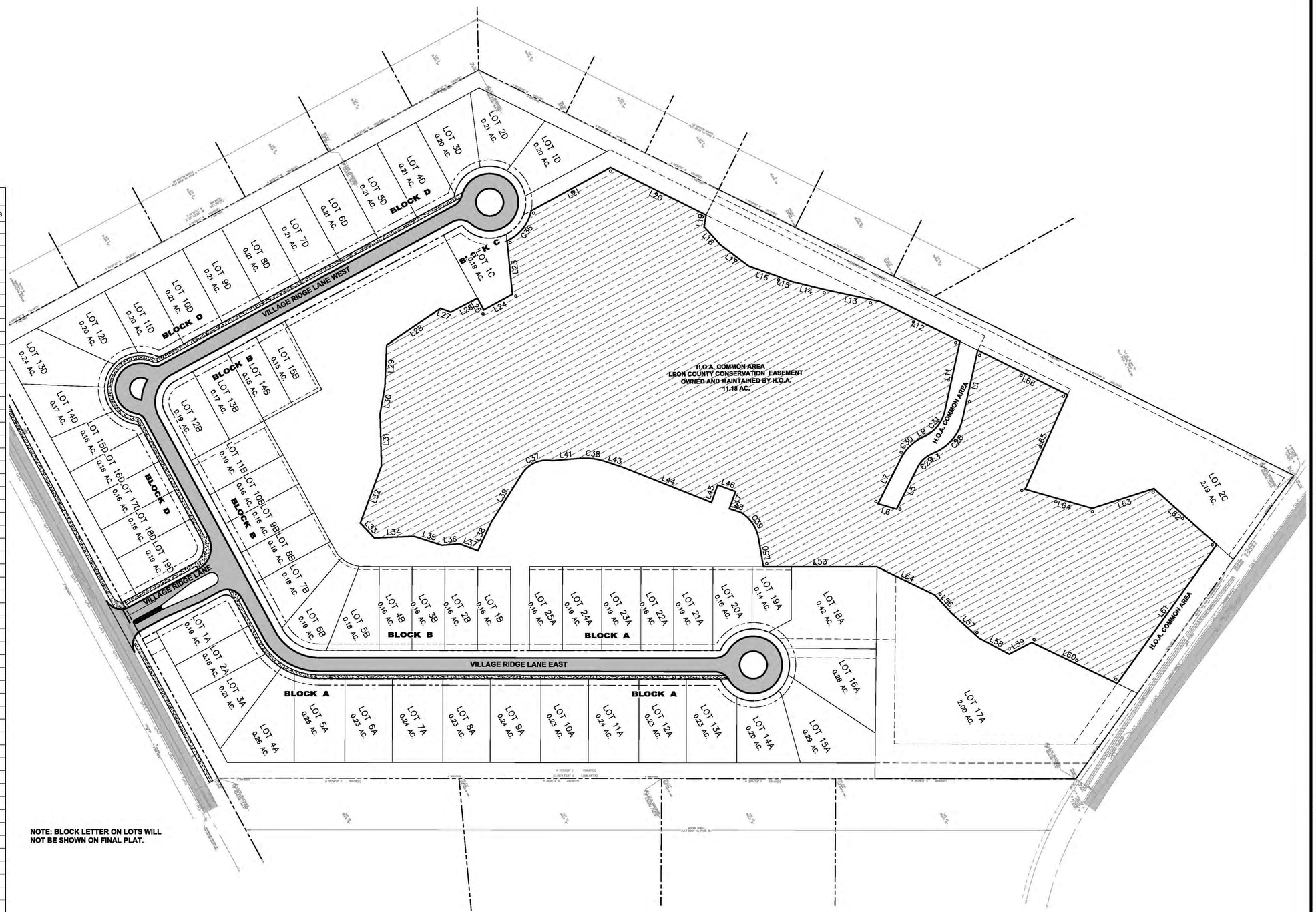


Parcel Line and Curve Table			
Line #/Curve #	Length	Bearing/Delta	Radius
C28	68.21	52.11	75.00
C29	29.72	37.85	45.00
C30	49.54	37.85	75.00
C31	54.57	52.11	60.00
C36	63.27	54.11	67.00
C37	56.10	69.73	46.09
C38	40.09	22.97	100.00
C39	54.08	51.94	59.66
L1	111.69	S48° 47' 40.01"E	
L3	9.85	S3° 18' 51.25"W	
L5	74.19	S34° 31' 51.08"E	
L6	30.55	S44° 34' 27.61"W	
L7	79.96	N34° 31' 51.08"W	
L9	2.52	N3° 18' 51.25"E	
L11	111.92	N49° 03' 57.05"W	
L12	140.57	S55° 06' 56.43"W	
L13	92.04	S40° 49' 14.34"W	
L14	52.35	S42° 33' 05.03"W	
L15	21.10	S49° 26' 11.16"W	
L16	50.61	S48° 06' 40.62"W	
L17	56.52	S65° 39' 40.26"W	
L18	37.84	S76° 42' 36.03"W	
L19	18.95	N52° 07' 04.58"W	
L20	169.00	S55° 06' 59.66"W	
L21	142.70	S0° 00' 00.00"E	
L23	85.01	S66° 57' 52.16"E	
L24	51.52	S0° 09' 23.60"W	
L25	21.05	N89° 49' 37.29"W	
L26	47.71	S1° 03' 18.99"W	
L27	17.22	S49° 07' 48.78"W	
L28	103.04	S5° 27' 54.82"E	
L29	65.80	S58° 55' 27.58"E	
L30	43.54	S51° 10' 49.73"E	
L31	82.46	S62° 52' 38.53"E	
L32	96.67	S41° 00' 11.00"E	
L33	32.51	N75° 22' 29.67"E	
L34	62.41	N26° 06' 36.58"E	
L35	46.69	N46° 23' 37.88"E	
L36	27.80	N23° 56' 32.74"E	
L37	31.18	N49° 09' 13.02"E	
L38	49.92	N36° 06' 25.65"W	
L39	89.47	N28° 51' 10.04"W	
L41	43.78	N23° 53' 39.28"E	
L43	29.95	N46° 51' 43.93"E	
L44	151.18	N50° 18' 40.85"E	
L45	29.16	N41° 32' 48.83"W	
L46	30.00	N48° 27' 11.17"E	
L47	28.97	S41° 32' 48.83"E	
L48	19.57	N46° 46' 50.44"E	
L50	42.24	S71° 05' 51.67"E	
L53	179.55	N28° 43' 54.41"E	
L54	101.89	N54° 32' 55.47"E	
L56	39.86	N75° 55' 27.90"E	
L57	57.97	N70° 53' 51.30"E	
L58	53.48	N56° 49' 01.00"E	
L59	40.21	N1° 17' 47.41"E	
L60	150.04	N54° 15' 55.45"E	
L61	269.81	N25° 39' 12.67"W	
L62	133.11	S70° 28' 17.86"W	
L63	102.55	S10° 56' 37.56"W	
L64	110.30	S44° 32' 16.08"W	
L65	164.00	N37° 08' 13.03"W	
L66	158.41	S55° 06' 56.43"W	

NOTE: BLOCK LETTER ON LOTS WILL NOT BE SHOWN ON FINAL PLAT.

NOTE: CONSERVATION EASEMENT AREAS ARE TO BE DEDICATED TO LEON COUNTY, THE LAND SHALL BE OWNED AND MAINTAINED BY THE H.O.A.

URBAN CATALYST CONSULTANTS, INC.
2840 PABLO AVENUE
TALLAHASSEE, FLORIDA, 32308
PHONE: (850) 999-4241
WWW.UCCENG.COM
FL CA 00030572

DATE	BY	REVISIONS

BROOKSIDE VILLAGE RESIDENTIAL SUBDIVISION

PRELIMINARY PLAT (OVERALL)

LEON COUNTY FLORIDA

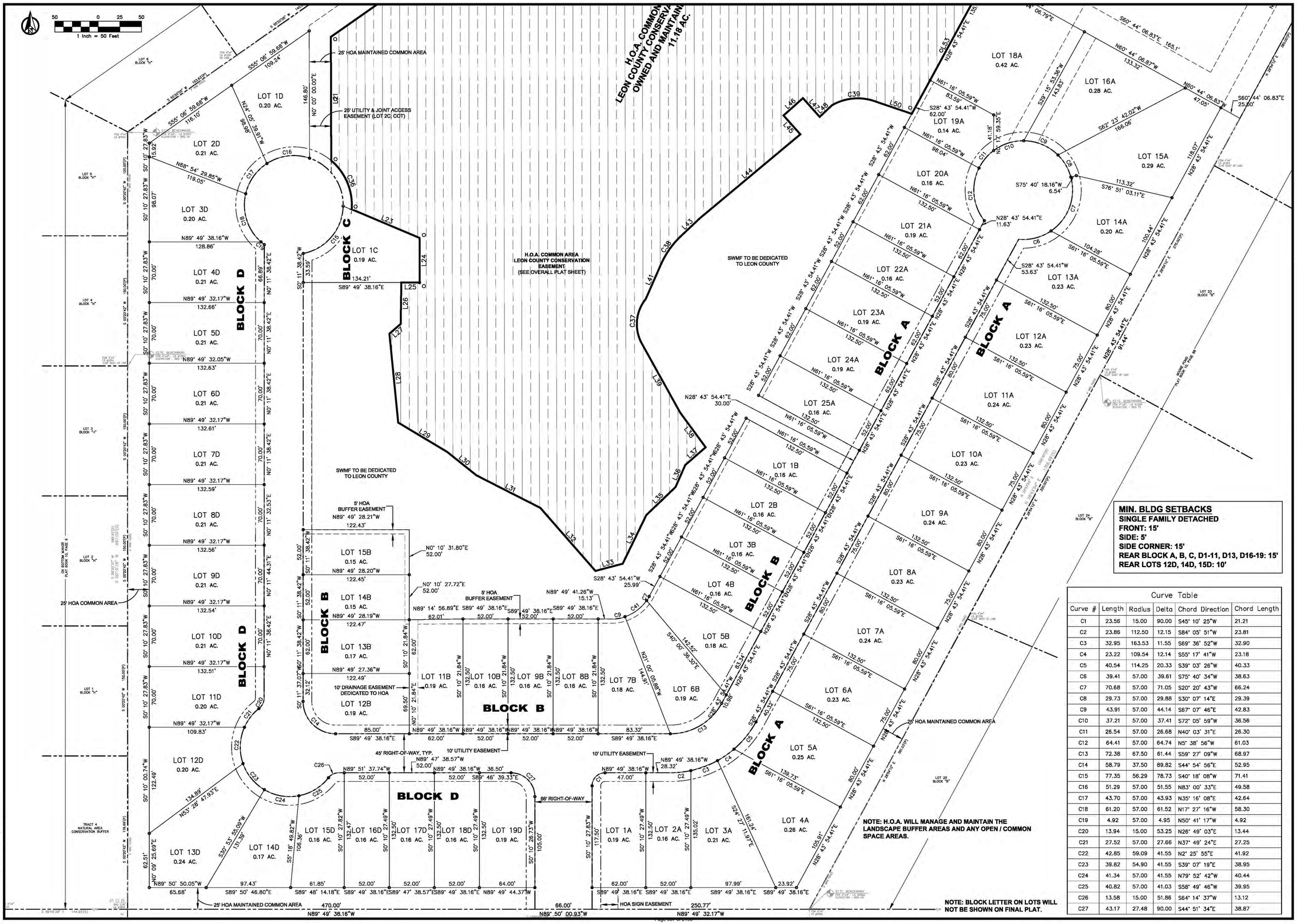
SEAN K. MARSTON, P.E.
LICENSE NUMBER. 55987

DRAWN BY:	W.E.C.
CHECKED BY:	S.K.M.
DATE:	08/02/17
HORZ. SCALE:	1"=80'
VERT. SCALE:	

SHEET **C-109**

PROJECT No. 15015.00

August 2, 2017 (10:07:14 EST)
F:\15015.00 – BROOKSIDE VILLAGE\CADD\BASE.DWG



MIN. BLDG SETBACKS
SINGLE FAMILY DETACHED
FRONT: 15'
SIDE: 5'
SIDE CORNER: 15'
REAR BLOCK A, B, C, D1-11, D13, D16-19: 15'
REAR LOTS 12D, 14D, 15D: 10'

NOTE: H.O.A. WILL MANAGE AND MAINTAIN THE LANDSCAPE BUFFER AREAS AND ANY OPEN / COMMON SPACE AREAS.

NOTE: BLOCK LETTER ON LOTS WILL NOT BE SHOWN ON FINAL PLAT.

Curve Table

Curve #	Length	Radius	Delta	Chord Direction	Chord Length
C1	23.56	15.00	90.00	S45° 10' 25"W	21.21
C2	23.86	112.50	12.15	S84° 05' 51"W	23.81
C3	32.95	163.53	11.55	S69° 36' 52"W	32.90
C4	23.22	109.54	12.14	S55° 17' 41"W	23.18
C5	40.54	114.25	20.33	S39° 03' 26"W	40.33
C6	39.41	57.00	39.61	S75° 40' 34"W	38.63
C7	70.68	57.00	71.05	S20° 20' 43"W	66.24
C8	29.73	57.00	29.88	S30° 07' 14"E	29.39
C9	43.91	57.00	44.14	S67° 07' 46"E	42.83
C10	37.21	57.00	37.41	S72° 05' 59"W	36.56
C11	26.54	57.00	26.68	N40° 03' 31"E	26.30
C12	64.41	57.00	64.74	N5° 38' 56"W	61.03
C13	72.38	67.50	61.44	S59° 27' 09"W	68.97
C14	58.79	37.50	89.82	S44° 54' 56"E	52.95
C15	77.35	56.29	78.73	S40° 18' 08"W	71.41
C16	51.29	57.00	51.55	N83° 00' 33"E	49.58
C17	43.70	57.00	43.93	N35° 16' 08"E	42.64
C18	61.20	57.00	61.52	N17° 27' 16"W	58.30
C19	4.92	57.00	4.95	N50° 41' 17"W	4.92
C20	13.94	15.00	53.25	N26° 49' 03"E	13.44
C21	27.52	57.00	27.66	N37° 49' 24"E	27.25
C22	42.85	59.09	41.55	N2° 25' 55"E	41.92
C23	39.82	54.90	41.55	S39° 07' 19"E	38.95
C24	41.34	57.00	41.55	N79° 52' 42"W	40.44
C25	40.82	57.00	41.03	S58° 49' 46"W	39.95
C26	13.58	15.00	51.86	S64° 14' 37"W	13.12
C27	43.17	27.48	90.00	S44° 51' 34"E	38.87

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2840 PABLO AVENUE
TALLAHASSEE, FLORIDA, 32308
PHONE: (850) 999-4241
WWW.UCCENG.COM
FL CA 00030572

DATE	BY	REVISIONS

BROOKSIDE VILLAGE RESIDENTIAL SUBDIVISION

PRELIMINARY PLAT

LEON COUNTY FLORIDA

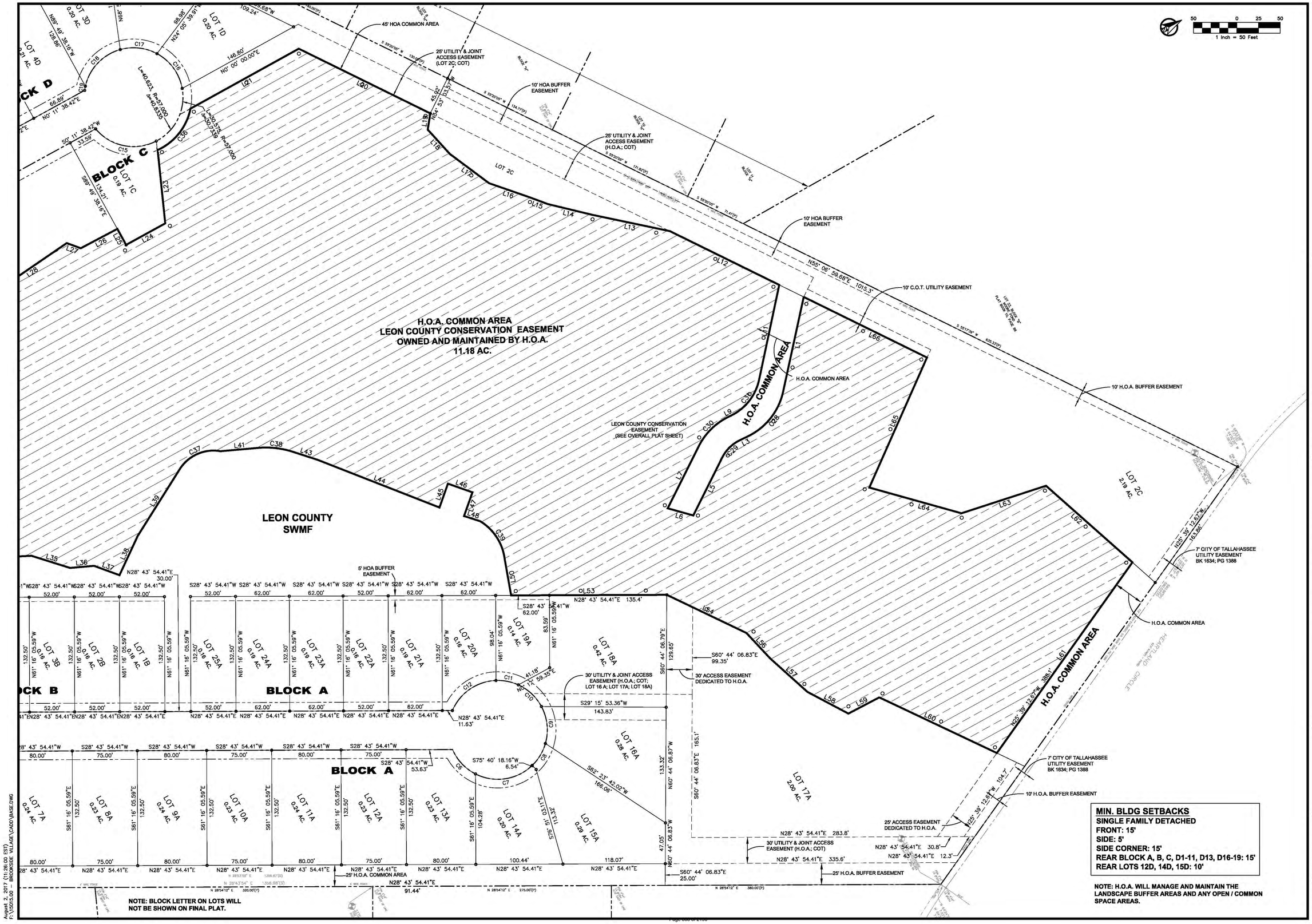
SEAN K. MARSTON, P.E.
LICENSE NUMBER. 55987

DRAWN BY:	W.E.C.
CHECKED BY:	S.K.M.
DATE:	08/02/17
HORZ. SCALE:	1"=50'
VERT. SCALE:	

SHEET **C-110**

PROJECT No. 15015.00

August 2, 2017 (10:07:14 EST)
F:\15015.00 - BROOKSIDE VILLAGE\CADD\BASE.DWG



MIN. BLDG SETBACKS
SINGLE FAMILY DETACHED
FRONT: 15'
SIDE: 5'
SIDE CORNER: 15'
REAR BLOCK A, B, C, D1-11, D13, D16-19: 15'
REAR LOTS 12D, 14D, 15D: 10'

NOTE: H.O.A. WILL MANAGE AND MAINTAIN THE LANDSCAPE BUFFER AREAS AND ANY OPEN / COMMON SPACE AREAS.

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DATE	BY	REVISIONS

BROOKSIDE VILLAGE RESIDENTIAL SUBDIVISION

PRELIMINARY PLAT

LEON COUNTY FLORIDA

SEAN K. MARSTON, P.E.
LICENSE NUMBER. 55987

DRAWN BY:	W.E.C.
CHECKED BY:	S.K.M.
DATE:	08/02/17
HORZ. SCALE: VERT. SCALE:	1"=50'

SHEET **C-111**

PROJECT No. 15015.00

August 2, 2017 (11:26:00 EST)
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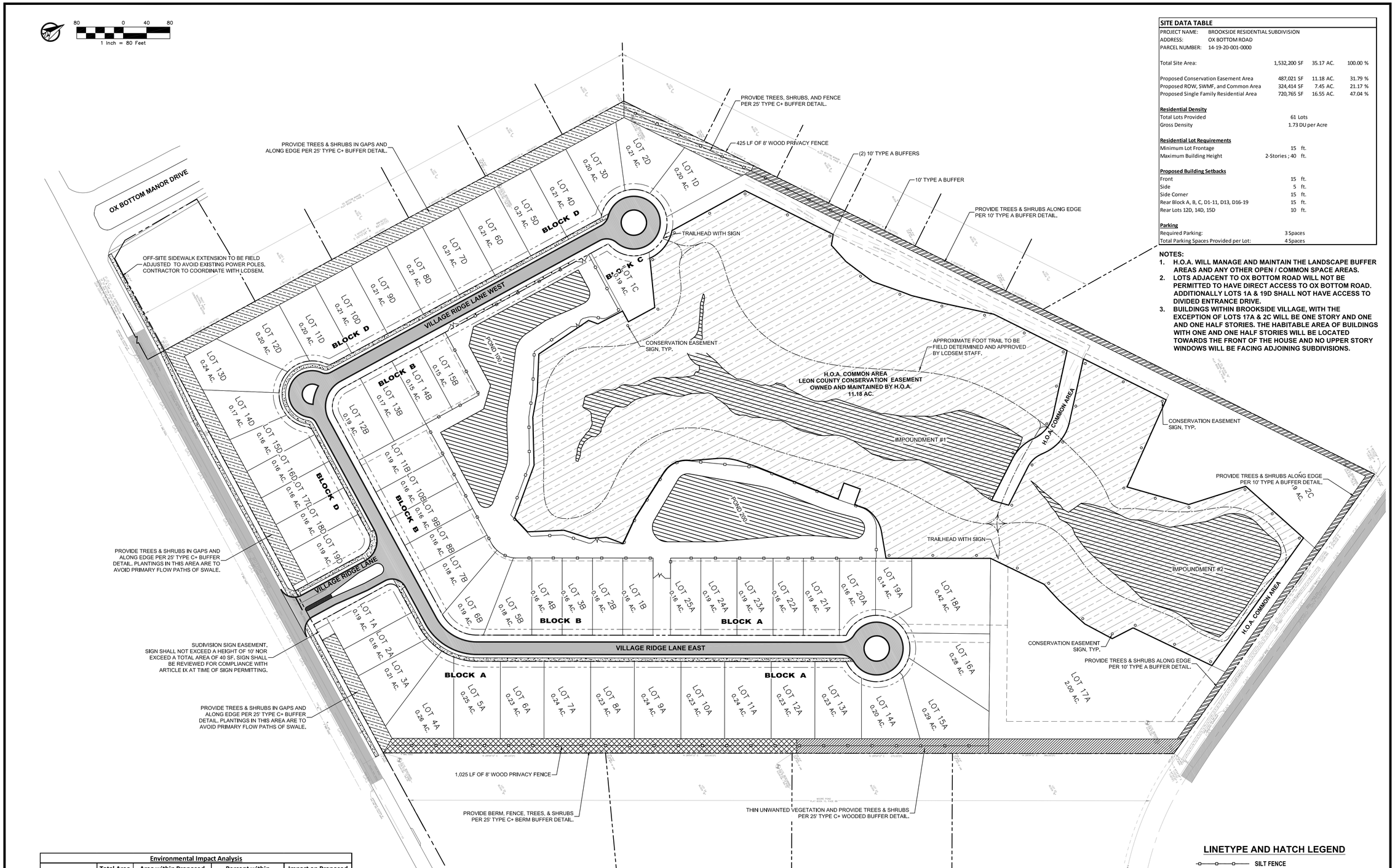

SITE DATA TABLE

PROJECT NAME:	BROOKSIDE RESIDENTIAL SUBDIVISION		
ADDRESS:	OX BOTTOM ROAD		
PARCEL NUMBER:	14-19-20-001-0000		
Total Site Area:	1,532,200 SF	35.17 AC.	100.00 %
Proposed Conservation Easement Area	487,021 SF	11.18 AC.	31.79 %
Proposed ROW, SWMF, and Common Area	324,414 SF	7.45 AC.	21.17 %
Proposed Single Family Residential Area	720,765 SF	16.55 AC.	47.04 %
Residential Density			
Total Lots Provided	61 Lots		
Gross Density	1.73 DU per Acre		
Residential Lot Requirements			
Minimum Lot Frontage	15 ft.		
Maximum Building Height	2-Stories ; 40 ft.		
Proposed Building Setbacks			
Front	15 ft.		
Side	5 ft.		
Side Corner	15 ft.		
Rear Block A, B, C, D1-11, D13, D16-19	15 ft.		
Rear Lots 12D, 14D, 15D	10 ft.		
Parking			
Required Parking:	3 Spaces		
Total Parking Spaces Provided per Lot:	4 Spaces		

NOTES:

1. H.O.A. WILL MANAGE AND MAINTAIN THE LANDSCAPE BUFFER AREAS AND ANY OTHER OPEN / COMMON SPACE AREAS.
2. LOTS ADJACENT TO OX BOTTOM ROAD WILL NOT BE PERMITTED TO HAVE DIRECT ACCESS TO OX BOTTOM ROAD. ADDITIONALLY LOTS 1A & 19D SHALL NOT HAVE ACCESS TO DIVIDED ENTRANCE DRIVE.
3. BUILDINGS WITHIN BROOKSIDE VILLAGE, WITH THE EXCEPTION OF LOTS 17A & 2C WILL BE ONE STORY AND ONE AND ONE HALF STORIES. THE HABITABLE AREA OF BUILDINGS WITH ONE AND ONE HALF STORIES WILL BE LOCATED TOWARDS THE FRONT OF THE HOUSE AND NO UPPER STORY WINDOWS WILL BE FACING ADJOINING SUBDIVISIONS.

Environmental Impact Analysis

Natural Feature	Total Area (Ac.)	Area within Proposed Conservation Area (Ac.)	Percent within Proposed Conservation	Impact on Proposed Feature
Wetland	2.90	2.90	100%	0.00%
Waterbody	0.93	0.93	100%	0.00%
Watercourse	0.33	0.33	100%	0.00%
FEMA Floodzone	2.12	2.07	97.6%	2.40%
Significant Grade	7.13	3.58	50.2%	0.00%
Severe Grade	4.93	4.93	100.0%	0.00%
Native Forests	4.96	4.83	97.4%	2.60%

LINETYPE AND HATCH LEGEND

- SILT FENCE
- LOC — LIMITS OF CLEARING
- TP — TREE PROTECTION
- C+ BUFFER
- C+ BUFFER W/ MANAGED VEGETATION
- C+ BUFFER W/ BERM
- TYPE A BUFFER
- SS — SEWER
- W — WATER
- GAS — GAS
- ELECTRIC

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DATE	BY	REVISIONS

BROOKSIDE VILLAGE RESIDENTIAL SUBDIVISION

OVERALL SITE PLAN

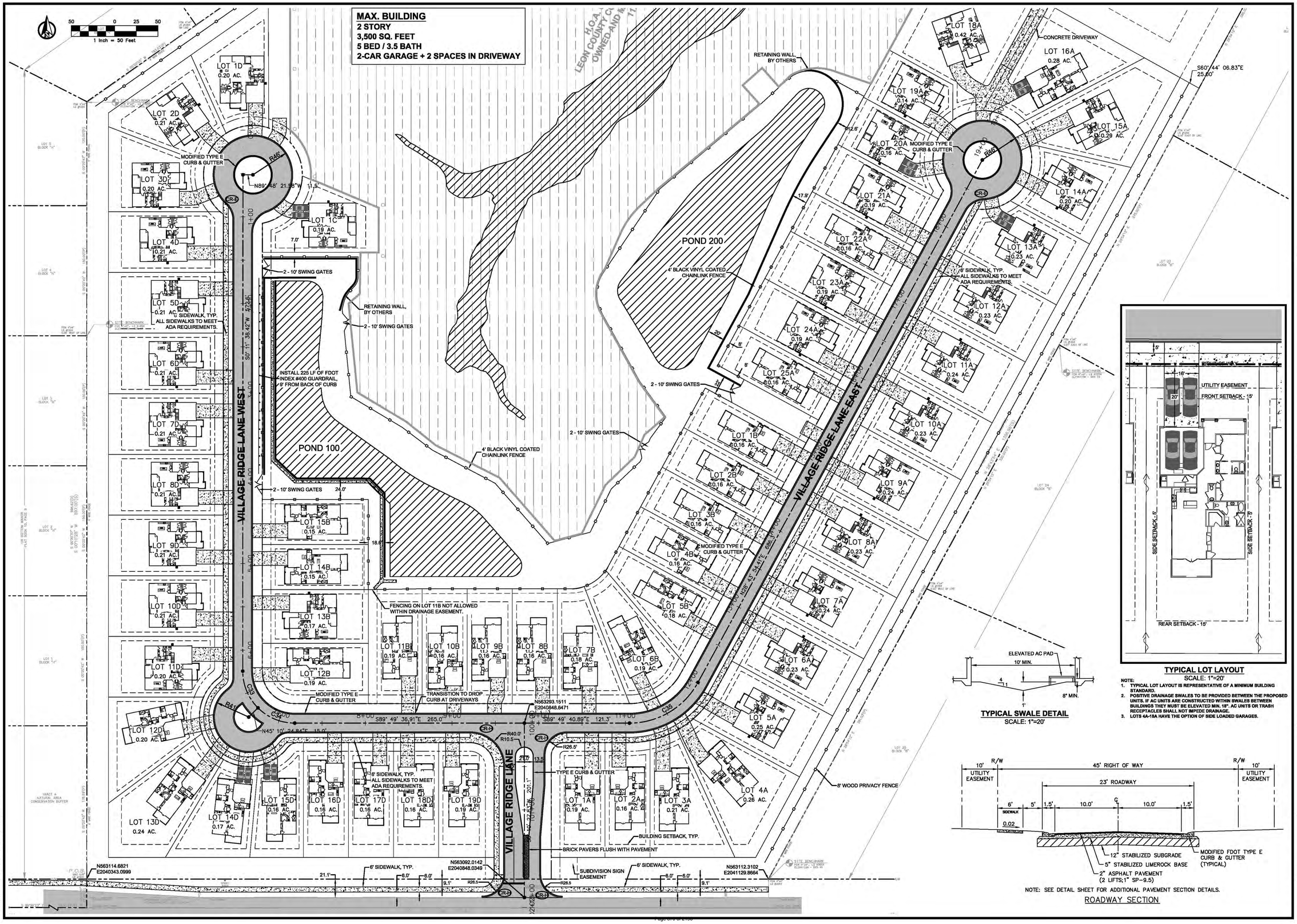
LEON COUNTY FLORIDA

SEAN K. MARSTON, P.E.
LICENSE NUMBER. 55987

DRAWN BY: W.E.C.
CHECKED BY: S.K.M.
DATE: 08/02/17
HORZ. SCALE: 1"=80'
VERT. SCALE:

SHEET C-112.1
PROJECT No. 15015.00

August 2, 2017 (11:26:00 EST)
F:\15015.00 - BROOKSIDE VILLAGE\CAD0\BASE.DWG



TYPICAL LOT LAYOUT
SCALE: 1"=20'

NOTE:
1. TYPICAL LOT LAYOUT IS REPRESENTATIVE OF A MINIMUM BUILDING STANDARD.
2. POSITIVE DRAINAGE SWALES TO BE PROVIDED BETWEEN THE PROPOSED UNITS. IF AC UNITS ARE CONSTRUCTED WITHIN SWALES BETWEEN BUILDINGS THEY MUST BE ELEVATED MIN. 18". AC UNITS OR TRASH RECEPTACLES SHALL NOT IMPEDE DRAINAGE.
3. LOTS 4A-18A HAVE THE OPTION OF SIDE LOADED GARAGES.

TYPICAL SWALE DETAIL
SCALE: 1"=20'

NOTE: SEE DETAIL SHEET FOR ADDITIONAL PAVEMENT SECTION DETAILS.

ROADWAY SECTION

August 1, 2017 (17:08:59 EST)
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DATE	BY	REVISIONS

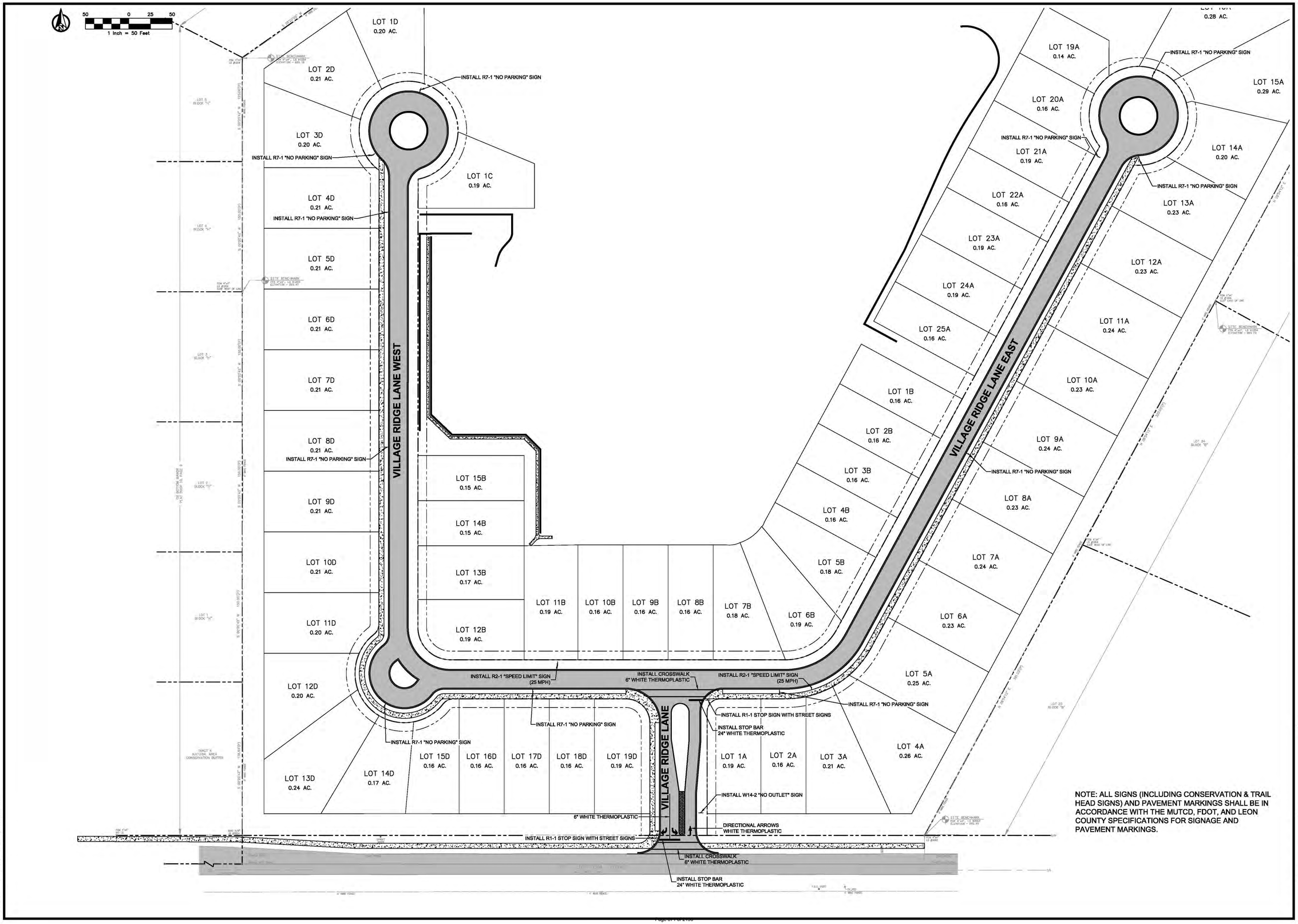
BROOKSIDE VILLAGE
RESIDENTIAL SUBDIVISION

SITE LAYOUT PLAN

LEON COUNTY FLORIDA

SEAN K. MARSTON, P.E.
LICENSE NUMBER. 55987

DRAWN BY:	W.E.C.
CHECKED BY:	S.K.M.
DATE:	08/02/17
HORZ. SCALE: VERT. SCALE:	1"=50'
SHEET	C-112.2
PROJECT No.	15015.00



NOTE: ALL SIGNS (INCLUDING CONSERVATION & TRAIL HEAD SIGNS) AND PAVEMENT MARKINGS SHALL BE IN ACCORDANCE WITH THE MUTCD, FDOT, AND LEON COUNTY SPECIFICATIONS FOR SIGNAGE AND PAVEMENT MARKINGS.

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DATE	BY	REVISIONS

BROOKSIDE VILLAGE RESIDENTIAL SUBDIVISION

SIGNAGE AND MARKINGS PLANS

LEON COUNTY FLORIDA

SEAN K. MARSTON, P.E.
LICENSE NUMBER. 55987

DRAWN BY: W.E.C.
CHECKED BY: S.K.M.
DATE: 08/02/17
HORZ. SCALE: 1"=50'
VERT. SCALE:

SHEET C-113
PROJECT No. 15015.00

August 1, 2017 (17:08:59 EST)
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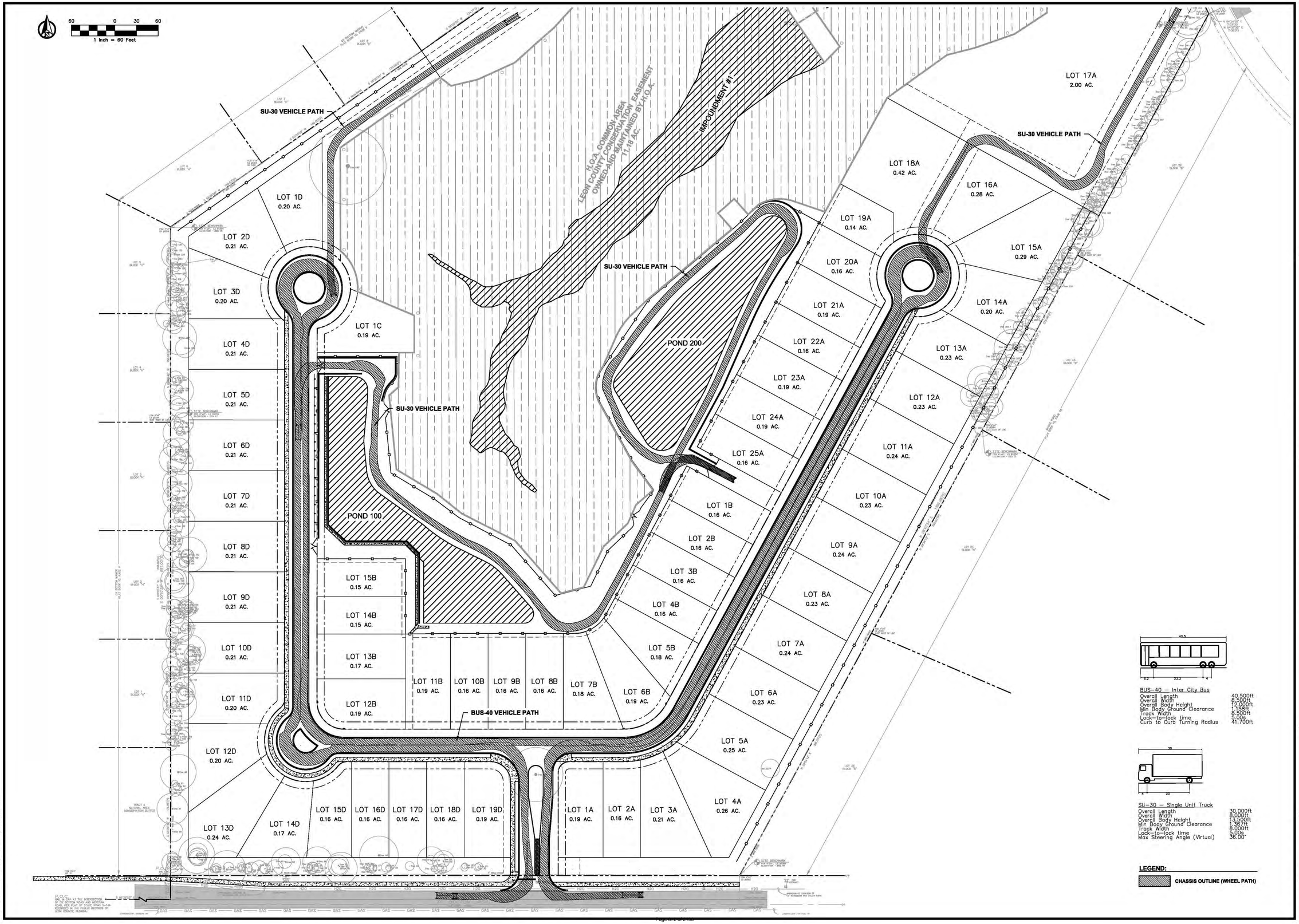

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DATE	BY	REVISIONS

BROOKSIDE VILLAGE RESIDENTIAL SUBDIVISION

TURNING MOVEMENT ANALYSIS

LEON COUNTY FLORIDA

SEAN K. MARSTON, P.E.
LICENSE NUMBER. 55987

DRAWN BY:	W.E.C.
CHECKED BY:	S.K.M.
DATE:	08/02/17
HORZ. SCALE:	1"=60'
VERT. SCALE:	

SHEET C-114

PROJECT No. 15015.00

August 1, 2017 (17:08:59 EST)
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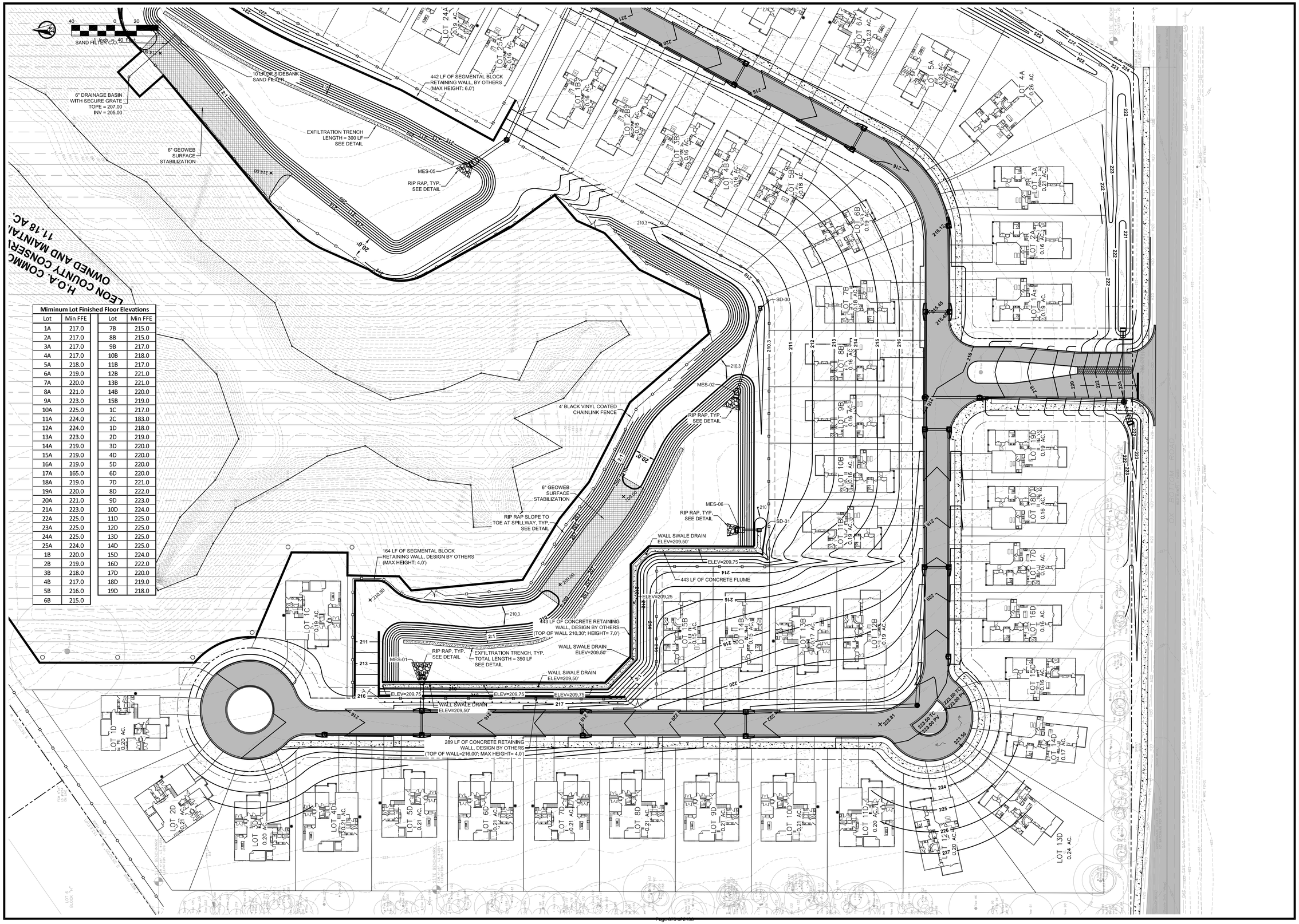

Miminum Lot Finished Floor Elevations			
Lot	Min FFE	Lot	Min FFE
1A	217.0	7B	215.0
2A	217.0	8B	215.0
3A	217.0	9B	217.0
4A	217.0	10B	218.0
5A	218.0	11B	217.0
6A	219.0	12B	221.0
7A	220.0	13B	221.0
8A	221.0	14B	220.0
9A	223.0	15B	219.0
10A	225.0	1C	217.0
11A	224.0	2C	183.0
12A	224.0	1D	218.0
13A	223.0	2D	219.0
14A	219.0	3D	220.0
15A	219.0	4D	220.0
16A	219.0	5D	220.0
17A	165.0	6D	220.0
18A	219.0	7D	221.0
19A	220.0	8D	222.0
20A	221.0	9D	223.0
21A	223.0	10D	224.0
22A	225.0	11D	225.0
23A	225.0	12D	225.0
24A	225.0	13D	225.0
25A	224.0	14D	225.0
1B	220.0	15D	224.0
2B	219.0	16D	222.0
3B	218.0	17D	220.0
4B	217.0	18D	219.0
5B	216.0	19D	218.0
6B	215.0		

August 1, 2017 (17:08:59 EST)
F:\15015.00 – BROOKSIDE VILLAGE\CADD\BASE.DWG

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DATE	BY	REVISIONS

BROOKSIDE VILLAGE RESIDENTIAL SUBDIVISION

SITE GRADING PLAN

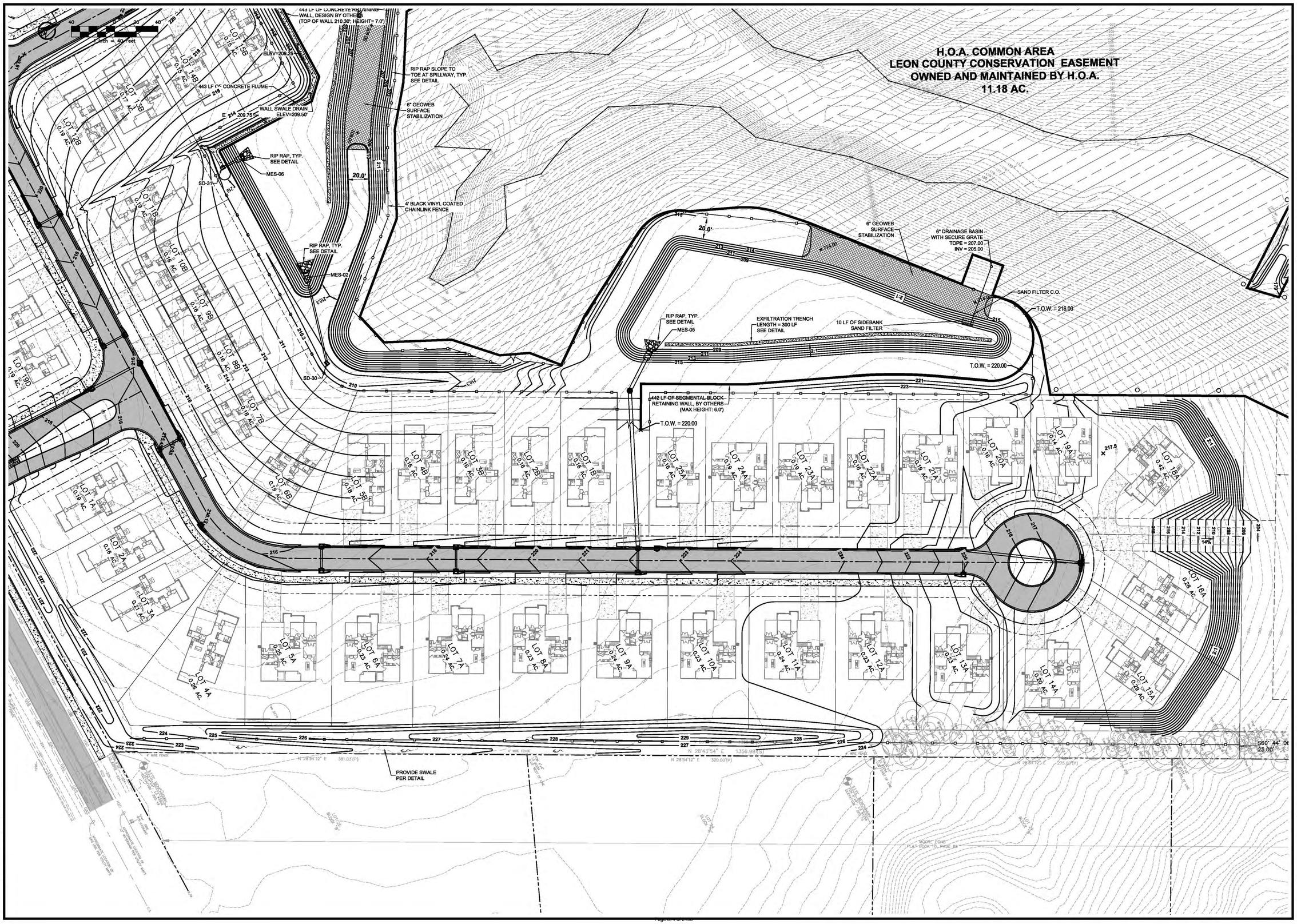
LEON COUNTY FLORIDA

SEAN K. MARSTON, P.E.
LICENSE NUMBER. 55987

DRAWN BY:	W.E.C.
CHECKED BY:	S.K.M.
DATE:	08/02/17
HORZ. SCALE:	1"=40'
VERT. SCALE:	

SHEET C-115

PROJECT No. 15015.00



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DATE	BY	REVISIONS

BROOKSIDE VILLAGE RESIDENTIAL SUBDIVISION

SITE GRADING PLAN

LEON COUNTY FLORIDA

SEAN K. MARSTON, P.E.
LICENSE NUMBER. 55987

DRAWN BY:	W.E.C.
CHECKED BY:	S.K.M.
DATE:	08/02/17
HORZ. SCALE:	1"=40'
VERT. SCALE:	

SHEET C-115.1

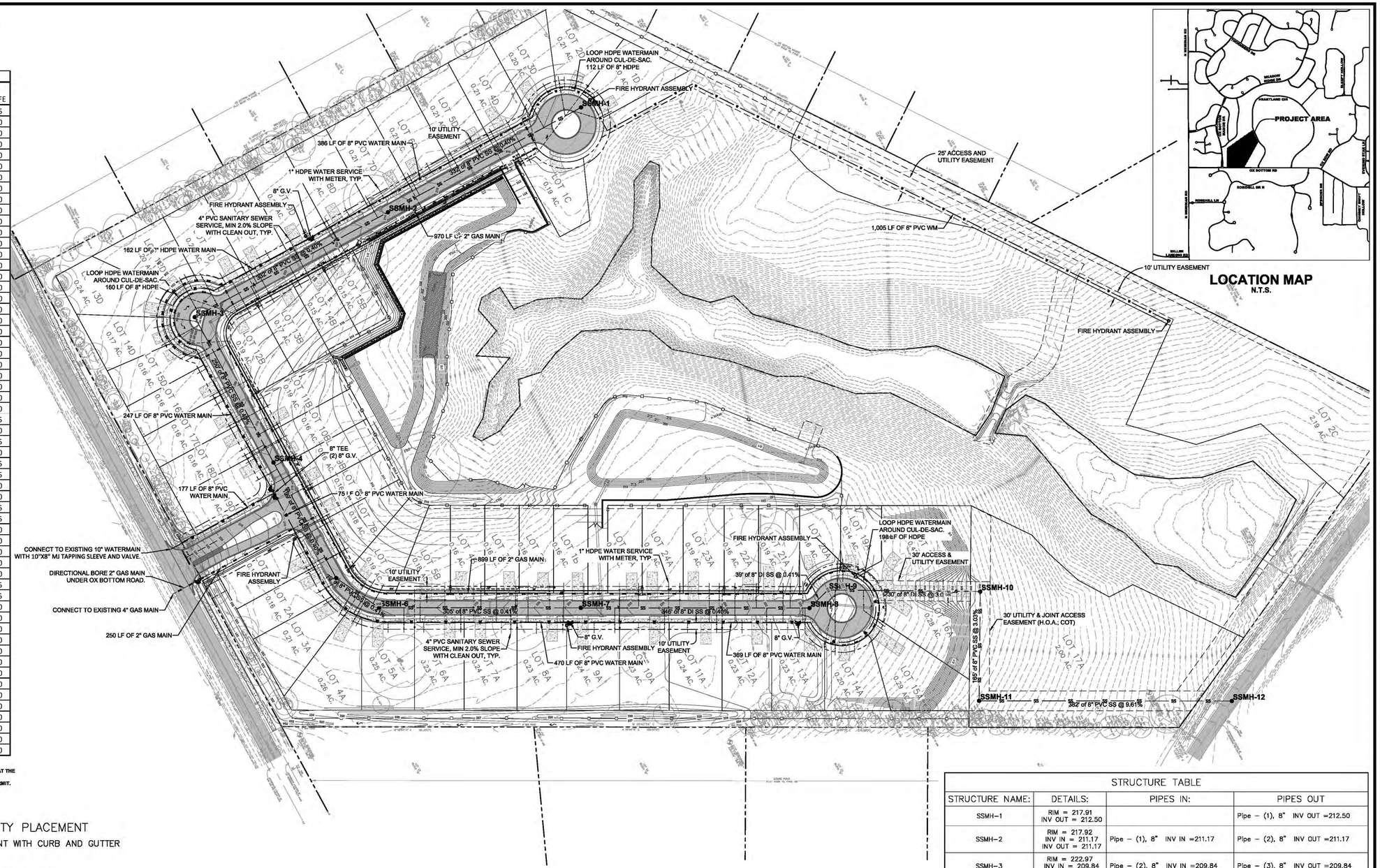
PROJECT No. 15015.00

August 1, 2017 (17:08:59 EST)
F:\15015.00 - BROOKSIDE VILLAGE\CADD\BASE.DWG

80 0 40 80
1 Inch = 80 Feet

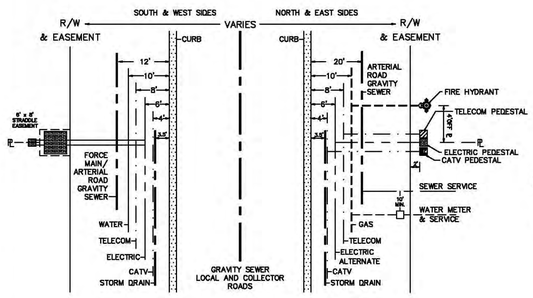
Sanitary Sewer Service Table			
Lot	Roadway Station	CO Inv. @ ROW	Min FFE
1A	10+71.03'	209.00	215.5
2A	11+13.00' Off -2.16	210.00	216.0
3A	11+39.11' Off -8.05	210.00	216.0
4A	11+64.70' Off -6.76	210.00	216.0
5A	12+25.57'	211.00	217.0
6A	13+11.63'	211.00	217.0
7A	13+87.04'	212.00	218.0
8A	14+65.64'	213.00	219.0
9A	15+44.23'	215.00	221.0
10A	16+19.58'	216.00	222.0
11A	16+98.40'	217.00	223.0
12A	17+74.03'	217.00	223.0
13A	18+32.06'	216.00	222.0
14A	18.77.56' Off -27.26	214.00	220.0
15A	19+20.36' Off -26.86	209.00	215.0
16A	Easement	202.00	208.0
17A	Easement	202.00	208.0
19A	19+10.64' Off -26.31	211.00	217.0
20A	18+80.63' Off -27.23	214.00	220.0
21A	18+09.56'	216.00	222.0
22A	17+58.32'	217.00	223.0
23A	17+02.15'	217.00	223.0
24A	16+42.54'	216.00	222.0
25A	15+80.15'	214.00	220.0
1B	14+97.57'	213.00	219.0
2B	14+45.70'	211.00	217.0
3B	13+94.47'	210.00	216.0
4B	13+41.81'	209.00	215.0
5B	12+87.29'	208.50	214.5
6B	11+77.61' Off-3.41	209.00	215.0
7B	10+75.59'	208.31	213.5
8B	10+17.21'	208.89	214.0
9B	9+64.41'	209.34	214.5
10B	9+13.84'	209.55	214.5
11B	8+60.61'	210.04	215.0
12B	6+41.03'	210.97	216.0
13B	5+87.45'	211.19	216.5
14B	5+21.41'	211.45	216.5
15B	4+63.45'	211.68	217.0
1C	1+36.50	212.88	217.0
1D	0+31.55	213.56	218.0
2D	0+46.97	213.48	218.0
3D	0+83.55	213.34	218.0
4D	1+56.61'	212.50	218.5
5D	2+26.27'	212.50	218.5
6D	2+97.51'	212.00	218.0
7D	3+69.37'	213.00	219.0
8D	4+39.41'	214.00	220.0
9D	5+02.20'	215.00	221.0
10D	5+77.14'	216.00	222.0
11D	6+44.39 Off 3.57	217.00	223.0
12D	6+67.06' Off 19.41	217.00	223.0
13D	6+75.36' Off 19.61	217.00	223.0
14D	6+78.94' Off 15.80	216.00	222.0
15D	7+09.52'	214.00	220.0
16D	7+74.67	213.00	219.0
17D	8+27.45'	211.00	217.0
18D	8+78.12'	209.86	216.0
19D	9+20.41	209.77	216.0

NOTES:
1. MINIMUM FFE BASED ON CLEAN OUT ELEVATIONS LOCATED AT THE RIGHT OF WAY.
2. FINAL FFE ARE TO BE DETERMINED AT TIME OF BUILDING PERMIT.

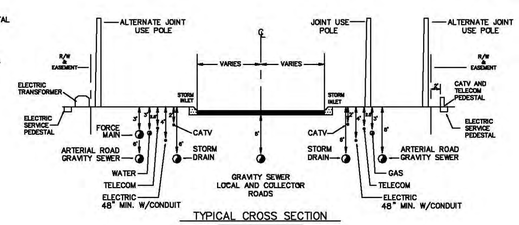


BROOKSIDE UTILITY PLACEMENT

RIGHT-OF-WAY AND EASEMENT WITH CURB AND GUTTER



TYPICAL PLAN



TYPICAL CROSS SECTION

NOTES:
1. CONTRACTOR SHALL VERIFY ALL UTILITY LOCATIONS BEFORE CONSTRUCTION.
2. ALL WATER AND SEWER CONSTRUCTION MUST CONFORM TO THE CITY OF TALLAHASSEE "STANDARD SPECIFICATIONS FOR DESIGN AND CONSTRUCTION OF WATER AND WASTEWATER FACILITIES"; LATEST EDITION.
3. FIRE MAIN SHALL BE INSTALLED WITH MIN. 36" OF COVER UNDER DRIVING SURFACES AND 30" OF COVER UNDER NON-DRIVING SURFACES.
4. FIRE MAIN PIPING SHALL NOT BE COVERED UNTIL INSPECTED BY THE TALLAHASSEE FIRE DEPARTMENT.
5. FIRE HYDRANT SHALL BE A MINIMUM OF 24" ABOVE GRADE MEASURED TO THE CENTER OF THE STEAMER NOZZLE.
6. STEAMER NOZZLE TO FACE ROADWAY OR NEAREST POINT OF FIRE DEPARTMENT APPARATUS ACCESSIBILITY WHEN PLACED IN SERVICE.
7. WHERE UNDERGROUND UTILITIES CONFLICT WITH PROPOSED PLANTINGS, TREE PLACEMENT SHALL BE A MINIMUM OF TEN FEET FROM THE UNDERGROUND UTILITY OR A ROOT BARRIER OF TWO FEET DEEP SHALL BE INSTALLED.
8. WATER METERS SHALL BE LOCATED IN GREEN AREAS AND NOT WITHIN PAVEMENT, SIDEWALKS, DRIVEWAYS, ETC.
9. SELECT FILL IS REQUIRED FOR WATER AND SEWER INFRASTRUCTURE LOCATED BENEATH PAVEMENT/CURB. SUITABLE MATERIAL WILL BE ALLOWED IN ALL OTHER LOCATIONS.

STRUCTURE TABLE			
STRUCTURE NAME:	DETAILS:	PIPES IN:	PIPES OUT
SSMH-1	RIM = 217.91 INV OUT = 212.50		Pipe – (1), 8" INV OUT =212.50
SSMH-2	RIM = 217.92 INV IN = 211.17 INV OUT = 211.17	Pipe – (1), 8" INV IN =211.17	Pipe – (2), 8" INV OUT =211.17
SSMH-3	RIM = 222.97 INV IN = 209.84 INV OUT = 209.84	Pipe – (2), 8" INV IN =209.84	Pipe – (3), 8" INV OUT =209.84
SSMH-4	RIM = 216.78 INV IN = 208.84 INV OUT = 208.84	Pipe – (3), 8" INV IN =208.84	Pipe – (4), 8" INV OUT =208.84
SSMH-5	RIM = 215.80 INV IN = 208.04 INV OUT = 208.04	Pipe – (4), 8" INV IN =208.04	Pipe – (4) (1), 8" INV OUT =208.04
SSMH-6	RIM = 216.04 INV IN = 207.72 INV OUT = 207.72	Pipe – (4) (1), 8" INV IN =207.72	Pipe – (5), 8" INV OUT =207.72
SSMH-7	RIM = 221.52 INV IN = 206.46 INV OUT = 206.46	Pipe – (5), 8" INV IN =206.46	Pipe – (6), 8" INV OUT =206.46
SSMH-8	RIM = 219.46 INV IN = 205.08 INV OUT = 205.08	Pipe – (6), 8" INV IN =205.08	Pipe – (7), 8" INV OUT =205.08
SSMH-9	RIM = 218.00 INV IN = 204.92 INV OUT = 204.92	Pipe – (7), 8" INV IN =204.92	Pipe – (8), 8" INV OUT =204.92
SSMH-10	RIM = 203.73 INV IN = 198.00 INV OUT = 198.00	Pipe – (8), 8" INV IN =198.00	Pipe – (9), 8" INV OUT =198.00
SSMH-11	RIM = 199.31 INV IN = 193.00 INV OUT = 193.00	Pipe – (9), 8" INV IN =193.00	Pipe – (10), 8" INV OUT =193.00
SSMH-12	RIM = 163.60 INV IN = 156.27	Pipe – (10), 8" INV IN =156.27	

URBAN CATALYST CONSULTANTS, INC.
2840 PABLO AVENUE
TALLAHASSEE, FLORIDA, 32308
PHONE: (850) 999-4241
WWW.UCCENG.COM
FL CA 00030572

DATE	BY	REVISIONS

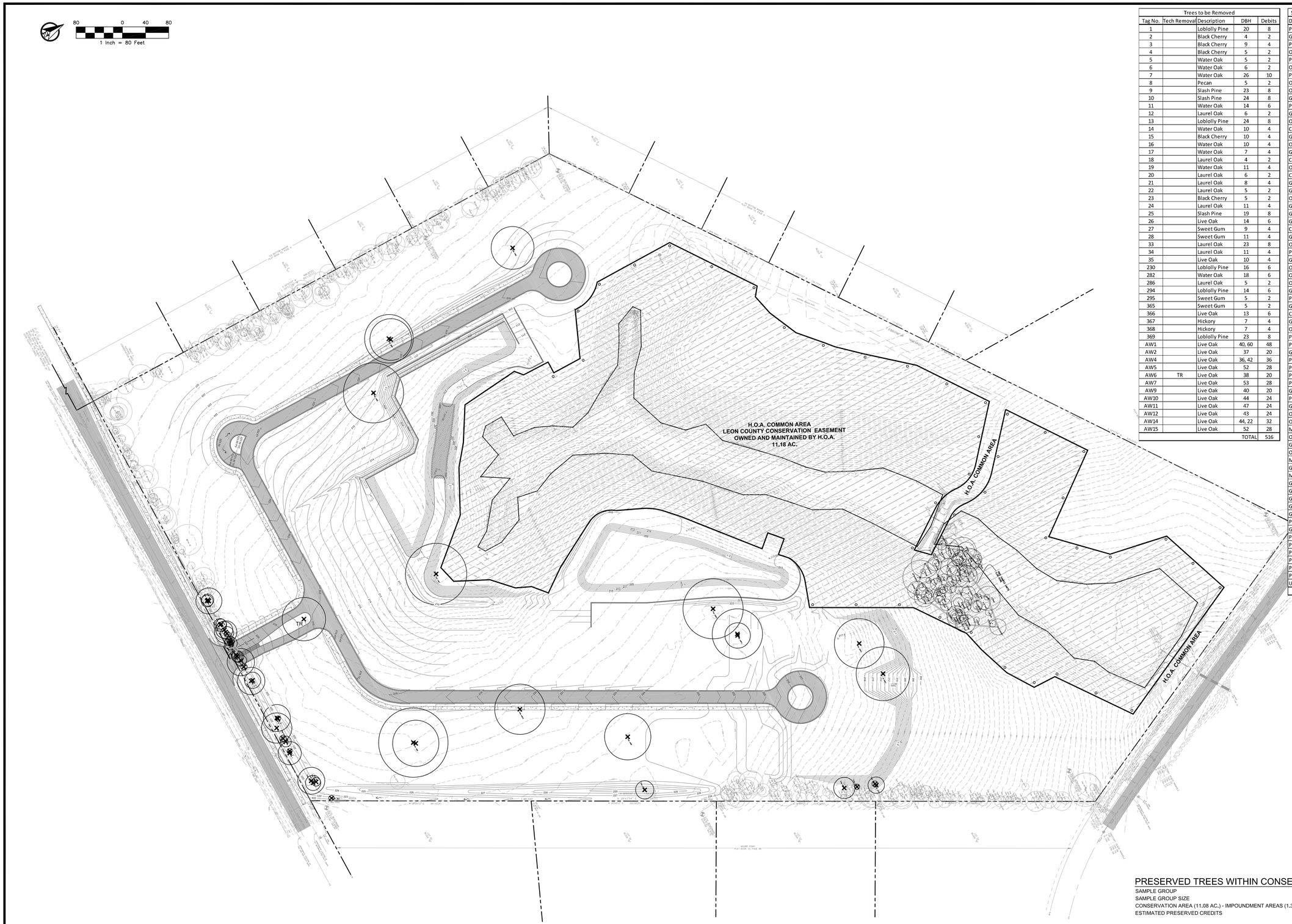
BROOKSIDE VILLAGE
RESIDENTIAL SUBDIVISION
SITE UTILITY PLAN
LEON COUNTY FLORIDA

SEAN K. MARSTON, P.E.
LICENSE NUMBER. 55987

DRAWN BY:	W.E.C.
CHECKED BY:	S.K.M.
DATE:	08/02/17
HORZ. SCALE:	1"=80'
VERT. SCALE:	

SHEET C-116
PROJECT No. 15015.00

August 2, 2017 (09:53:50 EST)
F:\15015.00 – BROOKSIDE VILLAGE\CADD\BASE.DWG



Trees to be Removed				
Tag No.	Tech Removal	Description	DBH	Debits
1		Loblolly Pine	20	8
2		Black Cherry	4	2
3		Black Cherry	9	4
4		Black Cherry	5	2
5		Water Oak	5	2
6		Water Oak	6	2
7		Water Oak	26	10
8		Pecan	5	2
9		Slash Pine	23	8
10		Slash Pine	24	8
11		Water Oak	14	6
12		Laurel Oak	6	2
13		Loblolly Pine	24	8
14		Water Oak	10	4
15		Black Cherry	10	4
16		Water Oak	10	4
17		Water Oak	7	4
18		Laurel Oak	4	2
19		Water Oak	11	4
20		Laurel Oak	6	2
21		Laurel Oak	8	4
22		Laurel Oak	5	2
23		Black Cherry	5	2
24		Laurel Oak	11	4
25		Slash Pine	19	8
26		Live Oak	14	6
27		Sweet Gum	9	4
28		Sweet Gum	11	4
33		Laurel Oak	23	8
34		Laurel Oak	11	4
35		Live Oak	10	4
230		Loblolly Pine	16	6
282		Water Oak	18	6
286		Laurel Oak	5	2
294		Loblolly Pine	14	6
295		Sweet Gum	5	2
365		Sweet Gum	5	2
366		Live Oak	13	6
367		Hickory	7	4
368		Hickory	7	4
369		Loblolly Pine	23	8
AW1		Live Oak	40, 60	48
AW2		Live Oak	37	20
AW4		Live Oak	36, 42	36
AW5		Live Oak	52	28
AW6	TR	Live Oak	38	20
AW7		Live Oak	53	28
AW9		Live Oak	40	20
AW10		Live Oak	44	24
AW11		Live Oak	47	24
AW12		Live Oak	43	24
AW14		Live Oak	44, 22	32
AW15		Live Oak	52	28
			TOTAL	516

SAMPLE GROUP PRESERVED TREES		
Description	DBH	Credits
Pine	16	5
Gum	5	2
Pine	17	5
Oak	9	3
Pine	19	6
Oak	7	3
Pine	6	2
Oak	7	3
Oak	4	2
Gum	6	2
Pine	15	5
Gum	5	2
Oak	10	3
Cherry	16	5
Gum	11	3
Oak	16	5
Gum	7	3
Cherry	6	2
Oak	5	2
Cherry	7	3
Gum	6	2
Gum	16	5
Oak	12	3
Gum	5	2
Gum	6	2
Gum	6	2
Cherry	14	5
Gum	6	2
Oak	12	3
Pine	21	6
Gum	5	2
Oak	8	3
Oak	10	3
Oak	6	2
Gum	5	2
Pine	18	5
Gum	8	3
Cherry	10/12	6
Gum	7	3
Oak	9	3
Pine	19	6
Pine	19	6
Gum	14	5
Pine	10	3
Pine	18	5
Pine	17	5
Pine	10	3
Gum	14	5
Pine	19	6
Gum	10	3
Oak	8	3
Oak	6	2
Magnolia	4	2
Oak	10	3
Gum	5	2
Oak	6	2
Magnolia	30	8
Gum	4	2
Magnolia	24	6
Gum	12	3
Gum	6	2
Gum	16	5
Gum	16	5
Gum	12	3
Pine	24	6
Gum	12	3
Pine	12	3
Pine	15	5
Pine	17	5
Pine	21	6
Pine	8	3
Pine	6	2
Unknown	10	3
	TOTAL	261

PRESERVED TREES WITHIN CONSERVATION AREA:

SAMPLE GROUP	= 261 CREDITS
SAMPLE GROUP SIZE	= 0.26 AC.
CONSERVATION AREA (11.08 AC.) - IMPOUNDMENT AREAS (1.32 AC.)	= 9.76 AC.
ESTIMATED PRESERVED CREDITS	= 9,797 CREDITS

NOTE: NUMEROUS VARYING SPECIES OF TREES ARE PROTECTED AND PRESERVED WITHIN THE CONSERVATION EASEMENTS THAT OFFSET THE TREE REMOVAL DEBITS.

URBAN CATALYST CONSULTANTS, INC.
2840 PABLO AVENUE
TALLAHASSEE, FLORIDA, 32308
PHONE: (850) 999-4241
WWW.UCCENG.COM
FL CA 00030572

DATE	BY	REVISIONS

BROOKSIDE VILLAGE
RESIDENTIAL SUBDIVISION
TREE REMOVAL PLAN

LEON COUNTY FLORIDA

SEAN K. MARSTON, P.E.
LICENSE NUMBER. 55987

DRAWN BY: W.E.C.
CHECKED BY: S.K.M.
DATE: 08/02/17
HORZ. SCALE: 1"=80'
VERT. SCALE:

SHEET C-131
PROJECT No. 15015.00

August 2, 2017 (09:53:50 EST)
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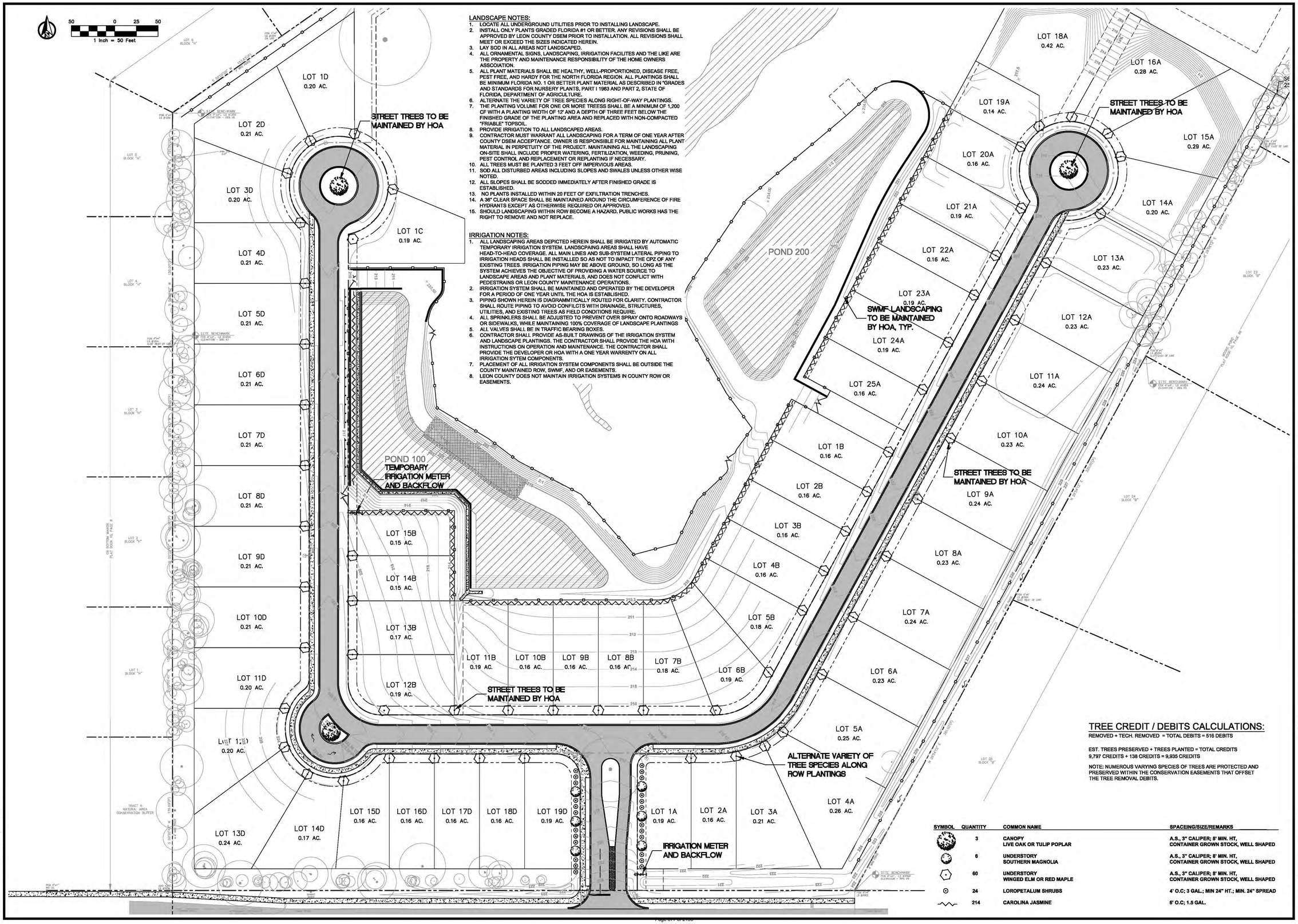

LANDSCAPE NOTES:

1. LOCATE ALL UNDERGROUND UTILITIES PRIOR TO INSTALLING LANDSCAPE.
2. INSTALL ONLY PLANTS GRADED FLORIDA #1 OR BETTER. ANY REVISIONS SHALL BE APPROVED BY LEON COUNTY DSEM PRIOR TO INSTALLATION. ALL REVISIONS SHALL MEET OR EXCEED THE SIZES INDICATED HEREIN.
3. LAY SOD IN ALL AREAS NOT LANDSCAPED.
4. ALL ORNAMENTAL SIGNS, LANDSCAPING, IRRIGATION FACILITES AND THE LIKE ARE THE PROPERTY AND MAINTENANCE RESPONSIBILITY OF THE HOME OWNERS ASSCOIATION.
5. ALL PLANT MATERIALS SHALL BE HEALTHY, WELL-PROPORTIONED, DISEASE FREE, PEST FREE, AND HARDY FOR THE NORTH FLORIDA REGION. ALL PLANTINGS SHALL BE MINIMUM FLORIDA NO. 1 OR BETTER PLANT MATERIAL AS DESCRIBED IN "GRADES AND STANDARDS FOR NURSERY PLANTS, PART I 1963 AND PART 2, STATE OF FLORIDA, DEPARTMENT OF AGRICULTURE.
6. ALTERNATE THE VARIETY OF TREE SPECIES ALONG RIGHT-OF-WAY PLANTINGS.
7. THE PLANTING VOLUME FOR ONE OR MORE TREESS SHALL BE A MINIMUM OF 1,200 CF WITH A PLANTING WIDTH OF 12' AND A DEPTH OF THREE FEET BELOW THE FINISHED GRADE OF THE PLANTING AREA AND REPLACED WITH NON-COMPACTED "FRIABLE" TOPSOIL.
8. PROVIDE IRRIGATION TO ALL LANDSCAPED AREAS.
9. CONTRACTOR MUST WARRANT ALL LANDSCAPING FOR A TERM OF ONE YEAR AFTER COUNTY DSEM ACCEPTANCE. OWNER IS RESPONSIBLE FOR MAINTAINING ALL PLANT MATERIAL IN PERPETUITY OF THE PROJECT. MAINTAINING ALL THE LANDSCAPING ON-SITE SHALL INCLUDE PROPER WATERING, FERTILIZATION, WEEDING, PRUNING, PEST CONTROL AND REPLACEMENT OR REPLANTING IF NECESSARY.
10. ALL TREES MUST BE PLANTED 3 FEET OFF IMPERVIOUS AREAS.
11. SOD ALL DISTURBED AREAS INCLUDING SLOPES AND SWALES UNLESS OTHER WISE NOTED.
12. ALL SLOPES SHALL BE SODDED IMMEDIATELY AFTER FINISHED GRADE IS ESTABLISHED.
13. NO PLANTS INSTALLED WITHIN 20 FEET OF EXFILTRATION TRENCHES.
14. A 36" CLEAR SPACE SHALL BE MAINTAINED AROUND THE CIRCUMFERENCE OF FIRE HYDRANTS EXCEPT AS OTHERWISE REQUIRED OR APPROVED.
15. SHOULD LANDSCAPING WITHIN ROW BECOME A HAZARD. PUBLIC WORKS HAS THE RIGHT TO REMOVE AND NOT REPLACE.

IRRIGATION NOTES:

1. ALL LANDSCAPING AREAS DEPICTED HEREIN SHALL BE IRRIGATED BY AUTOMATIC TEMPORARY IRRIGATION SYSTEM. LANDSCPAING AREAS SHALL HAVE HEAD-TO-HEAD COVERAGE. ALL MAIN LINES AND SUB-SYSTEM LATERAL PIPING TO IRRIGATION HEADS SHALL BE INSTALLED SO AS NOT TO IMPACT THE CPZ OF ANY EXISTING TREES. IRRIGATION PIPING MAY BE ABOVE GROUND, SO LONG AS THE SYSTEM ACHIEVES THE OBJECTIVE OF PROVIDING A WATER SOURCE TO LANDSCAPE AREAS AND PLANT MATERIALS, AND DOES NOT CONFLICT WITH PEDESTRAINS OR LEON COUNTY MAINTENANCE OPERATIONS.
2. IRRIGATION SYSTEM SHALL BE MAINTAINED AND OPERATED BY THE DEVELOPER FOR A PERIOD OF ONE YEAR UNTIL THE HOA IS ESTABLISHED.
3. PIPING SHOWN HEREIN IS DIAGRAMMTICALLY ROUTED FOR CLARITY. CONTRACTOR SHALL ROUTE PIPING TO AVOID CONFILCTS WITH DRAINAGE, STRUCTURES, UTILITIES, AND EXISTING TREES AS FIELD CONDITIONS REQUIRE.
4. ALL SPRINKLERS SHALL BE ADJUSTED TO PREVENT OVER SPRAY ONTO ROADWAYS OR SIDEWALKS, WHILE MAINTAINING 100% COVERAGE OF LANDSCAPE PLANTINGS
5. ALL VALVES SHALL BE IN TRAFFIC BEARING BOXES.
6. CONTRACTOR SHALL PROVIDE AS-BUILT DRAWINGS OF THE IRRIGATION SYSTEM AND LANDSCAPE PLANTINGS. THE CONTRACTOR SHALL PROVIDE THE HOA WITH INSTRUCTIONS ON OPERATION AND MAINTENANCE. THE CONTRACTOR SHALL PROVIDE THE DEVELOPER OR HOA WITH A ONE YEAR WARRENTY ON ALL IRRIGATION SYTEM COMPONENTS.
7. PLACEMENT OF ALL IRRIGATION SYSTEM COMPONENTS SHALL BE OUTSIDE THE COUNTY MAINTAINED ROW, SWMF, AND OR EASEMENTS.
8. LEON COUNTY DOES NOT MAINTAIN IRRIGATION SYSTEMS IN COUNTY ROW OR EASEMENTS.

TREE CREDIT / DEBITS CALCULATIONS:

REMOVED + TECH. REMOVED = TOTAL DEBITS = 516 DEBITS

EST. TREES PRESERVED + TREES PLANTED = TOTAL CREDITS
9,797 CREDITS + 138 CREDITS = 9,935 CREDITS

NOTE: NUMEROUS VARYING SPECIES OF TREES ARE PROTECTED AND PRESERVED WITHIN THE CONSERVATION EASEMENTS THAT OFFSET THE TREE REMOVAL DEBITS.

SYMBOL	QUANTITY	COMMON NAME	SPACEING/SIZE/REMARKS
	3	CANOPY LIVE OAK OR TULIP POPLAR	A.S., 3" CALIPER; 8' MIN. HT, CONTAINER GROWN STOCK, WELL SHAPED
	6	UNDERSTORY SOUTHERN MAGNOLIA	A.S., 3" CALIPER; 8' MIN. HT, CONTAINER GROWN STOCK, WELL SHAPED
	60	UNDERSTORY WINGED ELM OR RED MAPLE	A.S., 3" CALIPER; 8' MIN. HT, CONTAINER GROWN STOCK, WELL SHAPED
	24	LOROPETALUM SHRUBS	4' O.C; 3 GAL.; MIN 24" HT.; MIN. 24" SPREAD
	214	CAROLINA JASMINE	6' O.C; 1.5 GAL.

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TALLAHASSEE, FLORIDA, 32308
PHONE: (850) 999-4241
WWW.UCCENG.COM
FL CA 00030572

DATE	BY	REVISIONS

BROOKSIDE VILLAGE RESIDENTIAL SUBDIVISION

INTERIOR LANDSCAPE PLAN

LEON COUNTY FLORIDA

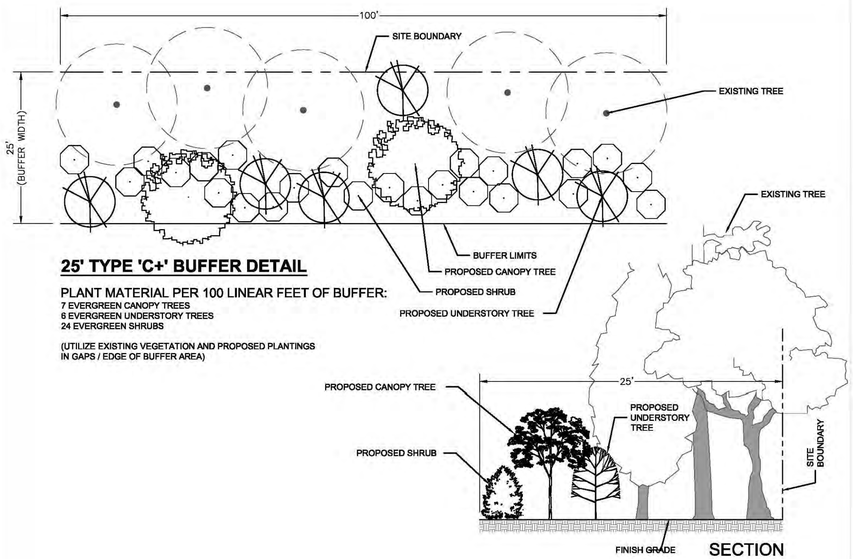
SEAN K. MARSTON, P.E.
LICENSE NUMBER. 55987

DRAWN BY:	W.E.C.
CHECKED BY:	S.K.M.
DATE:	08/02/17
HORZ. SCALE:	1"=50'
VERT. SCALE:	

SHEET C-132

PROJECT No. 15015.00

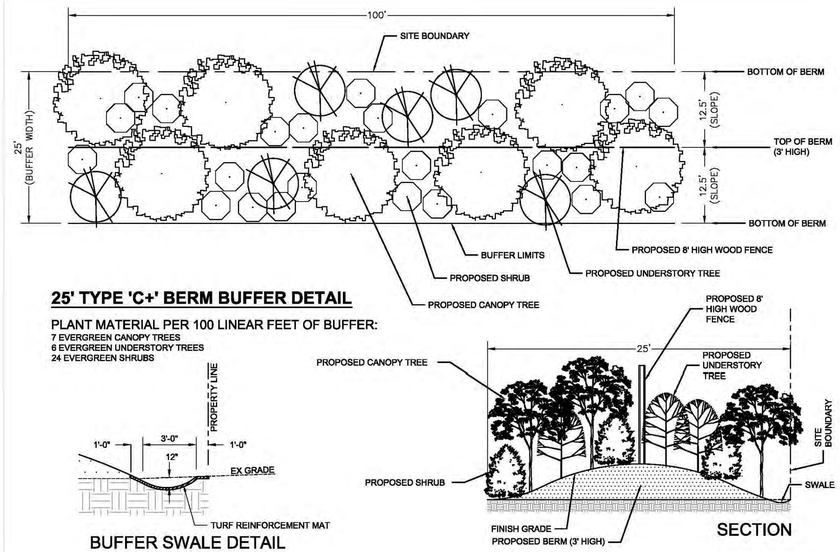
August 2, 2017 (09:53:50 EST)
F:\15015.00 – BROOKSIDE VILLAGE\CADD\BASE.DWG



25' TYPE 'C+' BUFFER DETAIL

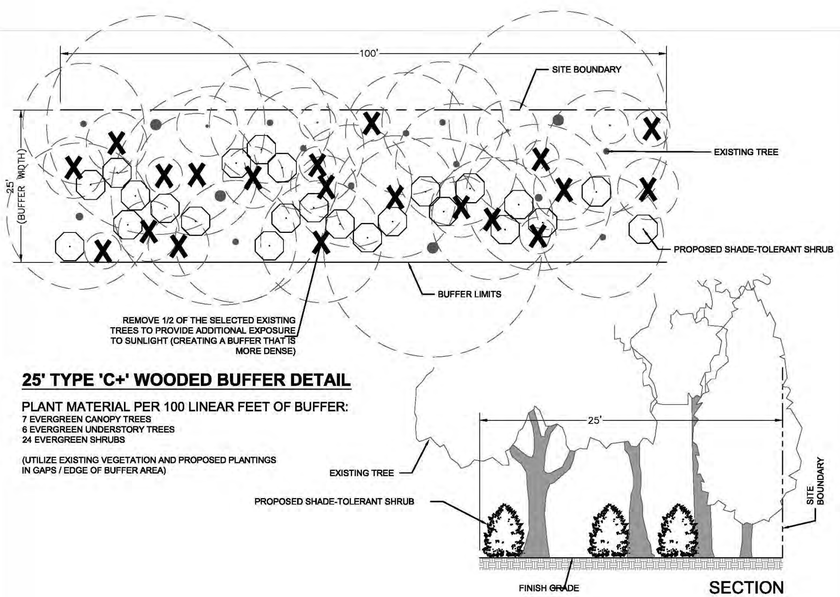
PLANT MATERIAL PER 100 LINEAR FEET OF BUFFER:
7 EVERGREEN CANOPY TREES
6 EVERGREEN UNDERSTORY TREES
24 EVERGREEN SHRUBS

(UTILIZE EXISTING VEGETATION AND PROPOSED PLANTINGS IN GAPS / EDGE OF BUFFER AREA)



25' TYPE 'C+' BERM BUFFER DETAIL

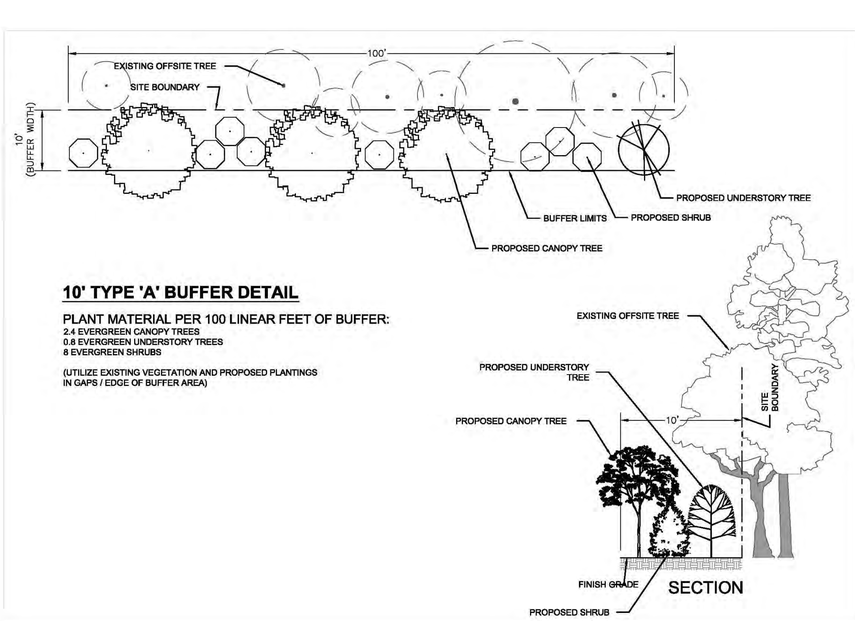
PLANT MATERIAL PER 100 LINEAR FEET OF BUFFER:
7 EVERGREEN CANOPY TREES
6 EVERGREEN UNDERSTORY TREES
24 EVERGREEN SHRUBS



25' TYPE 'C+' WOODED BUFFER DETAIL

PLANT MATERIAL PER 100 LINEAR FEET OF BUFFER:
7 EVERGREEN CANOPY TREES
6 EVERGREEN UNDERSTORY TREES
24 EVERGREEN SHRUBS

(UTILIZE EXISTING VEGETATION AND PROPOSED PLANTINGS IN GAPS / EDGE OF BUFFER AREA)



10' TYPE 'A' BUFFER DETAIL

PLANT MATERIAL PER 100 LINEAR FEET OF BUFFER:
2.4 EVERGREEN CANOPY TREES
0.8 EVERGREEN UNDERSTORY TREES
8 EVERGREEN SHRUBS

(UTILIZE EXISTING VEGETATION AND PROPOSED PLANTINGS IN GAPS / EDGE OF BUFFER AREA)

NOTES:

THE NORTHWESTERN CORNER OF THE PROPERTY (LOTS 1D & 2D) WILL NEED SIGNIFICANT PLANTING. THERE ARE A FEW EXISTING TREES THAT CAN BE USED AS PART OF THE CREATED BUFFER.

PORTIONS OF THE EASTERN DIRT DRIVEWAY (LOTS 4A 12A) WILL NEED SIGNIFICANT PLANTING WITH A +/-3' BERM (AND FENCE).

THE HEAVILY WOODED / SHADY AREAS (LOT 13A-15A & A PORTION OF 17A) NEED TO BE THINNED TO ACCOMMODATE SHRUB PLANTINGS AND CREATE A DENSE BUFFER. A FIELD SAMPLE INDICATED THERE WERE AT LEAST 40 EXISTING TREES PER 100' LINEAR FEET. REMOVING HALF OF THESE TREES (20) WOULD PROVIDE ROOM FOR NEW SHRUB PLANTINGS, BUT PRESERVE ENOUGH TREES TO MEET BUFFER REQUIREMENTS.

FOR THE REMAINING MAJORITY SUBJECT AREAS, THE BUFFER SHALL BE ACHIEVED WITH A COMBINATION OF EXISTING & PROPOSED VEGETATION. PLANT NEW VEGETATION AT THE EDGES OF THE 25' BUFFER AREA, WHERE THE BEST EXPOSURE TO SUNLIGHT WOULD BE. THE AVERAGE WIDTH OF THE EXISTING VEGETATION IS 15' LEAVING 10' FOR PROPOSED PLANTING.

THE 10' TYPE 'A' BUFFER ONLY NEEDS SHRUB PLANTINGS ALONG THE EDGES TO MEET BUFFER REQUIREMENTS.

PROPOSED PLANT LIST (OR APPROVED EQUAL):
- LIVE OAK
- MAGNOLIA
- RED CEDAR
- OCALA ANISE
- FL LEUCOTHOE
- YAUPON
- VIBURNUM
- HOLLY
- PODOARPUS
- LOROPETALUM
- GARDENIA
- CABBAGE PALM
- FAKAHATCHEE GRASS

IT APPEARS THAT THE EXISTING BUFFER AREA VEGETATION IS PROVIDING AT LEAST 50% OPACITY, HOWEVER THIS WOULD LIKELY BE LOWER DURING THE WINTER AFTER DECIDUOUS SPECIES FOLIAGE HAS DROPPED. ASSUMING TYPICAL PLANT SIZES (8-10' HT. CANOPY TREES, 6-8' HT. UNDERSTORY TREES, 3-4' HT. SHRUBS) ARE INSTALLED, IT IS REALISTIC TO EXPECT APPROXIMATELY 75% OPACITY AT TIME OF PLANTING AND OVER 90% OPACITY WITHIN 5 YEARS.

PROPOSED BUFFER PLANTS:

PER 25' TYPE C+ BUFFER DETAIL (2,452 LINEAR FEET):
- 24.52 X 2 = 50 EVERGREEN CANOPY TREES
- 24.52 X 6 = 148 EVERGREEN UNDERSTORY TREES
- 24.52 X 24 = 589 EVERGREEN SHRUBS

PER 25' TYPE C+ WOODED BUFFER DETAIL (359 LINEAR FEET):
- 3.59 X 24 = 87 EVERGREEN SHRUBS

PER 25' TYPE C+ BERM BUFFER DETAIL (490 LINEAR FEET):
- 4.90 X 7 = 35 EVERGREEN CANOPY TREES
- 4.90 X 6 = 30 EVERGREEN UNDERSTORY TREES
- 4.90 X 24 = 118 EVERGREEN SHRUBS

PER 10' TYPE A+ BUFFER DETAIL (1,308 LINEAR FEET):
- 13.08 X 2.4 = 32 EVERGREEN CANOPY TREES
- 13.08 X 0.8 = 11 EVERGREEN UNDERSTORY TREES
- 13.08 X 8 = 104 EVERGREEN SHRUBS

BUFFER PLANTING SCHEDULE

QTY.	COMMON NAME	SIZE/REMARKS
EVERGREEN CANOPY TREES		
117	LIVE OAK MAGNOLIA	10-12' HT. X 5-6' SPR., 3" CAL., 45 GAL
EVERGREEN UNDERSTORY TREES		
189	HOLLY RED CEDAR	8' HT. X 3-4' SPR., 2" CAL., 30 GAL
EVERGREEN SHRUBS		
898	OCALA ANISE FL LEUCOTHOE YAUPON VIBURNUM PODOARPUS LOROPETALUM GARDENIA	30" HT. X 24"SPR., 7 GAL., 6' O.C.

COWLES LANDSCAPE ARCHITECTURE
www.cowlesLA.com / (850) 545-7035 / TALLAHASSEE, FL

URBAN CATALYST CONSULTANTS, INC.
2840 PABLO AVENUE
TALLAHASSEE, FLORIDA, 32308
PHONE: (850) 999-4241
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DATE	BY	REVISIONS

BROOKSIDE VILLAGE
RESIDENTIAL SUBDIVISION

BUFFER DETAILS

LEON COUNTY FLORIDA

SEAN K. MARSTON, P.E.
LICENSE NUMBER. 55987

DRAWN BY:	W.E.C.
CHECKED BY:	S.K.M.
DATE:	08/02/17
HORZ. SCALE:	
VERT. SCALE:	

SHEET C-133

PROJECT No. 15015.00

August 2, 2017 (09:53:50 EST)
F:\15015.00 - BROOKSIDE VILLAGE\CAD\BASE.DWG

JOINT EXHIBIT OF THE PARTIES 14

THE DRAWINGS, SPECIFICATIONS AND OTHER DOCUMENTS PREPARED BY BARKLEY CONSULTING ENGINEERS, INC. (BCEI) FOR THIS PROJECT ARE INSTRUMENTS OF BCEI FOR USE SOLELY WITH RESPECT TO THIS PROJECT AND UNLESS OTHERWISE PROVIDED, BCEI SHALL BE DEEMED THE AUTHOR OF THESE DOCUMENTS AND SHALL RETAIN ALL COMMON LAW, STATUTORY AND OTHER RESERVED RIGHTS, INCLUDING THE COPYRIGHT. THE PROJECT OWNER SHALL BE PERMITTED TO RETAIN COPIES INCLUDING REPRODUCIBLE COPIES OF BCEI'S DRAWINGS, SPECIFICATIONS AND OTHER DOCUMENTS FOR INFORMATION AND REFERENCE IN CONNECTION WITH THE OWNER'S USE AND OCCUPANCY OF THE PROJECT. BCEI'S DRAWINGS, SPECIFICATIONS AND OR OTHER DOCUMENTS SHALL NOT BE USED BY THE OWNER OR OTHERS ON OTHER PROJECTS, FOR ADDITIONS TO THIS PROJECT OR FOR COMPLETION OF THIS PROJECT BY OTHERS, UNLESS BCEI IS ADJUDGED TO BE IN DEFAULT UNDER THIS AGREEMENT, EXCEPT BY AGREEMENT IN WRITING AND WITH APPROPRIATE COMPENSATION TO BCEI.

ABBREVIATIONS

A/C	AIR CONDITIONER	HDR	HEADER
AB	ANCHOR BOLT	HORIZ	HORIZONTAL
ADJ	ADJACENT	HT	HEIGHT
AFF	ABOVE FINISHED FLOOR	HVAC	HEATING , VENTILATION & A/C
AGG	AGGREGATE	IN	INCH
ALT	ALTERNATE	INSUL	INSULATION
ALUM	ALUMINUM	INT	INTERIOR
AO	ACCESS OPENING	JT	JOINT
APPROX	APPROXIMATE	K	KIPS
ARCH	ARCHITECTURAL	KSI	KIPS PER SQUARE INCH
ASPH	ASPHALT	KSF	KIPS PER SQUARE FOOT
B	BOTTOM	L	ANGLE
BLDG	BUILDING	LAM	LAMINATED
BLKG	BLOCKING	LBS	POUNDS
BM	BENCH MARK	LL	LIVE LOAD
BO	BOTTOM OF	LLBB	LONG LEG BACK TO BACK
BRG	BEARING	LLH	LONG LEG HORIZONTAL
C	CHANNEL	LLV	LONG LEG VERTICAL
CANT	CANTILEVER	LWC	LIGHT WEIGHT CONCRETE
CIP	CAST IN PLACE	MAX	MAXIMUM
CJ	CONSTRUCTION JOINT	MBR	MEMBER
CL, ¢	CENTER LINE	MECH	MECHANICAL
CMU	CONCRETE MASONRY UNIT	MFGR	MANUFACTURER
COL	COLUMN	MIN	MINIMUM
CONC	CONCRETE	MISC	MISCELLANEOUS
CONN	CONNECTION	ML	MATCH LINE
CONST	CONSTRUCTION	MO	MASONRY OPENING
CONT	CONTINUOUS	MTL	METAL
CR	COLD ROLLED	N/A	NOT APPLICABLE
CTR	CENTER	NIC	NOT IN CONTRACT
DBL	DOUBLE	NOM	NOMINAL
DEG, °	DEGREES	NS	NON SHRINK
DET	DETAIL	NTS	NOT TO SCALE
DIA,ϕ	DIAMETER	OC	ON CENTER
DIM	DIMENSION	PCF	POUNDS PER CUBIC FOOT
DL	DEAD LOAD	PL, ℔	PLATE
DTL	DETAIL	PLF	POUNDS PER LINEAR FOOT
DWG	DRAWING	PREFAB	PREFABRICATED
DWL	DOWEL	PRELIM	PRELIMINARY
EA	EACH	PSF	POUNDS PER SQUARE FOOT
EJ	EXPANSION JOINT	PSI	POUNDS PER SQUARE INCH
ELEV	ELEVATION	PT	PRESSURE TREATED
ELEC	ELECTRICAL	RAD	RADIUS
EMBED	EMBEDMENT	REF	REFERENCE
ENCL	ENCLOSED	REINF	REINFORCED
ENGR	ENGINEER	REQ	REQUIRED
EQ	EQUAL	SCHED	SCHEDULE
EST	ESTIMATED	SECT	SECTION
EW	EACH WAY	SF	SQUARE FOOT
EXIST	EXISTING	SIM	SIMILAR
EXT	EXTERIOR	SJI	STEEL JOIST INSTITUTE
FAB	FABRICATE	SLBB	SHORT LEG BACK TO BACK
FBC	FLORIDA BUILDING CODE	SPEC	SPECIFICATION
FD	FLOOR DRAIN	SQ	SQUARE
FDN	FOUNDATION	STD	STANDARD
FF	FINISHED FLOOR	STL	STEEL
FFE	FINISHED FLOOR ELEVATION	SYM	SYMMETRICAL
FG	FINISHED GRADE	T	TOP
FIN	FINISH	T&B	TOP & BOTTOM
FL	FLOOR	TEMP	TEMPERED
FT	FEET	TOC	TOP OF CONCRETE
FTG	FOOTING	TOM	TOP OF MASONRY
GA	GAUGE	TOS	TOP OF STEEL
GALV	GALVANIZED	UNF	UNFINISHED
GC	GENERAL CONTRACTOR	UON	UNLESS OTHERWISE NOTED
GEN	GENERAL	VERT	VERTICAL
GND	GROUND	W/	WITH
GYP	GYPSUM	W/O	WITH OUT
HC	HOLLOW CORE	WWF	WELDED WIRE FABRIC

GENERAL NOTES

1. THE GOVERNING CODE FOR THIS PROJECT IS THE FLORIDA BUILDING CODE, 2014 EDITION w/ 2016 SUPPLEMENT. THIS CODE PRESCRIBES WHICH EDITION OF EACH REFERENCE STANDARD APPLIES TO THIS PROJECT.
2. TO THE BEST OF OUR KNOWLEDGE, THE STRUCTURAL DRAWINGS COMPLY WITH THE APPLICABLE REQUIREMENTS OF THE GOVERNING BUILDING CODE.
3. CONSTRUCTION IS TO COMPLY WITH THE REQUIREMENTS OF THE GOVERNING BUILDING CODE AND ALL OTHER APPLICABLE FEDERAL, STATE AND LOCAL CODES, STANDARDS, REGULATIONS AND LAWS.
4. THE STRUCTURAL DOCUMENTS ARE TO BE USED IN CONJUNCTION WITH THE ARCHITECTURAL DOCUMENTS. IF A CONFLICT EXISTS, THE MORE STRINGENT GOVERNS.
5. DETAILS LABELED "TYPICAL" APPLY TO ALL SITUATIONS THAT ARE THE SAME OR SIMILAR TO THOSE SPECIFICALLY REFERENCED, WHETHER OR NOT THEY ARE KEYED IN AT EACH LOCATION. QUESTIONS REGARDING THE APPLICABILITY OF TYPICAL DETAILS SHALL BE RESOLVED BY THE ARCHITECT.
6. OPENINGS SHOWN ON STRUCTURAL DRAWINGS ARE ONLY PICTORIAL. SEE THE ARCHITECTURAL AND M.E.P. DRAWINGS FOR THE SIZE AND LOCATION OF OPENINGS IN THE STRUCTURE.
7. CONTRACTORS WHO DISCOVER DISCREPANCIES, OMISSIONS OR VARIATIONS IN THE CONTRACT DOCUMENTS DURING BIDDING SHALL IMMEDIATELY NOTIFY THE ARCHITECT. THE ARCHITECT WILL RESOLVE THE CONDITION AND ISSUE A WRITTEN CLARIFICATION.
8. THE GENERAL CONTRACTOR SHALL COORDINATE ALL CONTRACT DOCUMENTS WITH FIELD CONDITIONS AND DIMENSIONS AND PROJECT SHOP DRAWINGS PRIOR TO CONSTRUCTION. DO NOT SCALE DRAWINGS, USE ONLY PRINTED DIMENSIONS. ELECTRONIC DRAWINGS SHOULD NOT BE ASSUMED TO BE DRAWN TO SCALE. REPORT ANY DISCREPANCIES IN WRITING TO THE ARCHITECT PRIOR TO PROCEEDING WITH WORK. DO NOT CHANGE SIZE OR LOCATION OF STRUCTURAL MEMBERS WITHOUT WRITTEN INSTRUCTIONS FROM THE STRUCTURAL ENGINEER OF RECORD.
9. THE CONTRACTOR SHALL PROTECT ADJACENT PROPERTY, HIS OWN WORK AND THE PUBLIC FROM HARM. THE CONTRACTOR IS SOLELY RESPONSIBLE FOR CONSTRUCTION MEANS AND METHODS, AND JOBSITE SAFETY INCLUDING ALL OSHA REQUIREMENTS.
10. THE STRUCTURE IS DESIGNED TO BE STRUCTURALLY SOUND WHEN COMPLETED. PRIOR TO COMPLETION, THE CONTRACTOR IS RESPONSIBLE FOR STABILITY AND TEMPORARY BRACING, INCLUDING, BUT NOT LIMITED TO, MASONRY WALLS. WHEREVER THE CONTRACTOR IS UNSURE OF THESE REQUIREMENTS, THE CONTRACTOR SHALL RETAIN A FLORIDA LICENSED ENGINEER TO DESIGN AND INSPECT THE TEMPORARY BRACING AND STABILITY OF THE STRUCTURE.

EXCAVATION, BACKFILL AND DE-WATERING

1. THE CONTRACTOR IS SOLELY RESPONSIBLE FOR ALL EXCAVATION PROCEDURES INCLUDING LOGGING, SHORING, AND PROTECTION OF ADJACENT PROPERTY, STRUCTURES, STRESS AND UTILITIES IN ACCORDANCE WITH THE REQUIREMENTS OF THE LOCAL BUILDING DEPARTMENT AND OSHA REGULATIONS. DO NOT EXCAVATE WITHIN ONE FOOT OF THE ANGLE OF REPOSE OF ANY SOIL BEARING FOUNDATION UNLESS THE FOUNDATION IS PROPERLY PROTECTED AGAINST SETTLEMENT.
2. THE CONTRACTOR IS RESPONSIBLE FOR THE DISPOSAL OF ALL ACCUMULATED WATER IN A MANNER THAT DOES NOT INCONVENIENCE OR DAMAGE THE WORK.

REINFORCED CONCRETE

1. COMPLY WITH ACI 301 AND 318.
2. PROVIDE STRUCTURAL CONCRETE WITH A MINIMUM ULTIMATE COMPRESSIVE DESIGN STRENGTH IN 28 DAYS OF:
   - A. SLAB ON GRADE — 3,000 PSI
   - B. FOUNDATION — 3,000 PSI
   - C. WALLS & SLABS — 5,000 PSI
3. USE NORMAL WEIGHT CONCRETE FOR ALL STRUCTURAL MEMBERS. U.O.N.
4. PROVIDE ASTM A-615 GRADE 60 REINFORCING STEEL. REINFORCING SHALL BE ACCURATELY PLACED, RIGIDLY SUPPORTED AND FIRMLY TIED IN PLACE, WITH APPROPRIATE BAR SUPPORTS AND SPACERS. LAP CONTINUOUS REINFORCING 48 BAR ϕ. LAP BOTTOM STEEL OVER SUPPORTS AND TOP STEEL AT MID-SPAN, U.O.N. HOOK DISCONTINUOUS ENDS OF ALL TOP BARS AND ALL BARS IN WALLS, U.O.N.
5. PROVIDE COVER OVER REINFORCING AS FOLLOWS:
   - A. CAST AGAINST & EXPOSED TO EARTH/WEATHER — 3"
   - B. EXPOSED TO EARTH/WEATER
     - #6 THROUGH #18 REBAR — 2"
   - C. #5 REBAR, W31/D31 WIRE OR SMALLER — 1½"
   - D. NOT EXPOSED TO EARTH/WEATHER
     - a. SLABS, WALLS, JOISTS
       - #14 AND #18 REBAR — 1½"
       - #11 REBAR AND SMALLER — ¾"
     - b. BEAMS AND COLUMNS
       - REINF, TIES, STIRRUPS, SPIRALS — 1½"
6. WHERE SPECIFIED, PROVIDE PLAIN, COLD-DRAWN ELECTRICALLY-WELDED WIRE REINFORCEMENT CONFIRMING TO ASTM A-185. SUPPLY IN FLAT SHEETS ONLY. LAP SPLICE ONE CROSS WIRE SPACING PLUS TWO INCHES.
7. UTILITIES SHALL NOT PENETRATE BEAMS OR COLUMNS BUT MAY PASS THROUGH SLABS AND WALLS INDIVIDUALLY, U.O.N.. FOR OPENINGS 24" LONG OR LESS, CUT REINFORCING AND REPLACE A LONG SIDE OPENING WITH SPLICE BARS OF EQUIVALENT AREA WITH 48 BAR ϕ LAP. PREPARE AND SUBMIT SHOP DRAWINGS FOR OPENINGS LONGER THAN 24". FOR RECTANGULAR OPENINGS 12" LONG OR LONGER, ADD (1) #5 X 6' MID DEPTH & DIAGONAL AT ALL 4 CORNERS.
8. WHERE REINFORCING STEEL CONGESTION PERMITS, CONDUIT AND PIPES UP TO 1"ϕ MAY BE EMBEDDED IN CONCRETE PER ACI 318, SECTION 6.3. SPACE AT 3ϕ O.C.PLACE BETWEEN OUTER LAYERS OF REINFORCING IF CONDUITS ARE SIGNIFICANTLY CONGESTED, ADDITIONAL REINFORCING PERPENDICULAR TO PIPING MAY BE REQUIRED. REQUESTS TO EMBED LARGER PIPES SHOULD BE ACCOMPANIED BY A DETAILED DESCRIPTION AND BE SUBMITTED TO THE ARCHITECT FOR EVALUATION.
9. PROVIDE CONSTRUCTION JOINTS IN ACCORDANCE WITH ACI 318, SECTION 6.4. PROVIDE KEYWAYS AND ADEQUATE DOWELS. SUBMIT DRAWINGS SHOWING LOCATION OF CONSTRUCTION JOINTS AND DIRECTION OF POUR FOR REVIEW.
10. PROVIDE REINFORCING STEEL PLACER WITH A SET OF STRUCTURAL DRAWINGS FOR FIELD REFERENCE. INSPECT REINFORCING STEEL PLACING FROM STRUCTURAL DRAWINGS.
11. RETAINING WALL DESIGN, SOIL PREPARATION AND COMPACTION ARE BASED ON GEOTECHNICAL INVESTIGATION, DATA AND RECOMMENDATIONS IN FILE NO. 113-15-40-1026A BY ARDAMAN & ASSOCIATES, INC. REVISION DATED MAY 29, 2015.
12. FOOTING SIZES AND REINFORCING ARE BASED ON AN ALLOWABLE SOIL BEARING CAPACITY OF 3000 PSF. ALL FOOTINGS SHALL BEAR ON COMPACTED FILL OR NATURAL SOIL PREPARED PER THE GEOTECHNICAL REPORT.

SLAB ON GRADE

1. REFER TO GEO-TECHNICAL REPORT PROVIDED BY ARDAMAN & ASSOCIATES FOR SUB-GRADE PREPARATION MORE THAN 12" BELOW BOTTOM OF SLAB.
2. ABOVE SUB-GRADE, USE FILL CONTAINING NOT MORE THAN 10% PASSING #200 SIEVE AND MAXIMUM 1"ϕ. COMPACT TO 95% OF MAXIMUM DRY DENSITY AS DETERMINED BY MODIFIED PROCTOR ASTM D-1557.
3. FILL PLACEMENT AND COMPACTION SHALL BE MONITORED AND ACCEPTED BY THE TESTING AGENCY. TAKE A MINIMUM OF ONE FIELD DENSITY TEST (ASTN D-1556 OR D 2922) FOR EACH 2,500 SQUARE FEET OF EACH LAYER. THE TESTING AGENCY SHALL RANDOMLY SELECT TEST LOCATIONS.
4. FOR INTERIOR SLABS PLACE 6 MIL POLYETHYLENE SHEETING BETWEEN SOIL AND BOTTOM OF SLAB. DO NOT USE ANY SHEETING BELOW EXTERIOR CONCRETE SLABS.
5. USE 6" THICK SLABS ON GRADE REINFORCED WITH 6X6 - W1.4 X W1.4 WELDED WIRE REINFORCEMENT SUPPLIED IN FLAT SHEETS ONLY, U.O.N. USE CHAIRS TO SUPPORT WIRE FABRIC IN THE CENTER OF SLAB.
6. PROVIDE CRACK CONTROL JOINTS AT 15 FEET MAXIMUM TO LIMIT AREAS BETWEEN JOINTS TO 225 SQ. FT. IN ALL FLOATING SLABS ON GRADE. LOCATE TO CONFORM TO BAY SPACING WHENEVER POSSIBLE, ADD CRACK CONTROL JOINTS AT RE-ENTRANT CORNERS WHICH TEND TO INVITE CRACKS.
7. IN SIDEWALKS AND WALKWAYS, LOCATE ISOLATION JOINTS AT 20 FT. O.C. MAXIMUM SCORE AND TOOL BETWEEN ISOLATION JOINTS IN EQUAL BAYS OF 5 FT. OR LESS.
8. SEE THE ARCHITECTURAL DRAWINGS FOR SLAB ON GRADE DEPRESSIONS AND OTHER REQUIREMENTS.

DESIGN PARAMETERS

REFER TO GEO-TECHNICAL REPORT PROVIDED BY ARDAMAN & ASSOCIATES.

K_a = 0.33
K_p = 3.0
SOIL DENSITY = 125 PCF
INTERNAL ANGLE OF FRICTION (ϕ) = 35°
SLOPE ANGLE (α) = 18°

BCEI
BARKLEY CONSULTING ENGINEERS, INC.
3494 MARTIN HURST RD.
TALLAHASSEE, FLORIDA 32312
OFFICE 850.297.0440
CERTIFICATE OF AUTHORIZATION #8710

REVISIONS:

No:	Date:	Remarks:

BROOKSIDE VILLAGE
RETAINING WALL
LEON COUNTY FLORIDA

URBAN CATALYST CONSULTANTS
SEAN MARSTON
2840 PABLO AVENUE TALLAHASSEE, FL

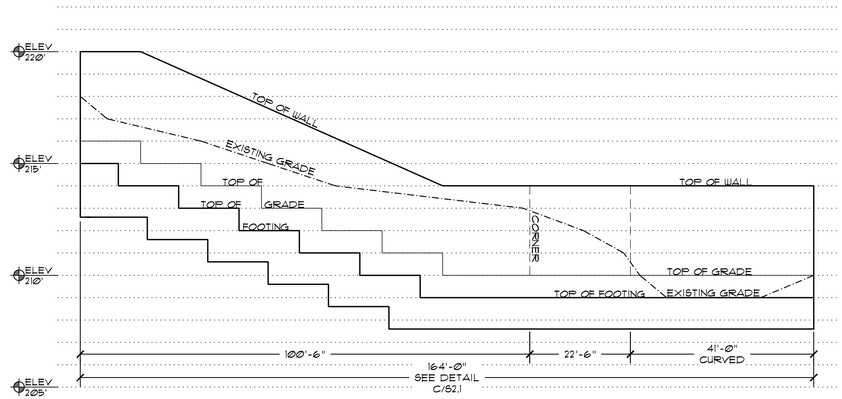
DRAWN: ANS
DESIGNED: BVP
APPROVED: DRB
DATE: 06/21/2017

#15-00400

Douglas R. Barkley M.S., P.E.
FL P.E. # 49090

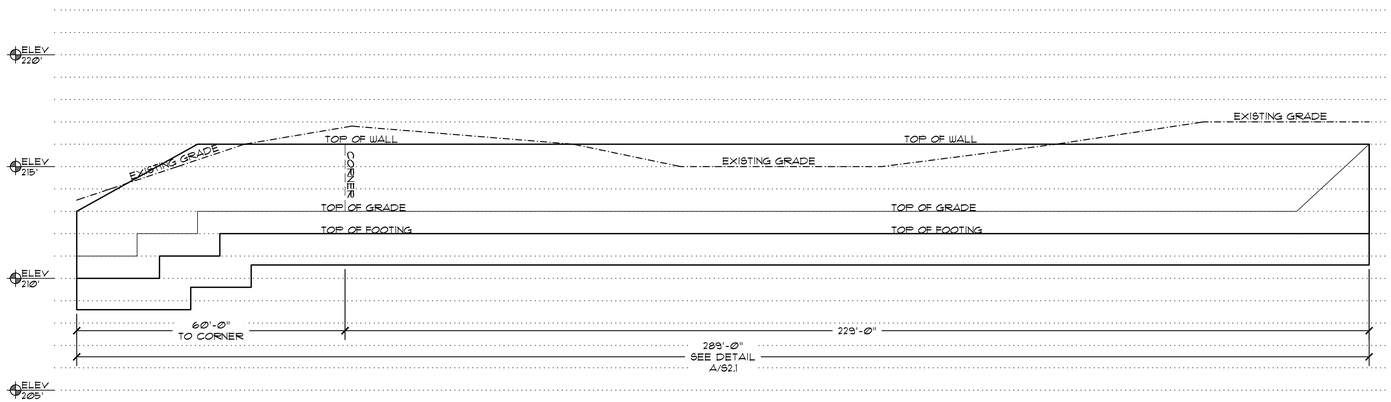
NOTES

S-0.1



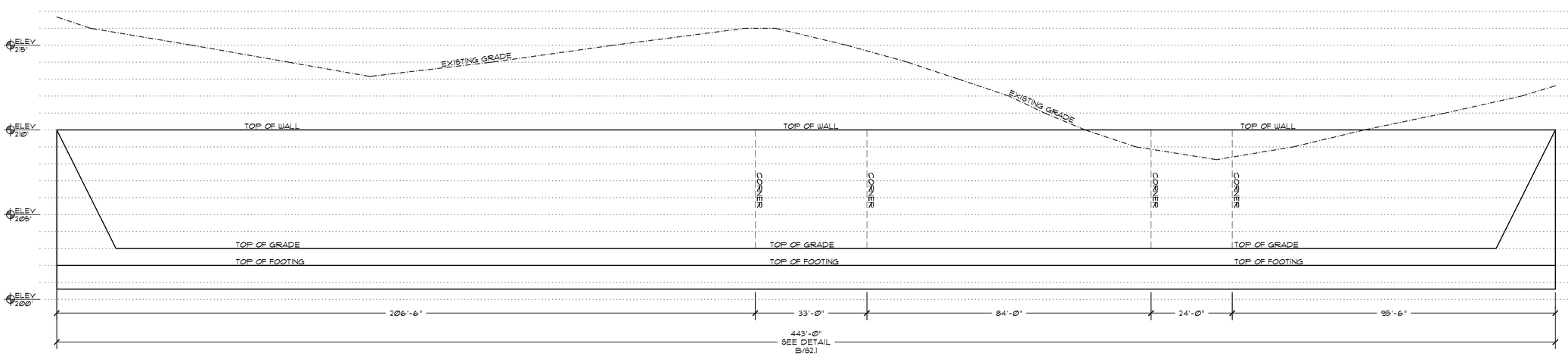
ELEVATION VIEW

SCALE 1/16"=1'-0" 1H:5V



ELEVATION VIEW

SCALE 1/16"=1'-0" 1H:5V



ELEVATION VIEW

SCALE 1/16"=1'-0" 1H:5V

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SEAN MARSTON
2840 PABLO AVENUE TALLAHASSEE, FL

DRAWN:	ANS
DESIGNED:	BVP
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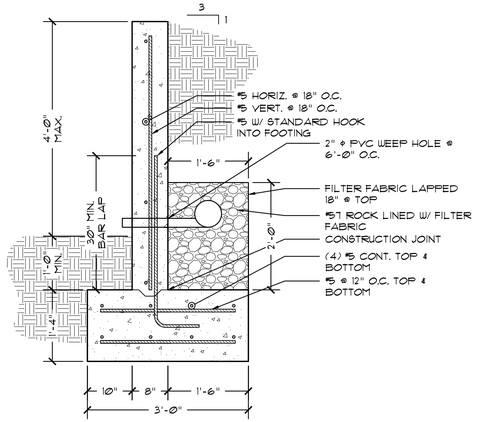
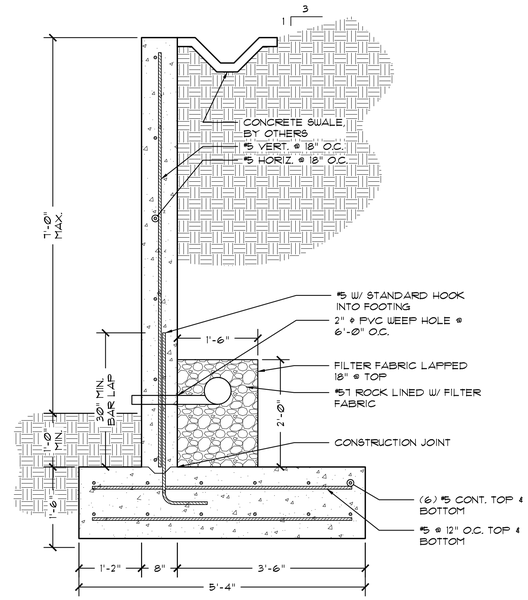
ELEVATIONS

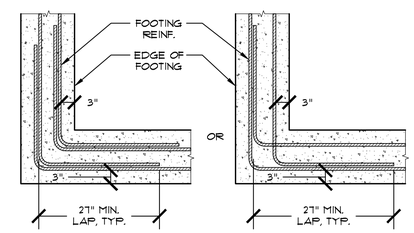
S-1.1



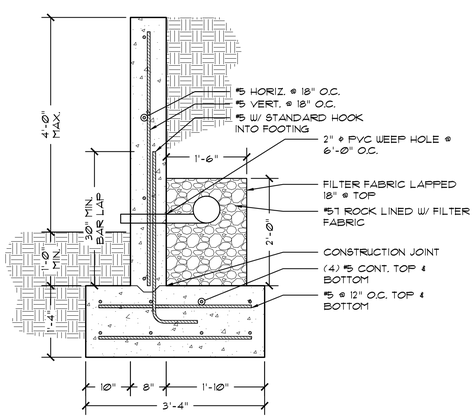
A
S-1.1
4 FOOT RETAINING WALL
SCALE 3/4"=1'-0"



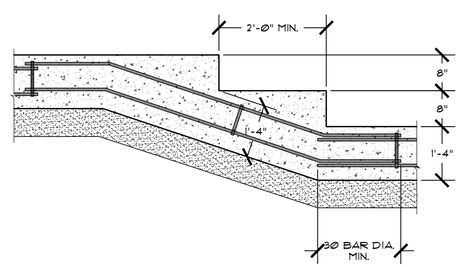
B
S-1.1
7 FOOT RETAINING WALL
SCALE 3/4"=1'-0"



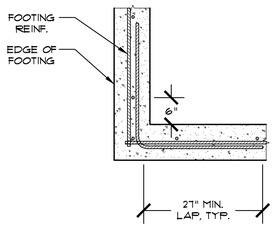
FOOTING LAP BAR DETAIL
SCALE 3/4"=1'-0"



C
S-1.1
4 FOOT RETAINING WALL
SCALE 3/4"=1'-0"



STEP FOOTING DETAIL
SCALE 3/4"=1'-0"



WALL LAP BAR DETAIL
SCALE 3/4"=1'-0"

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DETAILS

S-1.1

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000003

JOINT EXHIBIT OF THE PARTIES 15

Brookside Village Subdivision:
Compatibility Analysis and Analysis of Comprehensive Plan Policies Affecting Density

Prepared by
Wendy Grey, AICP
Wendy Grey Land Use Planning LLC
October 19 2016
Revised April 26 2017
Revised July 5 2017
Revised August 2, 2017

Brookside Village Subdivision:
Compatibility Analysis and Analysis of Comprehensive Plan Policies Affecting Density

I. Introduction

This report has been prepared for the proposed Brookside Village subdivision in conformance with the Tallahassee-Leon County Comprehensive Plan requirements. It addresses Comprehensive Plan policies related to land use compatibility and density where certain environmental features are present.

II. Description of Brookside Village

Brookside Village is a proposed 61-unit single family residential subdivision on a 35.17 acre parcel located on Ox Bottom Road, approximately 1,770 feet east of Meridian Road. Brookside Village has a density of 1.73 dwelling units/acre, an average lots size of .26 acres, an estimated average building size of 2,850 gross square feet, and an estimated lot coverage of 24%[1]. Lots are generally rectangular, with minor variations to accommodate circular roads, including cul-de-sacs. With the exception of Lots 17A and 2C, houses will be one story or one and one-half story. Lots are accessed internally from a single road with cul-de-sacs at each end. The subdivision has access to Ox Bottom Road (see Exhibit 1).

There is an 11.18 acre conservation easement in the center of the property running primarily along the western and central portion of the site.

The plat includes buffers along four property lines:

- 25 feet along Ox Bottom Road
- 25 feet along the eastern property line abutting Moore Pond subdivision
- 25 feet along the western property line abutting Ox Bottom Manor to Brookside Village Lot 1D. Two adjacent ten foot buffers are provided from that point, adjacent to approximately one third of Lot 7, Bock H and all of Lot 8, Block H in Ox Bottom Manor. A ten foot buffer is provided along the remainder of the joint property line, which abuts both Ox Bottom Manor and Moore Pond. A 2.19 acre lot is proposed adjacent to the ten foot buffer.
- 10 feet along the northern property line abutting Heartland Circle.

The Leon County Land Development Code requires no less than a 'Type A' landscaped buffer between residential developments within the Residential Preservation zoning district. The 25 foot buffers in Brookside Village far exceed this Type A standard and in fact exceed the Type C buffer standard in the Code. They are also designed to have a 75% opacity at the time of planting and a 90% opacity within five years (see Exhibit 2).

[1] Assumes 50% of buildings are 2,200 square feet and 50% are 3,500 square feet.

III. Description of Surrounding Area

For purposes of this analysis, the surrounding area ("area") includes land within one quarter mile of the subject site (see Exhibit 3). There are 168 parcels within the area: 166 are residential, one contains a church, and one contains a stormwater facility. Of the 166 residential parcels, a total of nine were either vacant or Property Appraiser data was not available. Therefore, a total of 157 parcels were included in this analysis. All residential development is single family and includes portions of the following subdivisions:

- Moore Pond
- Ox Bottom Manor
- Ox Bottom Gardens
- Rose Hill

The existing subdivisions were platted between 1987 and 1993. The density of each subdivision is consistent with the Comprehensive Plan definition of low density and with the density limitations established by the Residential Preservation future land use category. The development pattern of the subdivisions varies significantly in terms of density and lot and building size. There are very few vacant lots. Based on a site visit to accessible properties, it appears that the subdivisions are well maintained and well established.

The major characteristics of each of the subdivisions are summarized below[2]:

- Ox Bottom Gardens: Of the four subdivisions in the surrounding area, Ox Bottom Gardens has the highest density (2.13 dwelling units/acre) and average lot coverage (28%), and the smallest average lot size (.19 acres), and average building size (2,389 square feet). The subdivision plat contains a 75 foot vegetative buffer between lots in Ox Bottom Gardens and Ox Bottom Manor. These two subdivisions are connected: Love Ridge Drive and Sugar Plum Drive connect to Ox Bottom Manor Drive and Hawk Ridge Drive in the Ox Bottom Manor subdivision, providing residents of Ox Bottom Gardens with access to Meridian Road and Ox Bottom Road.

- Ox Bottom Manor: Ox Bottom Manor has a density of 1.10 dwelling units/acre, an average lot size of .67 acres, an average building size of 3,459 square feet, and an average lot coverage of 10%. The plat does not contain a buffer along the property boundaries with Moore Pond or the subject parcel. As noted above, Ox Bottom Manor has access to Meridian Road and Ox Bottom Road and is connected to Ox Bottom Gardens.

- Moore Pond: Moore Pond has a density of .23 dwelling units per acre, an average lot size of 3.08 acres, an average building size of 6,301 square feet, and an average lot coverage of 5%.

[2] Density is calculated based on entire plat. Other data is calculated based on lots within the "surrounding area" depicted on Exhibit 3.

The pond is centrally located within the subdivision. The plat does not contain a buffer along the property boundaries with Ox Bottom Manor or the subject parcel. With one exception, all lots access Heartland Circle, which provides two points of access to Ox Bottom Road. The one exception is a lot that directly fronts Ox Bottom Road. Moore Pond is a gated subdivision.

- Rose Hill: Rose Hill is the only one of the four subdivisions located on the south side of Ox Bottom Road. The density is .17 dwelling units/acre. The average lot is 2.52 acres, the average building size is 6,143 square feet, and the average lot coverage is 6%. Lots are arranged along a circular road, off of which are several cul-de-sacs. The plat includes a "Common Area" around the periphery of the development (a minimum of 100 feet deep) plus a 100 foot utility easement on the eastern boundary of the property. The designated residential access is via Meridian Road, with two truck entrances on Ox Bottom Road. Rose Hill is a gated community.

It is noted that the subject property and the surrounding area are within the Urban Service Area established by the Comprehensive Plan and urban services are available to serve the project. The Comprehensive Plan states that development should be directed "…to those areas which have in place, or have agreements to provide, the land and water resources, fiscal abilities, and the service capacity to accommodate growth in an environmentally acceptable manner….This Urban Service Area (USA) concept is based upon a desire to have Tallahassee and Leon County grow in a responsible manner, with infrastructure provided economically and efficiently, and surrounding forest and agricultural lands protected from unwarranted and premature conversion to urban land use….." (Future Land Use Element Objective 1.1). The Plan further states that "[i]n order to discourage urban sprawl, new development shall be concentrated in the urban service area plus in the Woodville Rural Community future land use category and the rural communities of Capitola, Chaires, Ft. Braden and Miccosukee, as designated on the future land use map." (Future Land Use Element Policy 1.1.1).

IV. Compatibility Criteria

The criteria used in this analysis are established in the Tallahassee-Leon County Comprehensive Plan and set forth below. The proposed Brookside Village subdivision is analyzed in relation to these policies in the following section of this report.

> ***Future Land Use Element Objective 2.1:*** *Enhance the livability of existing neighborhoods and in new neighborhoods provide for future mixed residential areas which will accommodate growth and provide a wide choice of housing types, densities and prices as well as commercial opportunities based on performance criteria. In furtherance of this, maintain a system of land development regulations and ordinances which will facilitate the implementation of the policies adopted in relation to residential land use. These shall include but not be limited to:*
>
> *1) Setback requirements from natural waterbodies and wetlands*
> *2) Buffering requirements*
> *3) Open space requirements*
> *4) Landscape requirements*
> *5) Tree protection*

6) Stormwater management requirements

<u>Future Land Use Element Policy 2.1.1: [L]</u> *Protect existing residential areas from encroachment of incompatible uses that are destructive to the character and integrity of the residential environment. Comprehensive Plan provisions and Land Development Regulations to accomplish this shall include, but are not limited to:*
a) Inclusion of a Residential Preservation category on the Future Land Use Map.
…..
c) Limitations on future higher density residential adjoining low density residential areas. Such limitations are to result in effective visual and sound buffering (either through vegetative buffering or other design techniques) between the higher density residential uses and the low density residential uses.

<u>Future Land Use Element Policy 2.2.3: [L]: RESIDENTIAL PRESERVATION</u>

Characterized by existing homogeneous residential areas within the community which are predominantly accessible by local streets. The primary function is to protect existing stable and viable residential areas from incompatible land use intensities and density intrusions. Future development primarily will consist of infill due to the built out nature of the areas….Single family, townhouse and cluster housing may be permitted within a range of up to six units per acre. Consistency with surrounding residential type and density shall be a major determinant in granting development approval.

…..In order to preserve existing stable and viable residential neighborhoods within the Residential Preservation land use category, development and redevelopment activities in and adjoining Residential Preservation areas shall be guided by the following principles:

…
e) Land use compatibility with low density residential preservation neighborhoods
A number of factors shall be considered when determining a land use compatible with the residential preservation land use category. At a minimum, the following factors shall be considered to determine whether a proposed development is compatible with existing or proposed low density residential uses and with the intensity, density, and scale of surrounding development within residential preservation areas: proposed use(s); intensity; density; scale; building size, mass, bulk, height and orientation; lot coverage; lot size/ configuration; architecture; screening; buffers, including vegetative buffers; setbacks; signage; lighting; traffic circulation patterns; loading area locations; operating hours; noise; and odor…..

Relevant definitions are as follows:

<u>Compatibility:</u> Neither the Comprehensive Plan nor the Land Development Code provide a definition of compatibility. This analysis uses the definition provided in the State's Community Planning Act, Ch. 163.3164 (9), Florida Statutes: *"Compatibility" means a condition in which land uses or conditions can coexist in relative proximity to each other in a stable fashion over*

time such that no use or condition is unduly negatively impacted directly or indirectly by another use or condition.

Consistency: No definition of consistency is provided in the Comprehensive Plan, the Land Development Code, or the Community Planning Act. This analysis uses the following definition: *1. Agreeing or accordant, compatible; not self-contradictory; 2. constantly adhering to the same principles, course, form, etc., 3. holding firmly together, cohering.* Webster's New Universal Unabridged Dictionary 1996. Barnes & Noble Publishing, Inc. 2003

Low Density Residential: 0-8 dwelling units per acre (Comprehensive Plan Glossary). Residential densities expressed as gross units per acre (Comprehensive Plan Glossary). The Residential Preservation future land use category restricts densities to a maximum of six units per acre. (Future Land Use Element Policy 2.2.3)

V. Analysis of Surrounding Area based on Compatibility Criteria in the Comprehensive Plan

Future Land Use Element Policy 2.1.1: [L] *Protect existing residential areas from encroachment of incompatible uses that are destructive to the character and integrity of the residential environment. Comprehensive Plan provisions and Land Development Regulations to accomplish this shall include, but are not limited to:*
a) Inclusion of a Residential Preservation category on the Future Land Use Map.
…..
c) Limitations on future higher density residential adjoining low density residential areas. Such limitations are to result in effective visual and sound buffering (either through vegetative buffering or other design techniques) between the higher density residential uses and the low density residential uses.

Analysis: All residential development in the surrounding area meets the definition of low density residential as established in the Residential Preservation future land use category (0 – 6 dwelling units/acre). The density for Brookside Village also meets this definition. This policy requires effective visual and sound buffering between low density and higher density residential uses. Although Brookside Village is a low density residential development, the project still incorporates vegetative buffers adjoining existing development.

Future Land Use Element Policy 2.2.3: [L]: RESIDENTIAL PRESERVATION
….Single family, townhouse and cluster housing may be permitted within a range of up to six units per acre. Consistency with surrounding residential type and density shall be a major determinant in granting development approval.

Analysis: The proposed development type is single family, as is development in the surrounding area. The proposed density falls within the range established by the Residential Preservation/Low Density category, as does the development in the surrounding area.

Future Land Use Element Policy 2.2.3(e): Land use compatibility with low density residential preservation neighborhoods

A number of factors shall be considered when determining a land use compatible with the residential preservation land use category. At a minimum, the following factors shall be considered to determine whether a proposed development is compatible with existing or proposed low density residential uses and with the intensity, density, and scale of surrounding development within residential preservation areas: proposed use(s); intensity; density; scale; building size, mass, bulk, height and orientation; lot coverage; lot size/ configuration; architecture; screening; buffers, including vegetative buffers; setbacks; signage; lighting; traffic circulation patterns; loading area locations; operating hours; noise; and odor….

Analysis: The relevant factors cited in the policy are analyzed below.

Density: The range of densities of existing and proposed development is shown in Table 1.

Table 1: Subdivision Density	
Subdivision	Density (dwelling units/acre)
Ox Bottom Gardens	2.13
Brookside Village	1.73
Ox Bottom Manor	1.10
Moore Pond	.23
Rose Hill	.17

Sources: Subdivision Plats and Leon County Property Appraiser Website
Density calculated based on entire subdivision
Ox Bottom Garden density calculated using acreage for residential component and stormwater pond.

There is a wide range of densities within the surrounding area. The density of Brookside Village falls within the existing range and is one third of the maximum density permitted in the Residential Preservation future land use category.

Building Size: Building size in the surrounding area compared to Brookside Village is shown in Table 2.

Table 2: Building Size		
Subdivision	Building Size Range (Gross Square Feet)	Average Building Size (Square Feet)
Moore Pond	3,485-14,929	6,301
Rose Hill	3,732 – 10,620	6,143
Ox Bottom Manor	2,329 -4,817	3,459
Brookside Village	2,200– 3,500	2,850
Ox Bottom Gardens	1,974 – 3,249	2,389

Source: Leon County Property Appraiser Website: Building Sketches.
Note: Brookside Village minimum gross square footage is based on a minimum heated and cooled building size of 1,600 square feet.

There is a wide range of building sizes in the surrounding area. The average size of Brookside Village buildings falls within the existing range.

Lot Size: The range of lot sizes in the surrounding area compared to Brookside Village is shown in Table 3:

Table 3: Lot Size		
Subdivision	Lot Sizes (Acres)	Average Lot Size (Acres)
Moore Pond	1.49 to 12.39	3.08
Rose Hill	1.48 -6.97	2.53
Ox Bottom Manor	.53-.96	.67
Brookside Village	.14 – 2.19	.26
Ox Bottom Gardens	.13-.32	.19

Sources: Subdivision Plats and Leon County Property Appraiser Website

There is a significantly wide range of lot sizes in the surrounding area. The lot size of Brookside Village falls within the existing range.

Lot Configuration and Orientation: Lots in the surrounding area are generally rectangular, with minor variations to accommodate circular roads, including cul-de-sacs. Lot configuration and orientation in Brookside Village is similar to the existing pattern.

Scale and Height[3]: The surrounding area contains a mix of one story, one and one-half story (habitable space within the roof), and two story. Sixteen percent of the houses in Ox Bottom Gardens had more than one habitable story, 42% in Ox Bottom Manor, 61% in Moore Pond, and 68% in Rose Hill. Buildings on Brookside Village, with the exception of Lots A17 and C2 will be one story and one and one-half stories. The habitable area of buildings with one and one-half stories is located toward the front of the house and no upper story windows will be facing adjoining subdivisions.

[3] Buildings with square footage attributed to "Finished Upper Story" in records from the Property Appraiser's website were classified as having more than one story.

Lot Coverage[4]: The range of lot coverage in the surrounding area compared to Brookside Village is shown in Table 4:

Table 4: Lot Coverage	
Subdivision	Average Lot Coverage
Moore Pond	5%
Rose Hill	6%
Ox Bottom Manor	10%
Brookside Village	24%
Ox Bottom Gardens	28%

Source: Leon County Property Appraiser Website: Building Sketches.
Note: Brookside Village average lot coverage is based on an average lot size of 11,454 square feet and an average lot coverage of 2,712.5 square feet. The average lot coverage was determined assuming 50% of the lots will have a coverage of 2,200 square feet and 50% will have a lot coverage of 3,225 square feet.

The lot coverage ratio in the surrounding area ranges widely. The lot coverage of Brookside Village falls within the existing range.

Mass and Bulk: To provide an estimate of bulk, this analysis focused on existing lots in Moore Pond and Ox Bottom Manor adjoining lots in Brookside Village less than two acres in size. (See Exhibit 1 for location of lots referenced in this analysis.) The total length of building façades along the shared property line was compared to the total length of the property line.

For Moore Pond, the calculation was made using the length of the rear property lines along Lots B23 through B25. Only one home is currently constructed, on Lot B23. It was assumed that the ratio of building to property line would be the same for the remaining lots. The length of the building façade as a percent of the total lot length is .29. For Brookside Village, the calculation was made using Lots A4 through A15. The percent of building façade as a percent of the total lot length is .88[5].

For Ox Bottom Manor, the calculation was made using Lots H1 through H7. The length of building façade as a percent of the total lot length is .45. For Brookside Village, the calculation was made using Lots D1 through Lot D11. The length of building façade as a percent of the total lot length is .88.

As noted previously, neither of these subdivisions contains buffers. There is existing vegetation along portions of the Brookside Village property line.

[4] *Lot coverage* shall mean the area that results from the division of a lot which is occupied or covered by the total horizontal projected surface of all buildings, including covered porches and accessory buildings, by the gross area of that lot. (Leon County Land Development Code, Sec 10-1.101). Horizontal project surface of buildings was calculated based on building square footage of the main level, based on building square footage available on the Leon County Property Appraiser website.
[5] For Brookside Village, five foot side setbacks were assumed.

Based on this analysis, there is a potential issue of compatibility relating to the visual impact of the smaller lot sizes and subsequently higher building mass in Brookside Village where it adjoins Moore Pond and Ox Bottom Manor.

The landscape plan for Brookside Village mitigates the potential visual impact with a landscape buffer that is deeper and substantially denser than the minimum landscape buffer established in the Land Development Code in these locations. The Land Development Code establishes four landscape buffer types, labeled "A" though "D," intended to addresses increasing degrees of incompatibility. For example, the Code requires a minimum of a Type A buffer between single family residential uses in the Residential Preservation future land use category. A Type C buffer is the minimum required between single family use and commercial uses between 20,000 and 200,000 square feet and between single family use and warehousing and distribution uses. The buffer proposed for Brookside Village exceeds the standards for a Type C buffer, and is referred to as a "Type C+" buffer. Table 6 shows the planting standards for the Type A, C, and C+ buffer.

Table 6: Comparison of Type A, C, and C+ Buffer

	Type A	Type C	Type C+
Buffer Width (Feet)	20	25	25
Number Canopy Trees Per 100 Feet	1.2	6	7 (evergreen)
Number Understory Trees Per 100 Feet	.4	3	6 (evergreen)
Number Shrubs Per 100 Feet	4.0	24	24 (evergreen)

Note: Buffer widths in the Code vary for each buffer Type. This comparison uses the buffer width closest to the 25 foot buffer proposed for Brookside Village.

The buffer details sheet states: "It is realistic to expect approximately 75% opacity at the time of planting and over 90% opacity within 5 years." (See Exhibit 2.)

Architecture: The architecture of Ox Bottom Manor and Ox Bottom Garden (the subdivisions that are accessible) are traditional suburban residences. Typical feature include peaked roofs, brick or stucco front facades, and covered entrances. The Brookside Village prototype includes peaked roofs and covered entrances. Facades are Hardie board.

Brookside Village Prototype

Ox Bottom Gardens

Ox Bottom Manor

Screening and Buffering, including vegetative buffers: Each plat was reviewed to determine the existence and extent of a buffer. The results are shown in Table 5:

Table 5: Buffers Provided in Subdivision Plats	
Subdivision	Buffer
Rose Hill	Approximately 100 feet (Labeled "Common Area"). Additional 100 foot utility easement provided along eastern property line.
Ox Bottom Gardens	Approximately 75 feet along boundary with Ox Bottom Manor.
Brookside Village	25 feet adjoining Brookside Village lots less than two acres and Lot 17A. Two ten foot buffers along portions of Ox Bottom Manor Lot 7, Block H and all of Lot 8, Block H. Ten foot buffer in all other locations.
Moore Pond	None provided in plat
Ox Bottom Manor	None provided in plat

Buffers range from 0 feet to 100 feet. The Brookside Village buffer falls within this range and includes standards for planting to achieve a specified level of opacity.

Setbacks: Data on setbacks in the surrounding area are not available. Based on site visits and review of aerial images, setbacks appear to be typical for suburban residential development: e.g., buildings are set back from the curb (as opposed to being placed near front property line) and from adjoining properties (e.g., no zero lot lines). Setbacks for Brookside Village are consistent with this pattern.

Traffic Circulation Patterns: Ox Bottom Manor is characterized by a network of interconnected curving roads. It has access to Ox Bottom Road and Meridian Road via Ox Bottom Manor and Hawks Ridge Drive. Lots in Ox Bottom Gardens are arranged along a system of cul- de-sacs and two streets, Sugar Plum Drive and Love Ridge Drive, which provide connections to the road system in Ox Bottom Manor.

Moore Pond has access to Ox Bottom Road via two connections off Heartland Circle. Heartland Circle provides access to all lots in Moore Pond with the exception of one lot, which has direct access to Ox Bottom Road. Moore Pond is a gated subdivision.

Rose Hill has residential access to Meridian Road via Rose Hill Lane. There are two truck entrances to Rose Hill from Ox Bottom Road. Lots are arranged along a system of cul- de-sacs and connecting streets. Rose Hill is a gated subdivision.

Brookside Village has access to Ox Bottom Road. It does not connect to any other subdivision.

The following criteria listed in Future Land Use Element Policy 2.2.3 were found to be not applicable to this analysis.

- Intensity
- Signage
- Lighting
- Loading area locations
- Operating hours
- Noise
- Odor

VI. Findings of Compatibility Analysis

- The surrounding area is a low density single family residential area. Brookside Village is also a low density single family residential development.
- The surrounding area is characterized by a significant variety of densities, all of which fall within the density range allowed under Residential Preservation. The density of Brookside Village is less than one-third the maximum density allowed in the Residential Preservation future land use category and falls with the range of densities in the surrounding area.
- The surrounding area is characterized by a variety of lots sizes, lot coverages, and building sizes. The lot size, lot coverage and building sizes in Brookside Village fall within the range found in the surrounding area.
- There is a varied pattern of buffers. The plats of the two subdivisions adjoining the Brookside Village, Moore Pond and Ox Bottom Manor, property do not contain buffers. Brookside Village contains a Type C+ 25 foot landscape buffer adjoining lots less than two acres.
- There is a varied traffic circulation pattern, with two subdivisions interconnected via a public road network and two subdivisions with gated access. Brookside Village does not interconnect to any other subdivision and is a public subdivision.

- The building mass of lots in Brookside Village, expressed as a ratio of building to open space based on lot length, are higher than in the adjoining lots in Moore Pond and Ox Bottom Manor. The potential visual impact of the greater mass is mitigated through the provision of the Type C+ landscape buffer.

VII. Conclusions of Compatibility Analysis

The definition of "compatibility" is as follows: *A condition in which land uses or conditions can coexist in relative proximity to each other in a stable fashion over time such that no use or condition is unduly negatively impacted directly or indirectly by another use or condition.*

This analysis demonstrates that the proposed project is compatible with the uses that exist in relatively proximity to the project.

VIII. Comprehensive Plan Policies Indicating that Density of Development Will Be Allowed Only to the Extent that Sufficient Stormwater Capacity is Available

The February 2, 2016 ARM report from the Tallahassee-Leon County Planning Department states: "The Leon County Land Use Development Matrix and Conservation Policies 1.3.2.d, 1.3.3, and 2.2.5, indicate density of development will be permitted only to the extent that sufficient stormwater capacity is available. The availability of stormwater capacity to address providing the appropriate level of service for the project and protecting surrounding water quality within the closed basin has been adequately met." These policies are analyzed below:

> ***Conservation Policy 1.3.2:*** *Potential development within areas of the conservation overlay district shall exhibit best environmental management practices with the emphasis on designing with nature. Assessed impact upon natural resource determines density and/or intensity within a prescribed range within which the parcel is located. Planned development is required for approval. Strict performance requirements will be applied. The major criterion for approval shall be the continued functioning, with minimum disturbances, of the ecosystem, which the development is impacting. Conservation area development criteria are as follows:*
> ….
> *d) Closed basins – These areas will be permitted to develop only to the extent that there is sufficient stormwater capacity within the basin. Development will be permitted reflective of the density allowed by the existing land use category.*
>
> Analysis: The project provides on-site retention for the volumetric runoff difference between the pre and post development for the 100 year – 24 hour storm event. Stormwater within the ponds will be recovered via exfiltration trenches, which will be filtered down to the groundwater.

Geotechnical investigations that were provided for the proposed on-site stormwater ponds were able to map the groundwater flow currently on-site. Currently the groundwater day lights at the bottom of the ravines and eventually drains to Moore Pond. The proposed improvements will not alter the existing groundwater flow, therefore the studies confirmed there will be no volume impacts to Moore Pond.[6] The project density is one third the permissible density in the future land use category.

Conservation Element Policy 1.3.3: *In all cases the transfer of development to non-environmentally sensitive areas is preferable. Density transfer shall be within the parcel; no off-site transfer is permitted. Transfer of development density to non-environmentally sensitive areas will be allowed up to the density permitted by the future land use category in which the parcel is located. The amount of density transfer may be limited by other applicable requirements and ordinances implemented during the development review process, such as requirements for stormwater retention, open space and landscaping, buffer, setbacks, parking, transportation access and any concurrency requirements. If there is no area on the site suitable for transfer, development will be allowed at one unit per acre unless otherwise stated. Where open space requirements are part of the land development code, 50% credit may be given for conservation areas that are preserved. In no case can the density on the developable portion of the site be more than double the allowed density of the Land Use category in which the parcel is located.*

Analysis:

The policy limits the density within the developable portion of the site to no more than double the density allowed in the subject parcel's future land use category and also states that the maximum density achieved may be limited by other requirements of the Plan and land development code. The allowed density within the Residential Preservation category is six units per gross acre. Of the 35.17 acres site, 11.5 acres are in conservation easement, leaving 23.67 acres as developable. The maximum density allowed on the developable portion of the property is 12 units per acre. The proposed density of the developable area is 2.62 units per acre.

Policy 2.2.5: *Development in closed basins will be permitted only to the extent there is sufficient stormwater capacity within the basin. Inter-basin transfer of stormwater run-off from closed basins shall not be allowed except where conditions a) and c), or b) and c) identified below are met:*

a) The inter-basin transfer is necessary for a public sector project, or a private/public joint venture, either of which must benefit a broad segment of the community;
b) the inter-basin transfer mitigates an existing stormwater problem;
c) a detailed assessment has been made indicating minimal negative impacts to the receiving water shed relative to water quality, quantity, and rate of discharge.

All stormwater treatment requirements regarding water quality must also be met.

[6] Source: Project Engineer

Analysis: The project provides on-site retention for the volumetric runoff difference between the pre and post development for the 100 year – 24 hour storm event. Stormwater within the ponds will be recovered via exfiltration trenches, which will be filtered down to the groundwater.

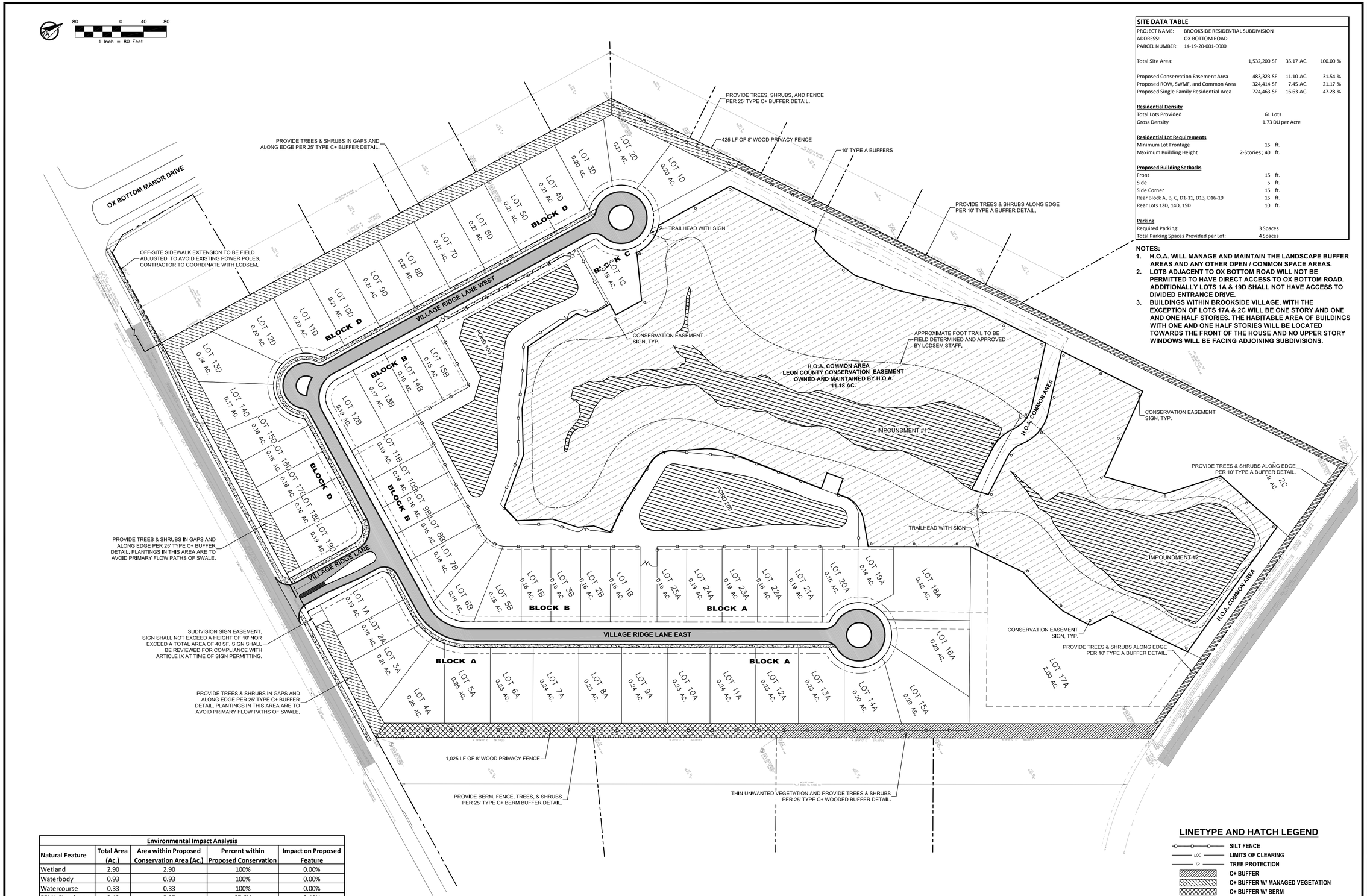
Geotechnical investigations that were provided for the proposed on-site stormwater ponds were able to map the groundwater flow currently on-site. Currently the groundwater day lights at the bottom of the ravines and eventually drains to Moore Pond. The proposed improvements will not alter the existing groundwater flow, therefore the studies confirmed there will be no volume impacts to Moore Pond. No inter-basin transfer is proposed.[7]

Exhibits

Exhibit 1: Brookside Village proposed Site Plan
Exhibit 2: Brookside Village Buffer Details Sheet
Exhibit 3: Map of surrounding area

[7] Source: Project Engineer

EXHIBIT 1



SITE DATA TABLE

PROJECT NAME:	BROOKSIDE RESIDENTIAL SUBDIVISION		
ADDRESS:	OX BOTTOM ROAD		
PARCEL NUMBER:	14-19-20-001-0000		
Total Site Area:	1,532,200 SF	35.17 AC.	100.00 %
Proposed Conservation Easement Area	483,323 SF	11.10 AC.	31.54 %
Proposed ROW, SWMF, and Common Area	324,414 SF	7.45 AC.	21.17 %
Proposed Single Family Residential Area	724,463 SF	16.63 AC.	47.28 %
Residential Density			
Total Lots Provided	61 Lots		
Gross Density	1.73 DU per Acre		
Residential Lot Requirements			
Minimum Lot Frontage	15 ft.		
Maximum Building Height	2-Stories ; 40 ft.		
Proposed Building Setbacks			
Front	15 ft.		
Side	5 ft.		
Side Corner	15 ft.		
Rear Block A, B, C, D1-11, D13, D16-19	15 ft.		
Rear Lots 12D, 14D, 15D	10 ft.		
Parking			
Required Parking:	3 Spaces		
Total Parking Spaces Provided per Lot:	4 Spaces		

NOTES:

1. H.O.A. WILL MANAGE AND MAINTAIN THE LANDSCAPE BUFFER AREAS AND ANY OTHER OPEN / COMMON SPACE AREAS.
2. LOTS ADJACENT TO OX BOTTOM ROAD WILL NOT BE PERMITTED TO HAVE DIRECT ACCESS TO OX BOTTOM ROAD. ADDITIONALLY LOTS 1A & 19D SHALL NOT HAVE ACCESS TO DIVIDED ENTRANCE DRIVE.
3. BUILDINGS WITHIN BROOKSIDE VILLAGE, WITH THE EXCEPTION OF LOTS 17A & 2C WILL BE ONE STORY AND ONE AND ONE HALF STORIES. THE HABITABLE AREA OF BUILDINGS WITH ONE AND ONE HALF STORIES WILL BE LOCATED TOWARDS THE FRONT OF THE HOUSE AND NO UPPER STORY WINDOWS WILL BE FACING ADJOINING SUBDIVISIONS.

Environmental Impact Analysis

Natural Feature	Total Area (Ac.)	Area within Proposed Conservation Area (Ac.)	Percent within Proposed Conservation	Impact on Proposed Feature
Wetland	2.90	2.90	100%	0.00%
Waterbody	0.93	0.93	100%	0.00%
Watercourse	0.33	0.33	100%	0.00%
FEMA Floodzone	2.12	2.07	97.6%	2.40%
Significant Grade	7.13	3.58	50.2%	0.00%
Severe Grade	4.93	4.93	100.0%	0.00%
Native Forests	4.96	4.83	97.4%	2.60%

LINETYPE AND HATCH LEGEND

- SILT FENCE
- LOC — LIMITS OF CLEARING
- TP — TREE PROTECTION
- C+ BUFFER
- C+ BUFFER W/ MANAGED VEGETATION
- C+ BUFFER W/ BERM
- TYPE A BUFFER
- SS — SEWER
- W — WATER
- GAS — GAS
- ELECTRIC

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2840 PABLO AVENUE
TALLAHASSEE, FLORIDA, 32308
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DATE	BY	REVISIONS

BROOKSIDE VILLAGE
RESIDENTIAL SUBDIVISION
OVERALL SITE PLAN
LEON COUNTY FLORIDA

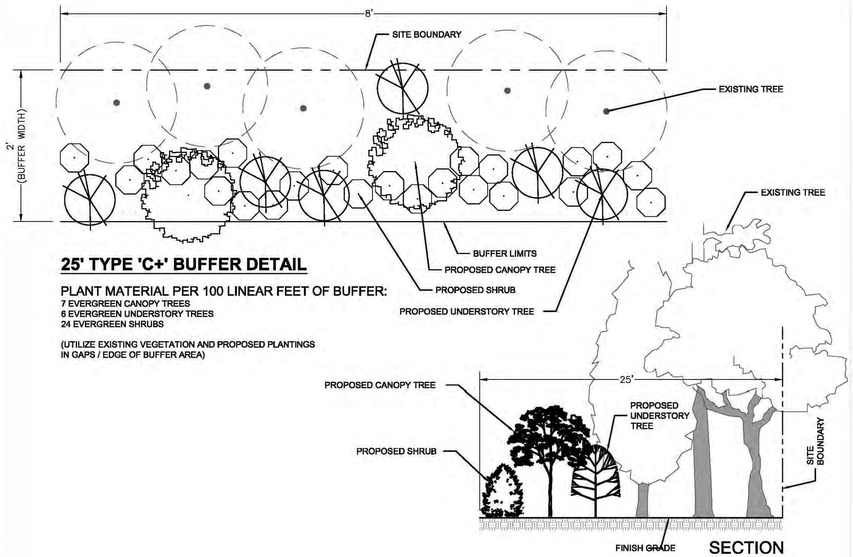
SEAN K. MARSTON, P.E.
LICENSE NUMBER. 55987

DRAWN BY: W.E.C.
CHECKED BY: S.K.M.
DATE: 08/02/17
HORZ. SCALE: 1"=80'
VERT. SCALE:

SHEET C-112.1
PROJECT No. 15015.00

August 1, 2017 (17:08:59 EST)
F:\15015.00 - BROOKSIDE VILLAGE\CAD\BASE.DWG

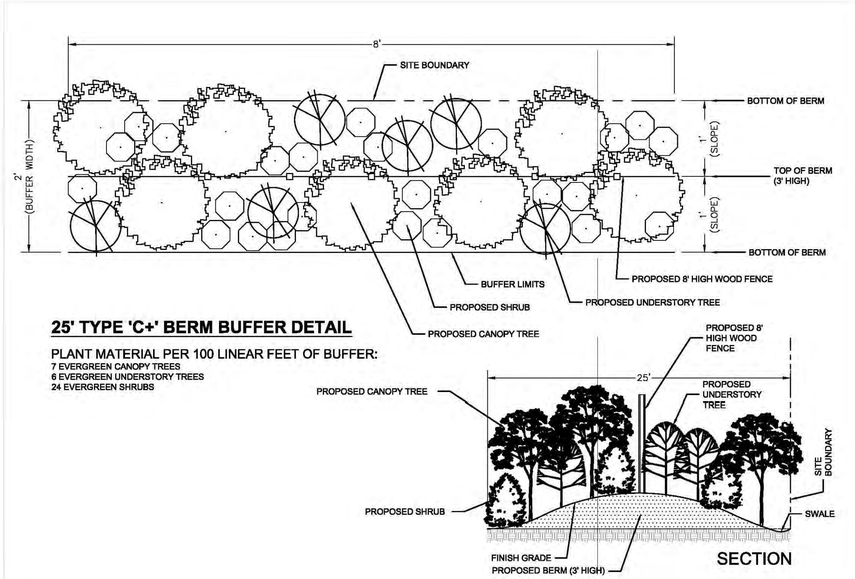
EXHIBIT 2



25' TYPE 'C+' BUFFER DETAIL

PLANT MATERIAL PER 100 LINEAR FEET OF BUFFER:
7 EVERGREEN CANOPY TREES
6 EVERGREEN UNDERSTORY TREES
24 EVERGREEN SHRUBS

(UTILIZE EXISTING VEGETATION AND PROPOSED PLANTINGS IN GAPS / EDGE OF BUFFER AREA)



25' TYPE 'C+' BERM BUFFER DETAIL

PLANT MATERIAL PER 100 LINEAR FEET OF BUFFER:
7 EVERGREEN CANOPY TREES
6 EVERGREEN UNDERSTORY TREES
24 EVERGREEN SHRUBS

NOTES:

THE NORTHWESTERN CORNER OF THE PROPERTY (LOTS 1D & 2D) WILL NEED SIGNIFICANT PLANTING. THERE ARE A FEW EXISTING TREES THAT CAN BE USED AS PART OF THE CREATED BUFFER.

PORTIONS OF THE EASTERN DIRT DRIVEWAY (LOTS 4A 14A) WILL NEED SIGNIFICANT PLANTING WITH A +/-3' BERM (AND FENCE).

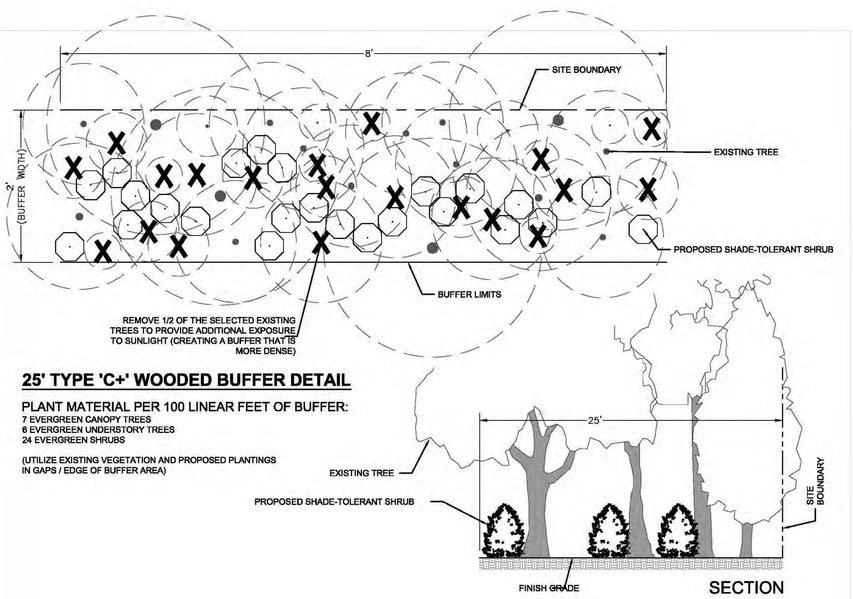
THE HEAVILY WOODED / SHADY AREAS (LOT 15A & A PORTION OF 18A) NEED TO BE THINNED TO ACCOMMODATE SHRUB PLANTINGS AND CREATE A DENSE BUFFER. A FIELD SAMPLE INDICATED THERE WERE AT LEAST 40 EXISTING TREES PER 100' LINEAR FEET. REMOVING HALF OF THESE TREES (20) WOULD PROVIDE ROOM FOR NEW SHRUB PLANTINGS, BUT PRESERVE ENOUGH TREES TO MEET BUFFER REQUIREMENTS.

FOR THE REMAINING MAJORITY SUBJECT AREAS, THE BUFFER SHALL BE ACHIEVED WITH A COMBINATION OF EXISTING & PROPOSED VEGETATION. PLANT NEW VEGETATION AT THE EDGES OF THE 25' BUFFER AREA, WHERE THE BEST EXPOSURE TO SUNLIGHT WOULD BE. THE AVERAGE WIDTH OF THE EXISTING VEGETATION IS 15' LEAVING 10' FOR PROPOSED PLANTING.

THE 10' TYPE 'A' BUFFER ONLY NEEDS SHRUB PLANTINGS ALONG THE EDGES TO MEET BUFFER REQUIREMENTS.

PROPOSED PLANT LIST (OR APPROVED EQUAL):
- LIVE OAK
- MAGNOLIA
- RED CEDAR
- OCALA ANISE
- FL LEUCOTHOE
- YAUPON
- VIBURNUM
- HOLLY
- PODOARPUS
- LOROPETALUM
- GARDENIA
- CABBAGE PALM
- FAKAHATCHEE GRASS

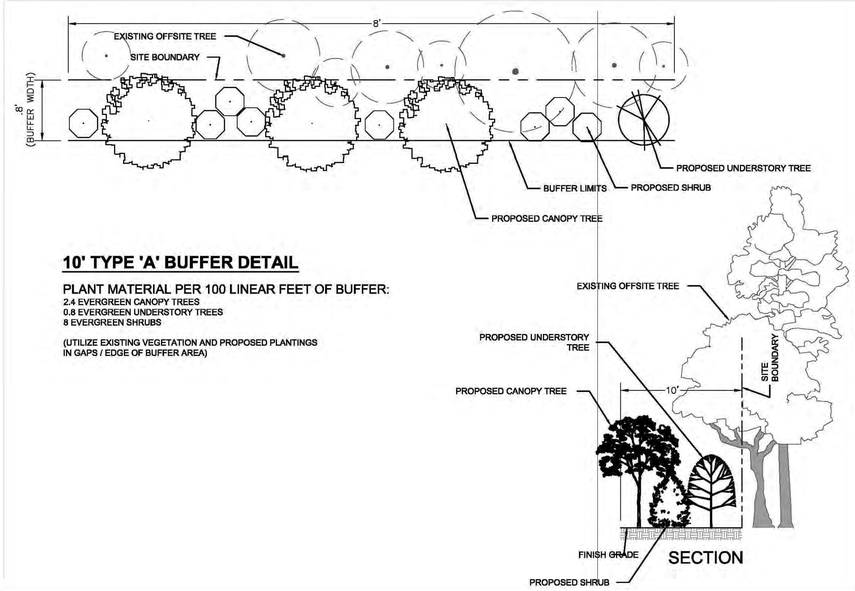
IT APPEARS THAT THE EXISTING BUFFER AREA VEGETATION IS PROVIDING AT LEAST 50% OPACITY, HOWEVER THIS WOULD LIKELY BE LOWER DURING THE WINTER AFTER DECIDUOUS SPECIES FOLIAGE HAS DROPPED. ASSUMING TYPICAL PLANT SIZES (8-10' HT. CANOPY TREES, 6-8' HT. UNDERSTORY TREES, 3-4' HT. SHRUBS) ARE INSTALLED, IT IS REALISTIC TO EXPECT APPROXIMATELY 75% OPACITY AT TIME OF PLANTING AND OVER 90% OPACITY WITHIN 5 YEARS.



25' TYPE 'C+' WOODED BUFFER DETAIL

PLANT MATERIAL PER 100 LINEAR FEET OF BUFFER:
7 EVERGREEN CANOPY TREES
6 EVERGREEN UNDERSTORY TREES
24 EVERGREEN SHRUBS

(UTILIZE EXISTING VEGETATION AND PROPOSED PLANTINGS IN GAPS / EDGE OF BUFFER AREA)



10' TYPE 'A' BUFFER DETAIL

PLANT MATERIAL PER 100 LINEAR FEET OF BUFFER:
2.4 EVERGREEN CANOPY TREES
0.8 EVERGREEN UNDERSTORY TREES
8 EVERGREEN SHRUBS

(UTILIZE EXISTING VEGETATION AND PROPOSED PLANTINGS IN GAPS / EDGE OF BUFFER AREA)

PROPOSED BUFFER PLANTS:

PER 25' TYPE C+ BUFFER DETAIL (2,452 LINEAR FEET):
- 24.52 X 2 = 50 EVERGREEN CANOPY TREES
- 24.52 X 6 = 148 EVERGREEN UNDERSTORY TREES
- 24.52 X 24 = 589 EVERGREEN SHRUBS

PER 25' TYPE C+ WOODED BUFFER DETAIL (359 LINEAR FEET):
- 3.59 X 24 = 87 EVERGREEN SHRUBS

PER 25' TYPE C+ BERM BUFFER DETAIL (490 LINEAR FEET):
- 4.90 X 7 = 35 EVERGREEN CANOPY TREES
- 4.90 X 6 = 30 EVERGREEN UNDERSTORY TREES
- 4.90 X 24 = 118 EVERGREEN SHRUBS

PER 10' TYPE A+ BUFFER DETAIL (1,308 LINEAR FEET):
- 13.08 X 2.4 = 32 EVERGREEN CANOPY TREES
- 13.08 X 0.8 = 11 EVERGREEN UNDERSTORY TREES
- 13.08 X 8 = 104 EVERGREEN SHRUBS

BUFFER PLANTING SCHEDULE

QTY.	COMMON NAME	SIZE/REMARKS
EVERGREEN CANOPY TREES		
117	LIVE OAK MAGNOLIA	10-12' HT. X 5-6' SPR., 3" CAL., 45 GAL
EVERGREEN UNDERSTORY TREES		
189	HOLLY RED CEDAR	8' HT. X 3-4' SPR., 2" CAL., 30 GAL
EVERGREEN SHRUBS		
898	OCALA ANISE FL LEUCOTHOE YAUPON VIBURNUM PODOARPUS LOROPETALUM GARDENIA	30" HT. X 24"SPR., 7 GAL., 6' O.C.

COWLES LANDSCAPE ARCHITECTURE
www.cowlesLA.com / (850) 545-7035 / TALLAHASSEE, FL

URBAN CATALYST CONSULTANTS, INC.
2840 PABLO AVENUE
TALLAHASSEE, FLORIDA, 32308
PHONE: (850) 999-4241
WWW.UCCENG.COM
FL CA 00030572

DATE	BY	REVISIONS

BROOKSIDE VILLAGE
RESIDENTIAL SUBDIVISION

BUFFER DETAILS

LEON COUNTY FLORIDA

SEAN K. MARSTON, P.E.
LICENSE NUMBER. 55987

DRAWN BY:	W.E.C.
CHECKED BY:	S.K.M.
DATE:	10/12/16
HORZ. SCALE:	
VERT. SCALE:	

SHEET C-133

PROJECT No. 15015.00

October 10, 2016 (09:26:18 EST)
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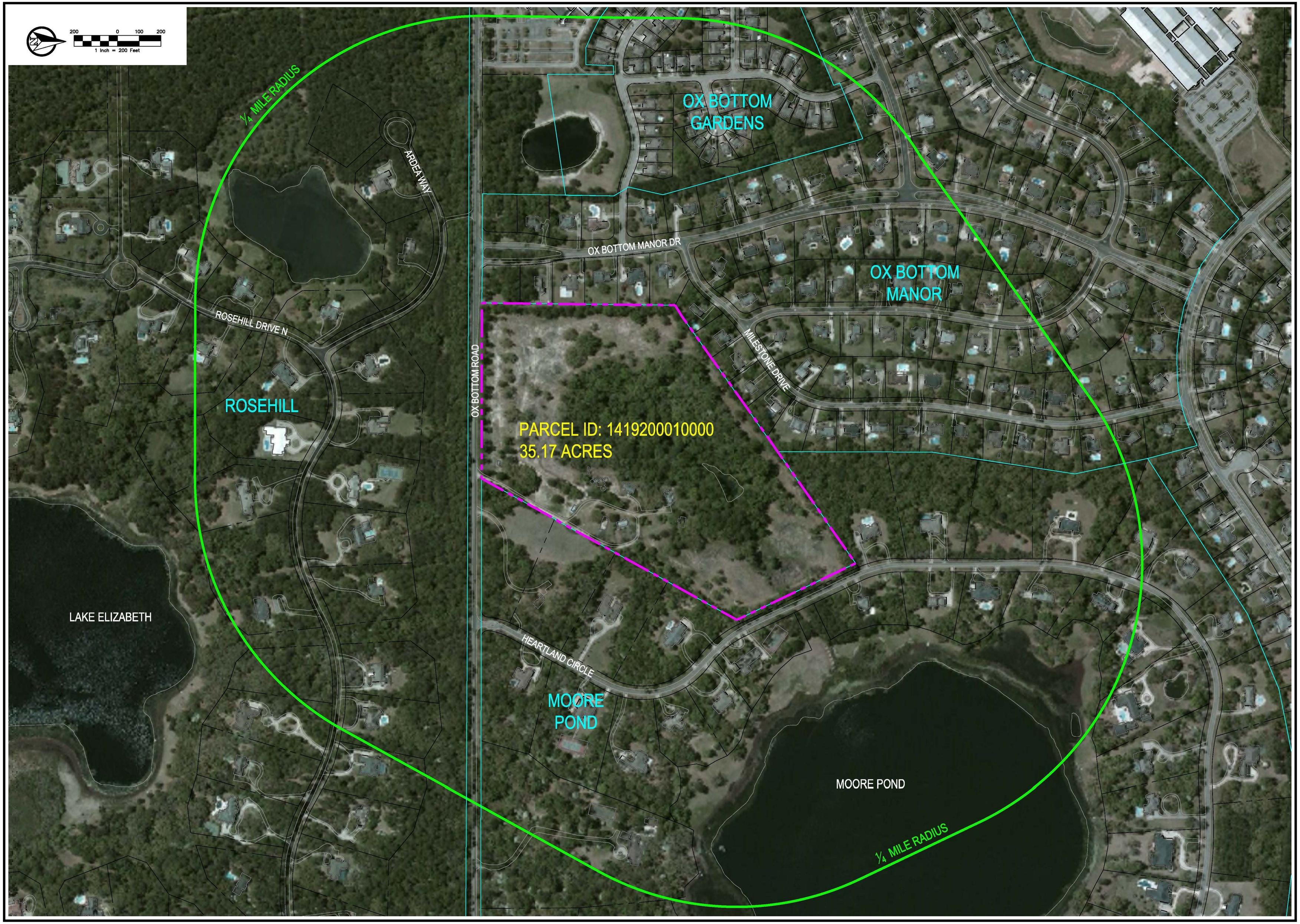
EXHIBIT 3



URBAN CATALYST CONSULTANTS, INC.
2840 PABLO AVENUE
TALLAHASSEE, FLORIDA, 32308
PHONE: (850) 999-4241
WWW.UCCENG.COM
FL CA 000030572

DATE	BY	REVISIONS

550 OX BOTTOM ROAD

GIS MAP

LEON COUNTY FLORIDA

SEAN K. MARSTON, P.E.
LICENSE NUMBER. 55987

DRAWN BY:	W.E.C.
CHECKED BY:	S.K.M.
DATE:	08/01/16
HORZ. SCALE:	1"=200'
VERT. SCALE:	

SHEET C-101

PROJECT No. 14001.00

August 3, 2016 (17:00:15 EST)
M:\PROPOSAL\550 OX BOTTOM\GIS_MAP.DWG

JOINT EXHIBIT OF THE PARTIES 16

Brookside Village

Stormwater Analysis Report

Parcel ID:
14-19-20-001-0000

Revised July, 2017

Prepared for:

Golden Oak Land Group, LLC

Prepared By:

Urban Catalyst Consultants

Brookside Village

Stormwater Analysis Report

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Urban Catalyst Consultants

2840 Pablo Avenue
Tallahassee, FL 32308
(850) 999-4241

Brookside Village
Stormwater Report
Parcel ID – 14-19-20-001-0000

Stormwater Narrative

The project site is located a 550 Ox Bottom Road in Northeast Leon County. The parcel is located on the north side of Ox Bottom Road, east of the Ox Bottom Manner Subdivision and west of the Moore Pond Subdivision. The parcel comprises of 35.18 acres of which has an approved Natural Features Inventory LEA 150037. The property has been used for agriculture pursuits in the past with improved pasture land. In the 1960's two water reservoirs were constructed in the middle of the site as part of the agricultural practices. As time passed and the agricultural activities diminished, the vegetative communities matured which created a unique environmental feature. There are three dwelling units and several accessory buildings that exist on the property.

The intent of this project is to develop the upland portion of the property as a residential subdivision and maintain the environmentally sensitive areas in a conservation easement. The project proposes 62 residential lots which range in size from 1/8 acre to 2+ acres. Majority of the single family detached units will be located on 1/8-1/4 acre lots. There will be two residential lots that will be larger, these lots are intended to provide a transition to the homes in Moore Pond.

The site is located within the Moore Pond Closed Basin therefore the volumetric difference between the pre vs. post discharge for the 100 year – 24 hour storm must be retained on-site. Half of this volume must be recovered within 7 days and the remaining volume must be recovered in 30 days. The project will include two stormwater facilities that will meet and exceed the closed basin requirements.

This report also analyzes the two existing impoundments on-site to determine the adequacy of the dam systems. These systems have discharge structures that are failing and or have had repairs in the past. This project will repair and improve the function of these existing systems. The recommendations included in this report will provide improved flooding conditions and enhanced water quality leaving the project site.

A stormwater model was prepared to evaluate the runoff volumes and provide simulations for all storms up to the 100yr – 24hr event. In addition there has been significant geotechnical investigation to identify soil stratas which will provide for adequate recovery rates, including installing piezometers to measure ground water levels. We have been able to determine that there will be no volumetric differences in the water levels of Moore Pond from this development. The results section of this report will provide the analysis of the various models and summarize the values confirming that all of the stormwater requirements are meet for this project.

Existing Conditions

The environmental survey included classification and mapping of the vegetative communities (as described by the Florida Land Use, Cover and Forms Classification System-FLUCCS) and the review of any environmental features onsite, such as wetlands, listed species,

watercourses, karst features or protected species. A brief description of the communities is provided in the Natural Features Inventory Permit. The Natural communities include Residential-Low Density (FLUCCS 110), Improved Pastures (FLUCCS 211), Beech-Magnolia (FLUCCS 431), Hardwood-Conifer Mixed Uplands (FLUCCS 434), Streams and Waterways (FLUCCS 510), Reservoirs less than 10 acres (FLUCCS 534), Wetland Hardwood Forests (FLUCCS 610) and Vegetated Non-Forested Wetlands (FLUCCS 640). The soil type on the parcel is Orangeburg Fine Sandy Loam with a range of slopes (slopes 2-12%), the steeper slopes are Hydraulic Soil Group (HGS) C and the milder slopes are HGS B. Since there are two different soil types on the property and adjacent properties Type B soils were chosen for the analysis of the runoff coefficients. The Type B soils are a more well drained soil and when developed would have a higher runoff difference between pre vs. post.

The property is included within the Lake Lafayette Basin and within the Moore Pond CB Watershed. Other features on the parcel include floodplain, wetlands, a watercourse, a waterbody, native forest and severe and significant slopes.

Majority of the environmental features fall within the middle interior of the site upland and adjacent to the two reservoirs. Drainage from the north side of Ox Bottom Road drains to a low area of the project site and northward into the ravine areas. Offsite runoff from a portion of the Ox Bottom Manor Subdivision and a portion of the Moore Pond Subdivision also flows onto the project site from the west and east respectfully. This runoff combines with the on-site run off and either percolates or sheet flows into the ravine areas. The ravines drain through several water courses until runoff reaches a sandy bottom creek which flows into the first reservoir (Impoundment #1). This water is impounded by a dam system which includes a barrel pipe control structure which controls the normal pool level and delivers water downstream during storm events. The discharged water travels downstream until it reaches the second reservoir which is much larger. This reservoir was also created by a dam system with a riser and barrel control structure. Water from the second reservoir (Impoundment #2) is discharged into a ditch system in the Moore Pond Subdivision. The stormwater is then conveyed under Heartland Circle via a 48” pipe into a concrete lined swale ultimately discharging into Moore Pond.

Proposed Conditions

As mentioned this project proposes to construct a residential subdivision on the upland portions of the project site. Since the environmental features fall within the middle of the site a horseshoe shaped road is proposed on either side of the sensitive features. The residential lots will be constructed adjacent the proposed road. The residential lots will either drain to the road or drainage will be collected from the rear of the properties and diverted to two stormwater ponds proposed for the project.

The two stormwater ponds will be constructed on either side of the sensitive features. The ponds will be able to retain the required close basin volume and recover that volume within the required recovery period. The larger of the ponds is Pond 100 which will cover a 17 + acre drainage basin. This pond will collect the on-site drainage as well as offsite drainage that naturally comes to this area (see drainage basin map). The pond will be constructed with a retaining wall on the upland portion of the facility and a maintenance berm running along the downstream side adjacent to the conservation area. The berm will be equipped with a 100’ emergency spillway which will ultimately

discharge to the conservation area. The maintenance berm can either be accessed either to the west side of Village Ridge Rd. or to the east side of the subdivision through an access easement.

Pond 200 will be constructed on the eastern side of the ravine on an upland portion. This pond will have an access berm around the back side of the pond and will be accessed through the same utility and access easement. The pond will have a large emergency spillway (200 LF) which will discharge to Impoundment #1. The proposed grades of the pond match well with the existing surface and will promote overland flow conditions to Impoundment #1.

The underlying soils under the SWMF have limited drainage capabilities. Ardaman & Associates have performed extensive geotechnical investigations and have recommended that volume recovery can be accomplished via exfiltration trenches. The exfiltration trenches will be 3 feet wide and constructed to a depth of elevation 190 +/-. This will allow for recovery to occur within 3-5 feet of the more permeable soil stratas 4a, 4b & 4c. The detailed Ardaman Report is included in the Appendix of the report.

In addition, Ardaman performed additional borings and installed nine piezometers to measure and calculate the ground water flow and direction. The measured site observations of the existing condition indicate that all of the stormwater that falls on the project site is either percolated or runs off into the ravine. Except for negligible evapotranspiration, all of the water in the ravine eventually flows into Moore Pond. The proposed system will have large closed basin ponds which will collect runoff from the development and percolate it into the ground. The percolated water will eventually reach the ground water table and flow into the ravine. After the water works its way through the two improved on-site impoundments it will eventually will reach Moore Pond, as it does currently. The project will not impact the water balance cycle of Moore Pond.

The pipe system associated with Impoundment #1 has corroded and in need of repair. This project proposes providing a new control system in Impoundment #1. The control structure will be set at the existing permanent pool level. In addition the dam system within impoundment #1 will be raised three feet with a 1 foot emergency spillway. This will provide 6' of temporary storage within the existing ravine system for large rainfall events. This temporary water will have little effect on the existing wetland system. This temporary fluctuation has been evaluated by an environmental professional and is included in this report.

Impoundment #2 will have improvements made to the existing pond system. The current riser pipe is a 12"-PVC pipe with a similar discharge pipe. The system is under designed and during large rainfall events the model indicates that water stages up over the top of the existing dam. The proposed improvements will install a new control structure which will have a rectangular vertical weir and the top will be located at the spillway elevation. The dam will be raised 1 foot to allow the emergency spillway to discharge at the current pond elevation.

Stormwater Analysis and Results

This project is located in the Moore Pond Closed basin and must adhere to closed basin volume and recovery requirements. Section 10-4.301 (3) b of the Leon County Land Development Code requires, "Runoff volumes within regulated closed basins in excess of the pre-development runoff volume shall be retained for all storm events up to a 100-year, 24-hour duration storm." Also one-half the required pond volume shall be recovered within seven days, and the full volume shall be

recovered within 30 days. However the ponds are designed to recover within 90 hrs. consistent with the City of Tallahassee recovery standards.

An ICPR Model was developed to model the proposed stormwater improvements for this project and impacts associated with downstream areas. This model contains drainage basins connected to the proposed Pond 100 and Pond 200, and the two drainage basins contributing runoff to Impoundment #1 and Impoundment #2.

In order to evaluate the closed basin volume required for each pond a hydrological calculation for the pre and post development conditions was performed for basins Pond 100 and Pond 200.

Curve Numbers and Time of Concentrations were calculated for the all basins in the pre and post development conditions. These calculations were performed from the Win-Tr 55 software program. The results of these calculations are provided in the Basin Results of Appendix E and are summarized below. (Note: Post development curve numbers include pond areas as impervious)

Pond 100 – Drainage Area = 18.16 acres

Predevelopment Curve Number = CN = 68
Predevelopment Time of Concentration = TC = 19 minutes

Post development Curve Number CN = 78
Post Development Time of Concentration = TC= 19 minutes

Pond 200 Drainage Area = 5.84 acres

Predevelopment Curve Number = CN = 69
Predevelopment Time of Concentration = TC = 17 minutes

Post development Curve Number CN = 85
Post Development Time of Concentration = TC= 19 minutes

Impoundment #1 Drainage Area

Area = 32.98 acres
Predevelopment Curve Number = CN = 70
Predevelopment Time of Concentration = TC = 24 minutes

Area = 10.89 acres
Post development Curve Number CN = 74
Post Development Time of Concentration = TC= 14 minutes

Impoundment #2 Drainage Area
Area= 11.07 acres
Predevelopment Curve Number = CN = 75
Predevelopment Time of Concentration = TC = 14 minutes

Area= 10.27 acres
Post development Curve Number CN = 77
Post Development Time of Concentration = TC= 14 minutes

Culvert-West
Area= 2.94 acres
Curve Number = CN = 78
Time of Concentration = TC = 16 minutes

Culvert-East
Area= 15.89 acres
Pre-Development Curve Number = CN = 76
Pre-Development - Time of Concentration = TC = 19 minutes

Area = 14.72 acres
Post Development Curve Number = CN = 77
Post-Development - Time of Concentration = TC = 19 minutes

Closed Basin Volume Comparisons

The Hydrology version of the ICPR Stormwater Software was run for the 100 year – 24 hour event. The volume results are included in the Appendix and are summarized in the table below:

BASIN	PRE-DEVELOPMENT VOLUME (CF)	POST-DEVELOPMENT VOLUME (CF)	VOLUMETRIC DIFFERENCE (CF)
POND #100	446,979	536,665	89,686
POND #200	146,693	192,037	45,344

As evidenced below, the Proposed Pond Stage vs. Storage Volumes provide more than enough volume to retain the closed basin volumes. The discharge elevation for Pond 100 is elevation 209.00 ft. and the discharge elevation for Pond 200 is 214.00.

Pond 100					
Elev. (feet)	Surface Area (sq. ft.)	Surface Area (acres)	Incr. Volume (acre ft.)	Total Volume (acre ft.)	Total Volume (cubic ft.)
210.00	29478.32	0.68	0.66	4.02	174,939
209.00	28172.34	0.65	0.63	3.35	146,116
208.00	26880.81	0.62	0.60	2.72	118,592
207.00	25601.86	0.59	0.57	2.12	92,354
206.00	24335.47	0.56	0.54	1.55	67,388
205.00	23081.65	0.53	0.52	1.00	43,682
204.00	21840.39	0.50	0.49	0.49	21,224
203.00	20612.77	0.47			

Pond 200					
Elev. (feet)	Surface Area (sq. ft.)	Surface Area (acres)	Incr. Volume (acre ft.)	Total Volume (acre ft.)	Total Volume (cubic ft.)
215.00	28107.00	0.65	0.63	3.21	139,640
214.00	26459.00	0.61	0.59	2.58	112,361
213.00	24836.00	0.57	0.55	1.99	86,718
212.00	23238.00	0.53	0.52	1.44	62,686
211.00	21665.00	0.50	0.48	0.92	40,239
210.00	20118.00	0.46	0.44	0.44	19,352
209.00	18596.00	0.43			

Recovery Analysis

As mentioned previously Ardaman performed extensive geotechnical investigations for the proposed pond areas. The report included a mounding analysis for the exfiltration trenches based on a 3 ft. width and 100 ft. long. The mounding analysis was conducted on a 100 foot trench length in an effort to derive an approximate infiltration rate per lineal foot of trench when constructed with a width of 3-feet and a depth of at least 3-feet into the sand layers.

Ardaman provided an additional analysis of the infiltration rates on Pond 100 after the soils testing provided by the installation of the piezometers (see report dated February 13, 2017)

The infiltration rates for Pond 100 & Pond 200 were calculated as 115.52 CF/LF and 65.3 CF/LF of trench length, respectfully. These infiltration rates account for a factor of safety

The County requires that 1/2 half of the required closed basin volume be recovered in 7 days with the remainder of the volume recovered in 30 days, however these ponds are designed to recover in 90 hrs. to meet City of Tallahassee standards.

Pond 100 Closed Basin Volume = 89,686 CF

The ponds are designed to recover the closed basin volume in 90 hrs.

[89,686CF] / [115.52 CF/Day * 3.75 Days] = 207 LF of Trench

Pond 100 Trench provided = 350 LF

Exfiltration trenches are modeled in ICPR, with the trench provided the trenches will be able to recover 151,620 CF in 90 hrs. Therefore, the trenches are modeled with a recovery rate = 151,620 CF / 90 hrs. / 3600 sec/hr. = 0.47 CFS

Pond 200 Closed Basin Volume = 45,344 CF

The ponds are designed to recover the closed basin volume in 90 hrs.

[45,344 CF] / [65.3 CF/Day * 3.75 Days] = 185 LF of Trench

Pond 200 Trench provided = 300 LF

Trench recovery rate = 73,462 CF / 90 hrs. / 3600 sec/hr. = 0.23 CFS

The exfiltration trenches were enlarged to provide a conservative factor of safety. Note the Stormwater Ponds will be able to recover the closed basin volume within 90-hours.

Note: The Leon County water quality volume is 1.125 in * the drainage area.

Pond 100 WQT volume = (18.16 ac. * 43,560 SF/ac.) * (1.125 in) / 12 in/ft = 74,161 CF

Pond 200 WQT volume = (5.84 ac. * 43,560 SF/ac.) * (1.125 in) / 12 in/ft = 23,849 CF

Pond 100 provides near two times and Pond 200 provides over 4 times the typical WQT volume.

Additional geotechnical investigations were performed around the existing raving system to determine the ground water flow direction. Three transects were positioned around the ravine with three piezometers installed along each transect. Ground water samples were taken on two separate visits to determine the average ground water depth within each piezometer. Transects were plotted against the existing ground surface and the direction of water flow could be determined.

The results indicated that there is a positive slope towards the ravines and the groundwater daylights at the bottom of the ravine. Water that percolates into the ground surface will reach the ground water level and then daylight into the ravine. Therefore all the rain that falls on to this site in the pre-development will either percolate or runoff into the bottom of the ravine. In the post-development condition, rainfall that hits the surface will either percolate in the lawns or run off into the proposed stormwater systems. The proposed stormwater systems will recover the water and return it to the ground water that will eventually flow to the ravines. The common denominator for both the pre-development and post-development conditions is the rainfall which should be consistent. There should be no volume impacts from the Brookside Village Development to Moore Pond.

After meetings with the Moore Pond Home Owners Association to explain the results of the stormwater report concerns were raised about not getting sufficient water during smaller storm events. A small 10' – side bank sand filter has been added to bottom of Pond 200. An evaluation was made of the sand filter discharge verses the discharge of the exfiltration trench. Furthermore, each storm event produces a closed basin volume which must be recovered. The analysis

compared the calculated closed basin volume to the modeled closed basin volume recovered by the exfiltration trenches.

The sand filter was modeled with a rating curve as stage vs. discharge. This information was obtained from the Drainage Spreadsheet included in this report. The exfiltration trench was modeled as a constant rate as per the Ardaman recommendations.

Below is a summary of the results:

Retention Volume:		112,361	cf	Sand Filter:	16%	
Basin		2-year				
200	**Units**	1-hr	2-hr	4-hr	8-hr	24-hr
Area	ac	6.0	6.0	6.0	6.0	6.0
Rainfall	in	2.3	3.0	3.5	4.2	4.7
CN-Pre		69	69	69	69	69
CN-Post		84	84	84	84	84
S-Pre	in	4.49	4.49	4.49	4.49	4.49
Runoff-Pre	in	0.33	0.67	0.95	1.40	1.74
Volume-Pre	cf	7,306	14,683	20,916	30,661	38,200
S-Post	in	1.90	1.90	1.90	1.90	1.90
Runoff-Post	in	0.96	1.52	1.94	2.55	3.00
Volume-Post	cf	21,116	33,245	42,457	55,869	65,715
Increase	cf	13,810	18,562	21,542	25,208	27,514
Increase	%	65%	56%	51%	45%	42%
Sand Filter	cf	3,379	5,319	6,793	8,939	10,514
Infiltration	cf	17,738	27,926	35,664	46,930	55,200
10' Sand Filter (Model)	cf	144	909	1,485	2,880	3,564
Check		OK	OK	OK	OK	OK

Basin		5-year				
200	**Units**	1-hr	2-hr	4-hr	8-hr	24-hr
Area	ac	6.0	6.0	6.0	6.0	6.0
Rainfall	in	2.8	3.5	4.4	5.5	6.4
CN-Pre		69	69	69	69	69
CN-Post		84	84	84	84	84
S-Pre	in	4.49	4.49	4.49	4.49	4.49
Runoff-Pre	in	0.57	0.95	1.53	2.33	3.03
Volume-Pre	cf	12,315	20,777	33,402	50,709	65,957
S-Post	in	1.90	1.90	1.90	1.90	1.90
Runoff-Post	in	1.35	1.94	2.73	3.73	4.57
Volume-Post	cf	29,477	42,176	59,389	81,258	99,582
Increase	cf	17,162	21,399	25,986	30,549	33,624
Increase	%	58%	51%	44%	38%	34%
Sand Filter	cf	4,716	6,748	9,502	13,001	15,933
Infiltration	cf	24,761	35,428	49,886	68,256	83,649
10' Sand Filter (Model)		378	1,332	3,366	7,137	9,558
Check		OK	OK	OK	OK	OK

Basin		10-year				
200	**Units**	1-hr	2-hr	4-hr	8-hr	24-hr
Area	ac	6.0	6.0	6.0	6.0	6.0
Rainfall	in	3.2	4.1	5.0	6.2	7.5
CN-Pre		69	69	69	69	69
CN-Post		84	84	84	84	84
S-Pre	in	4.49	4.49	4.49	4.49	4.49
Runoff-Pre	in	0.78	1.33	1.96	2.87	3.93
Volume-Pre	cf	16,979	29,013	42,631	62,500	85,554
S-Post	in	1.90	1.90	1.90	1.90	1.90
Runoff-Post	in	1.68	2.46	3.27	4.38	5.62
Volume-Post	cf	36,641	53,566	71,230	95,484	122,324
Increase	cf	19,662	24,554	28,599	32,984	36,770
Increase	%	54%	46%	40%	35%	30%
Sand Filter	cf	5,863	8,571	11,397	15,277	17,978
Infiltration	cf	30,779	44,996	59,833	80,206	94,383
10' Sand Filter (Model)	cf	567	2,385	5,094	9,972	14,904
Check		OK	OK	OK	OK	OK

Basin		25-year				
200	**Units**	1-hr	2-hr	4-hr	8-hr	24-hr
Area	ac	6.0	6.0	6.0	6.0	6.0
Rainfall	in	3.7	4.7	5.9	7.4	8.5
CN-Pre		69	69	69	69	69
CN-Post		84	84	84	84	84
S-Pre	in	4.49	4.49	4.49	4.49	4.49
Runoff-Pre	in	1.08	1.74	2.63	3.84	4.78
Volume-Pre	cf	23,434	37,947	57,384	83,736	104,058
S-Post	in	1.90	1.90	1.90	1.90	1.90
Runoff-Post	in	2.11	3.00	4.10	5.52	6.58
Volume-Post	cf	45,930	65,280	89,363	120,244	143,230
Increase	cf	22,496	27,332	31,979	36,508	39,173
Increase	%	49%	42%	36%	30%	27%
Sand Filter	cf	7,349	10,445	14,298	17,978	17,978
Infiltration	cf	38,581	54,835	75,065	94,383	94,383
10' Sand Filter (Model)		900	3,780	8,523	16,218	20,304
Check		OK	OK	OK	OK	OK

Basin		100-year				
200	**Units**	1-hr	2-hr	4-hr	8-hr	24-hr
Area	ac	6.0	6.0	6.0	6.0	6.0
Rainfall	in	4.4	5.8	7.2	8.9	10.9
CN-Pre		69	69	69	69	69
CN-Post		84	84	84	84	84
S-Pre	in	4.49	4.49	4.49	4.49	4.49
Runoff-Pre	in	1.53	2.56	3.68	5.12	6.90
Volume-Pre	cf	33,402	55,699	80,121	111,606	150,311
S-Post	in	1.90	1.90	1.90	1.90	1.90
Runoff-Post	in	2.73	4.01	5.33	6.96	8.91
Volume-Post	cf	59,389	87,331	116,091	151,640	193,980
Increase	cf	25,986	31,632	35,970	40,034	43,669
Increase	%	44%	36%	31%	26%	23%
Sand Filter	cf	9,502	13,973	17,978	17,978	17,978
Infiltration	cf	49,886	73,358	94,383	94,383	94,383
10' Sand Filter (Model)	cf	1,647	7,299	15,066	19,404	23,274
Check		OK	OK	OK	OK	OK

The 10'-sand filter (model) row is the data from the stormwater model which indicates the volume of water recovered through the sand filter. There were only three storms where the modeled sand filter exceeded the calculated sand filter value (25yr-24hr, 100yr-8hr, and 100yr. 24 hr.), in these cases the exfiltration trenches recovered more than the required closed basin volume for that storm.

Hydraulic Simulation

A stormwater model was constructed to evaluate the effects of the proposed stormwater system on the existing water impoundments. The stormwater model includes both Pond 100 & 200 connected to Impoundment #1. Impoundment #1 is then connected to Impoundment #2 which has a control structure connected to a boundary condition at Heartland Circle (see Nodal Diagram).

Improvements to Impoundment #1 include increasing the berm height 3' with an emergency spillway 1' below the top of the berm. A new control structure and emergency spillway will control the discharges from Impoundment #1

Also the proposed improvements to Impoundment #2 are to provide a new control structure and increase the top of the pond by one foot, including constructing a new emergency spillway at the current pond top.

All of the design storms were run up to and including the 100 year – 24 hour events. The 100 year 8 hour storm was determined to be the most critical event. A summary of the proposed pond results are provided below.

Impoundment #1					
Elev. (feet)	Surface Area (sq. ft.)	Surface Area (acres)	Incr. Volume (acre ft.)	Total Volume (acre ft.)	Total Volume (cubic ft.)
179.00	51836.00	1.19	1.11	4.39	191,359
178.00	44867.00	1.03	0.93	3.28	143,049
177.00	36590.00	0.84	0.77	2.35	102,391
176.00	30492.00	0.70	0.60	1.58	68,896
175.00	22216.00	0.51	0.46	0.98	42,651
174.00	17860.00	0.41	0.31	0.52	22,653
173.00	9583.00	0.22	0.21	0.21	9,144
172.00	8712.00	0.20			

Impoundment #1 dam improvements include raising the top of the dam to elevation 179, existing dam height is 176. Other improvements include upgrading the control structure and constructing an emergency spillway. No changes were made to the existing contours.

Impoundment #2					
Elev. (feet)	Surface Area (sq. ft.)	Surface Area (acres)	Incr. Volume (acre ft.)	Total Volume (acre ft.)	Total Volume (cubic ft.)
163.00	52272.00	1.20	1.14	5.63	245,410
162.00	47480.00	1.09	1.02	4.49	195,553
161.00	41382.00	0.95	0.89	3.47	151,157
160.00	36154.00	0.83	0.76	2.58	112,418
159.00	30492.00	0.70	0.65	1.82	79,136
158.00	26572.00	0.61	0.53	1.16	50,626
157.00	20038.00	0.46	0.39	0.63	27,398
156.00	13939.00	0.32	0.24	0.24	10,501
155.00	7405.00	0.17			

Impoundment #2 dam improvements include raising the top of the dam to elevation 163 from the existing 162 and providing an emergency spillway at elevation 162.Other improvements include upgrading the control structure of the system. No changes are made to the existing contours.

Post Development Results Pond 100 Summary

Node Name	Sim Name	Warning Stage [ft]	Max Stage [ft]	Post Development Max Total Outflow [cfs]	Pre Development Max Total Outflow [cfs]	Delta
POND 100	100y-1h	210.00	208.88	0.47	42.20	-41.73
POND 100	100y-24 h	210.00	209.14	17.12	14.65	2.47
POND 100	100y-2h	210.00	209.21	31.22	43.81	-12.59
POND 100	100y-4h	210.00	209.27	45.32	38.19	7.13
POND 100	100y-8h	210.00	209.30	55.06	46.32	8.74
POND 100	10y-1h	210.00	206.56	0.47	21.64	-21.17
POND 100	10y-24h	210.00	209.08	7.10	8.30	-1.20
POND 100	10y-2h	210.00	208.26	0.47	21.82	-21.35
POND 100	10y-4h	210.00	209.11	11.96	21.03	-9.07
POND 100	10y-8h	210.00	209.14	17.51	26.17	-8.66
POND 100	25y-1h	210.00	207.53	0.47	29.75	-29.28
POND 100	25y-24h	210.00	209.09	9.56	10.14	-0.58
POND 100	25y-2h	210.00	209.08	8.35	29.15	-20.80
POND 100	25y-4h	210.00	209.20	28.64	27.88	0.76
POND 100	25y-8h	210.00	209.22	33.09	34.97	-1.88
POND 100	2y-1h	210.00	204.89	0.47	9.35	-8.88
POND 100	2y-24h	210.00	208.52	0.47	3.51	-3.04
POND 100	2y-2h	210.00	206.13	0.47	10.23	-9.76
POND 100	2y-4h	210.00	207.04	0.47	10.51	-10.04
POND 100	2y-8h	210.00	208.24	0.47	12.58	-12.11
POND 100	5y-1h	210.00	205.80	0.47	15.78	-15.31
POND 100	5y-24h	210.00	209.06	5.00	6.34	-1.34
POND 100	5y-2h	210.00	207.09	0.47	15.15	-14.68
POND 100	5y-4h	210.00	208.78	0.47	16.65	-16.18
POND 100	5y-8h	210.00	209.09	9.75	21.22	-11.47

Note: Rate attenuation is provided within Pond 100 for all storms up to the 25 yr. events except for the 25 yr. 4 hr. event. Rate attenuation is provided for all storms up to the 25 yr. events at the

Heartland Circle Node, which is the node that flows to the Boundary Node that ultimately discharges to Moore Pond.

Modeling results also includes discharge to the exfiltration trenches. Pond 100 surface discharges to Impoundment #1 when the pond stages above elevation 209, the top of the pond is set at elevation 210.30 ft., providing 1 ft. of freeboard for the critical 100 yr. – 8 hr. event.

Post Development Results Pond 200 Summary

Node Name	Sim Name	Warning Stage [ft]	Max Stage [ft]	Post Development Max Total Outflow [cfs]	Pre Developmen tMax Total Outflow [cfs]	Delta
POND 200	100y-1h	215.00	211.80	0.28	14.94	-14.66
POND 200	100y-24 h	215.00	214.04	3.68	4.83	-1.15
POND 200	100y-2h	215.00	212.92	0.31	15.42	-15.11
POND 200	100y-4h	215.00	213.97	0.35	12.76	-12.41
POND 200	100y-8h	215.00	214.06	6.72	15.56	-8.84
POND 200	10y-1h	215.00	210.80	0.26	7.80	-7.54
POND 200	10y-24h	215.00	213.60	0.33	2.77	-2.44
POND 200	10y-2h	215.00	211.52	0.27	7.81	-7.54
POND 200	10y-4h	215.00	212.24	0.29	7.14	-6.85
POND 200	10y-8h	215.00	213.09	0.31	8.92	-8.61
POND 200	25y-1h	215.00	211.22	0.26	10.63	-10.37
POND	25y-24h	215.00	214.02	1.45	3.37	-1.92
POND 200	25y-2h	215.00	212.02	0.28	10.35	-10.07
POND 200	25y-4h	215.00	212.97	0.31	9.39	-9.08
POND 200	25y-8h	215.00	214.00	0.43	11.83	-11.4
POND 200	2y-1h	215.00	210.05	0.24	3.47	-3.23
POND 200	2y-24h	215.00	211.42	0.27	1.20	-0.93
POND 200	2y-2h	215.00	210.60	0.25	3.73	-3.48
POND 200	2y-4h	215.00	210.99	0.26	3.65	-3.39
POND 200	2y-8h	215.00	211.47	0.27	4.39	-4.12
POND 200	5y-1h	215.00	210.46	0.25	5.73	-5.48
POND 200	5y-24h	215.00	212.77	0.30	2.13	-1.83
POND 200	5y-2h	215.00	211.02	0.26	5.47	-5.21
POND 200	5y-4h	215.00	211.74	0.27	5.69	-5.42
POND 200	5y-8h	215.00	212.53	0.30	7.28	-6.98

Note: Rate attenuation is provided within Pond 200 for all storms up to the 25 yr. events. Modeling results include discharge to the exfiltration trenches. Pond 200 surface discharges to

Impoundment #1 when the pond stages above elevation 214, the top of the pond is set at elevation 215.

Below are the results of the predevelopment conditions for Impoundment #2

The predevelopment Impoundment model summary:

Node Name	Sim Name	Warning Stage [ft]	Max Stage [ft]	Max Total Outflow [cfs]
IMP #2	100y-1h	162.00	160.56	5.59
IMP #2	100y-24 h	162.00	162.16	37.02
IMP #2	100y-2h	162.00	162.27	76.57
IMP #2	100y-4h	162.00	162.32	95.70
IMP #2	100y-8h	162.00	162.37	114.33
IMP #2	10y-1h	162.00	159.50	4.03
IMP #2	10y-24h	162.00	162.07	15.44
IMP #2	10y-2h	162.00	161.43	6.61
IMP #2	10y-4h	162.00	162.17	41.41
IMP #2	10y-8h	162.00	162.18	44.54
IMP #2	25y-1h	162.00	159.85	4.60
IMP #2	25y-24h	162.00	162.09	20.94
IMP #2	25y-2h	162.00	162.15	35.59
IMP #2	25y-4h	162.00	162.24	64.78
IMP #2	25y-8h	162.00	162.29	81.74
IMP #2	2y-1h	162.00	158.90	2.76
IMP #2	2y-24h	162.00	160.61	5.66
IMP #2	2y-2h	162.00	160.27	5.20
IMP #2	2y-4h	162.00	160.59	5.63
IMP #2	2y-8h	162.00	161.63	6.83
IMP #2	5y-1h	162.00	159.23	3.51
IMP #2	5y-24h	162.00	162.04	11.27
IMP #2	5y-2h	162.00	160.30	5.25
IMP #2	5y-4h	162.00	162.06	15.22
IMP #2	5y-8h	162.00	162.13	30.95

Impoundment #2 in the existing condition has a top elevation of 162, with no emergency spillway. The model indicates that the existing pond would overtop in fourteen storms storms. The pond discharges to a 48" pipe under Heartland Circle, which ultimately drains to Moore Pond.

The Comparison of the discharge rates from the proposed improvements to Impoundment #2 vs. the existing discharge rates is provided below.

Node Name	Sim Name	Warning Stage [ft]	Max Stage [ft]	Post Development Max Total Outflow [cfs]	Pre Development Max Total Outflow [cfs]	Delta
IMP #2	100y-1h	163.00	160.87	6.34	5.59	0.75
IMP #2	100y-24 h	163.00	162.24	22.35	37.02	-14.67
IMP #2	100y-2h	163.00	162.13	15.46	76.57	-61.11
IMP #2	100y-4h	163.00	162.33	29.10	95.70	-66.60
IMP #2	100y-8h	163.00	162.47	43.75	114.33	-70.58
IMP #2	10y-1h	163.00	159.95	3.18	4.03	-0.85
IMP #2	10y-24h	163.00	161.56	9.11	15.44	-6.33
IMP #2	10y-2h	163.00	160.63	5.42	6.61	-1.19
IMP #2	10y-4h	163.00	161.23	7.74	41.41	-33.67
IMP #2	10y-8h	163.00	161.87	10.50	44.54	-34.04
IMP #2	25y-1h	163.00	160.34	4.42	4.60	-0.18
IMP #2	25y-24h	163.00	162.06	12.21	20.94	-8.73
IMP #2	25y-2h	163.00	161.07	7.09	35.59	-28.50
IMP #2	25y-4h	163.00	162.13	15.54	64.78	-49.24
IMP #2	25y-8h	163.00	162.26	23.32	81.74	-58.42
IMP #2	2y-1h	163.00	159.25	1.32	2.76	-1.44
IMP #2	2y-24h	163.00	159.98	3.26	5.66	-2.40
IMP #2	2y-2h	163.00	159.79	2.71	5.20	-2.49
IMP #2	2y-4h	163.00	160.15	3.80	5.63	-1.83
IMP #2	2y-8h	163.00	160.40	4.63	6.83	-2.20
IMP #2	5y-1h	163.00	159.64	2.29	3.51	-1.22
IMP #2	5y-24h	163.00	160.82	6.15	11.27	-5.12
IMP #2	5y-2h	163.00	160.17	3.87	5.25	-1.38
IMP #2	5y-4h	163.00	160.81	6.09	15.22	-9.13
IMP #2	5y-8h	163.00	161.23	7.75	30.95	-23.20

The redesigned control structure and spillway regulated the discharge from Impoundment #2, there were only six storms which staged to the elevation of the emergency spillway. In most cases discharge rates to Heartland Circle were significantly reduced. There was only one storm which has a discharge rate higher in the post development than the pre-development condition (100 yr.-1hr). The Brookside Stormwater System meets the County Requirements for rate attenuation for all storms up to the 25 year – 24 hour events.

The Brookside stormwater system takes in a slightly larger area in the post development condition than it does in the pre-development condition, which explains the slightly higher discharge rate for the 100 yr-1 hr. storm event. Therefore, to determine the true rate attenuation resulting from

the Brookside Stormwater System improvements, rates are compared at the boundary condition. The Heartland Circle Node discharges directly to the boundary condition. The Heartland Circle node comparison of the pre-development vs. post-development peak flow rates are provided below.

Node Name	Sim Name	Warning Stage [ft]	Max Stage [ft]	Post Development Max Total Outflow [cfs]	Pre Development Max Total Outflow [cfs]	Delta
Heart Circle	100y-1h	159.00	159.00	60.90	63.70	-2.80
Heart Circle	100y-24 h	159.00	159.00	33.18	54.27	-21.09
Heart Circle	100y-2h	159.00	159.00	61.51	106.19	-44.68
Heart Circle	100y-4h	159.00	159.00	58.44	135.74	-77.30
Heart Circle	100y-8h	159.00	159.00	65.85	157.18	-91.33
Heart Circle	10y-1h	159.00	159.00	35.12	37.64	-2.52
Heart Circle	10y-24h	159.00	159.00	14.61	22.60	-7.99
Heart Circle	10y-2h	159.00	159.00	34.48	37.21	-2.73
Heart Circle	10y-4h	159.00	159.00	30.92	58.70	-27.78
Heart Circle	10y-8h	159.00	159.00	37.36	63.50	-26.14
Heart Circle	25y-1h	159.00	159.00	45.53	48.49	-2.96
Heart Circle	25y-24h	159.00	159.00	17.68	30.52	-12.84
Heart Circle	25y-2h	159.00	159.00	43.71	50.81	-7.10
Heart Circle	25y-4h	159.00	159.00	39.77	93.19	-53.42
Heart Circle	25y-8h	159.00	159.00	48.44	112.38	-63.94
Heart Circle	2y-1h	159.00	159.00	18.25	19.90	-1.65
Heart Circle	2y-24h	159.00	159.00	6.64	8.98	-2.34
Heart Circle	2y-2h	159.00	159.00	18.96	20.90	-1.94
Heart Circle	2y-4h	159.00	159.00	17.03	19.56	-2.53
Heart Circle	2y-8h	159.00	159.00	19.86	22.45	-2.59
Heart Circle	5y-1h	159.00	159.00	27.28	29.55	-2.27
Heart Circle	5y-24h	159.00	159.00	11.33	16.14	-4.81
Heart Circle	5y-2h	159.00	159.00	25.74	28.08	-2.34
Heart Circle	5y-4h	159.00	159.00	25.20	27.76	-2.56
Heart Circle	5y-8h	159.00	159.00	31.06	44.97	-13.91

The Heartland Circle Node has reduced rates for all storms up to and including the 100 year events. A review of the pre-development stages for the Heartland node (located in the appendix) indicates that the stages are reduced in the post development condition.

The proposed stormwater improvements associated with the development of Brookside Village Subdivision will have a positive impact on the water quality and reduce the peak discharges to Moore Pond.

Wetland Enhancements Impoundment #2

Impoundment #2 will be improved by removing the existing pipe and barrel drainage system and replacing it with a concrete structure with associated weirs. Currently the pipe and barrel system is an open pipe set at the normal pool elevation of 158.37 ft. A new 8-inch vertical weir will be set at the normal pool elevation 158.37 ft. The rectangular weir will extend to the top of the structure set at elevation 162.00. The new emergency spillway will installed in the existing berm with an invert set at elevation 162 ft. and the top of the berm will be raised to elevation 163.00.

The new wetland plantings will occur within 3 zones:

Zone -1 will range between elevations 163 – 161 ft. and will be planted with a combination of wetland tolerant trees and shrubs.

Zone - 2 will extend between elevations 161 and 159 ft., which will be planted with wetland tolerant trees.

Zone - 3 will extend from elevations 159 and 157.37 ft., which will be planted with herbaceous material. The proposed plantings are shown on sheet C-130 Impoundment details.

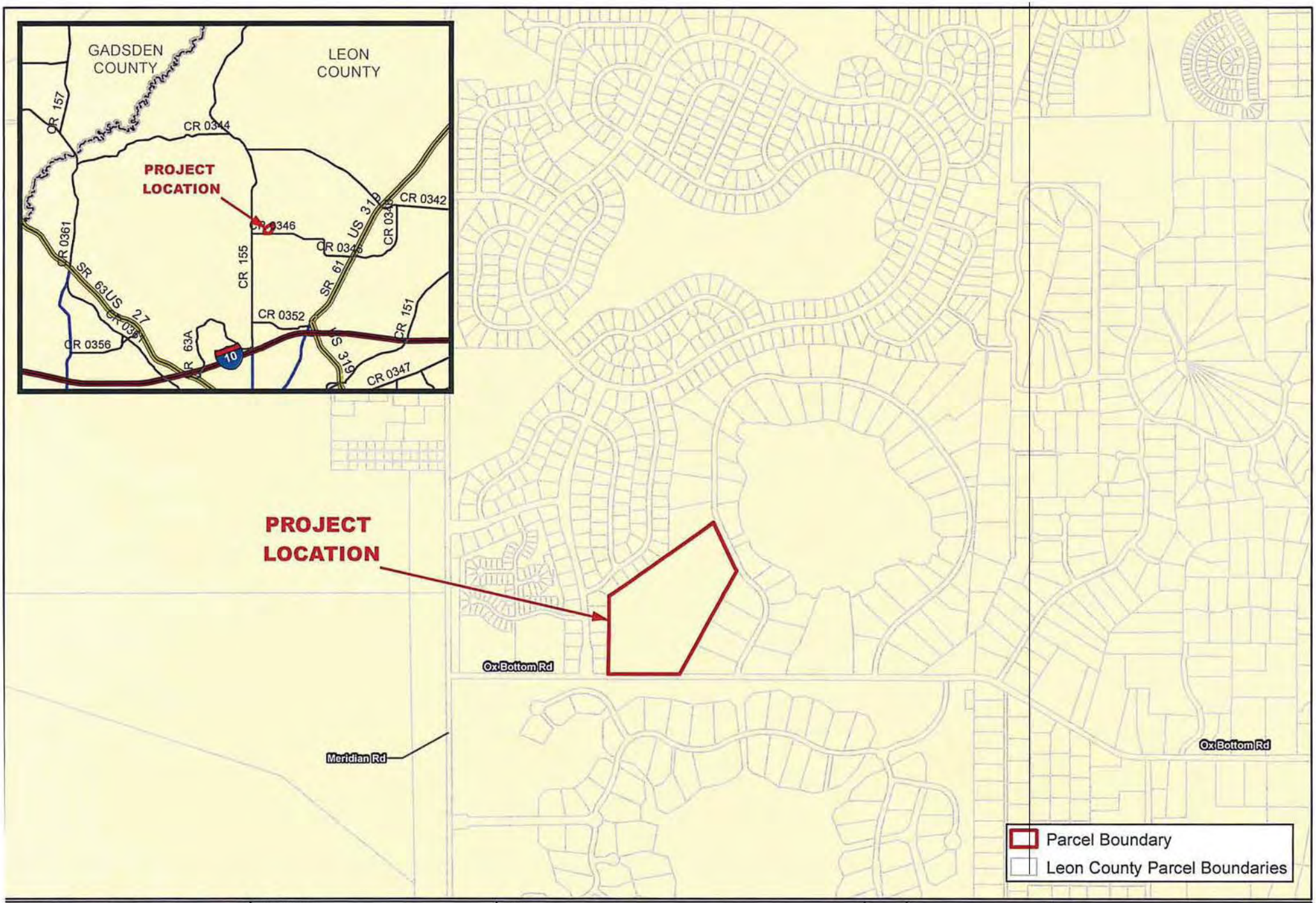
Improvements to the impoundment control structure will reduce the peak runoff rate currently leaving the impoundment. Also by installing the proposed wetland plantings the stormwater facility and provide water quality treatment through nutrient uptake.

Onsite Stormwater Drainage System Analysis

The on-site stormwater drainage system was evaluated using the Hydro-flow analysis included in the Civil-3D design package of AutoCAD. The system was modeled to determine the hydraulic grade elevations in the proposed piping system as well as to determine the inlet spacing along the roadway. The results of the Hydro-flow analysis are included in the Appendix. To summarize the results the inlets in the road are spaced to not allow stormwater in more than half the travel lane. Also the hydraulic grade elevations do not surcharge the proposed inlets. These results indicate that the stormwater level of service is met with the design stormwater collection system.

APPENDIX A

Location Map



FLORIDA ENVIRONMENTAL AND LAND SERVICES, INC. 221-4 DELTA COURT TALLAHASSEE, FL 32303 (850) 385-6255 (850) 385-6355 (FAX)	PROJECT: 550 Ox Bottom Rd. Tree Survey LEON COUNTY, FLORIDA	TITLE: FIGURE 1 LOCATION MAP				Page: 1 Of: 1
		DATE: JUL-02-2015	DRAWN: JLB	CHECK: EP	FELSI PROJECT # 15-1217	

0 500 1,000 2,000 3,000 Feet

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APPENDIX B

NFI Land Use and Soils Map

FLUCCS	
Code	Description
110	Residential (Low Density)
211	Improved Pastures
431	Beech-Magnolia
434	Hardwood-Conifer Mixed
438	Mixed Hardwoods
534	Reservoirs (<10 Acres)
615	Stream and Lake Swamp (Bottomland)
640	Vegetated Non-Forested Wetlands

Soils	
Code	Description
33	Orangeburg fine sandy loam, 2 to 5 percent slopes
34	Orangeburg fine sandy loam, 5 to 8 percent slopes
35	Orangeburg fine sandy loam, 8 to 12 percent slopes

ENTIRE PROJECT LOCATED WITHIN MOORE POND CATCHMENT BASIN & LAKE LAFAYETTE DRAINAGE BASIN

FLORIDA ENVIRONMENTAL AND LAND SERVICES, INC. 221-4 DELTA COURT TALLAHASSEE, FL 32303 (850) 385-6255 (850) 385-6355 (FAX)	PROJECT: OX BOTTOM ROAD PARCEL LEON COUNTY, FLORIDA	TITLE: NFI Map			Page: 1
		DATE: JUL-24-2015	BY: KE	CHECK: EP	FELSI PROJECT # 15-1217	N; 0 50 100 200 Feet; FDOT AERIALS LEON 2012	Of: 1

Hydrologic Soil Group—Leon County, Florida
(Brookside Soils)

Map Scale: 1:3,850 if printed on A portrait (8.5" x 11") sheet.

N

Meters: 0 50 100 200 300

Feet: 0 150 300 600 900

Map projection: Web Mercator Corner coordinates: WGS84 Edge tics: UTM Zone 16N WGS84

MAP LEGEND

Area of Interest (AOI)

- Area of Interest (AOI)

Soils

Soil Rating Polygons

- A
- A/D
- B
- B/D
- C
- C/D
- D
- Not rated or not available

Soil Rating Lines

- A
- A/D
- B
- B/D
- C
- C/D
- D
- Not rated or not available

Soil Rating Points

- A
- A/D
- B
- B/D
- C
- C/D
- D
- Not rated or not available

Water Features

- Streams and Canals

Transportation

- Rails
- Interstate Highways
- US Routes
- Major Roads
- Local Roads

Background

- Aerial Photography

MAP INFORMATION

The soil surveys that comprise your AOI were mapped at 1:20,000.

Warning: Soil Map may not be valid at this scale.

Enlargement of maps beyond the scale of mapping can cause misunderstanding of the detail of mapping and accuracy of soil line placement. The maps do not show the small areas of contrasting soils that could have been shown at a more detailed scale.

Please rely on the bar scale on each map sheet for map measurements.

Source of Map: Natural Resources Conservation Service
Web Soil Survey URL:
Coordinate System: Web Mercator (EPSG:3857)

Maps from the Web Soil Survey are based on the Web Mercator projection, which preserves direction and shape but distorts distance and area. A projection that preserves area, such as the Albers equal-area conic projection, should be used if more accurate calculations of distance or area are required.

This product is generated from the USDA-NRCS certified data as of the version date(s) listed below.

Soil Survey Area: Leon County, Florida
Survey Area Data: Version 14, Sep 28, 2016

Soil map units are labeled (as space allows) for map scales 1:50,000 or larger.

Date(s) aerial images were photographed: Apr 4, 2010—Jan 12, 2011

The orthophoto or other base map on which the soil lines were compiled and digitized probably differs from the background imagery displayed on these maps. As a result, some minor shifting of map unit boundaries may be evident.

Hydrologic Soil Group

Hydrologic Soil Group— Summary by Map Unit — Leon County, Florida (FL073)				
Map unit symbol	**Map unit name**	**Rating**	**Acres in AOI**	**Percent of AOI**
33	Orangeburg fine sandy loam, 2 to 5 percent slopes	B	11.8	26.7%
34	Orangeburg fine sandy loam, 5 to 8 percent slopes	C	30.9	69.6%
35	Orangeburg fine sandy loam, 8 to 12 percent slopes	B	1.6	3.7%
Totals for Area of Interest			**44.4**	**100.0%**

Description

Hydrologic soil groups are based on estimates of runoff potential. Soils are assigned to one of four groups according to the rate of water infiltration when the soils are not protected by vegetation, are thoroughly wet, and receive precipitation from long-duration storms.

The soils in the United States are assigned to four groups (A, B, C, and D) and three dual classes (A/D, B/D, and C/D). The groups are defined as follows:

Group A. Soils having a high infiltration rate (low runoff potential) when thoroughly wet. These consist mainly of deep, well drained to excessively drained sands or gravelly sands. These soils have a high rate of water transmission.

Group B. Soils having a moderate infiltration rate when thoroughly wet. These consist chiefly of moderately deep or deep, moderately well drained or well drained soils that have moderately fine texture to moderately coarse texture. These soils have a moderate rate of water transmission.

Group C. Soils having a slow infiltration rate when thoroughly wet. These consist chiefly of soils having a layer that impedes the downward movement of water or soils of moderately fine texture or fine texture. These soils have a slow rate of water transmission.

Group D. Soils having a very slow infiltration rate (high runoff potential) when thoroughly wet. These consist chiefly of clays that have a high shrink-swell potential, soils that have a high water table, soils that have a claypan or clay layer at or near the surface, and soils that are shallow over nearly impervious material. These soils have a very slow rate of water transmission.

If a soil is assigned to a dual hydrologic group (A/D, B/D, or C/D), the first letter is for drained areas and the second is for undrained areas. Only the soils that in their natural condition are in group D are assigned to dual classes.

Rating Options

Aggregation Method: Dominant Condition

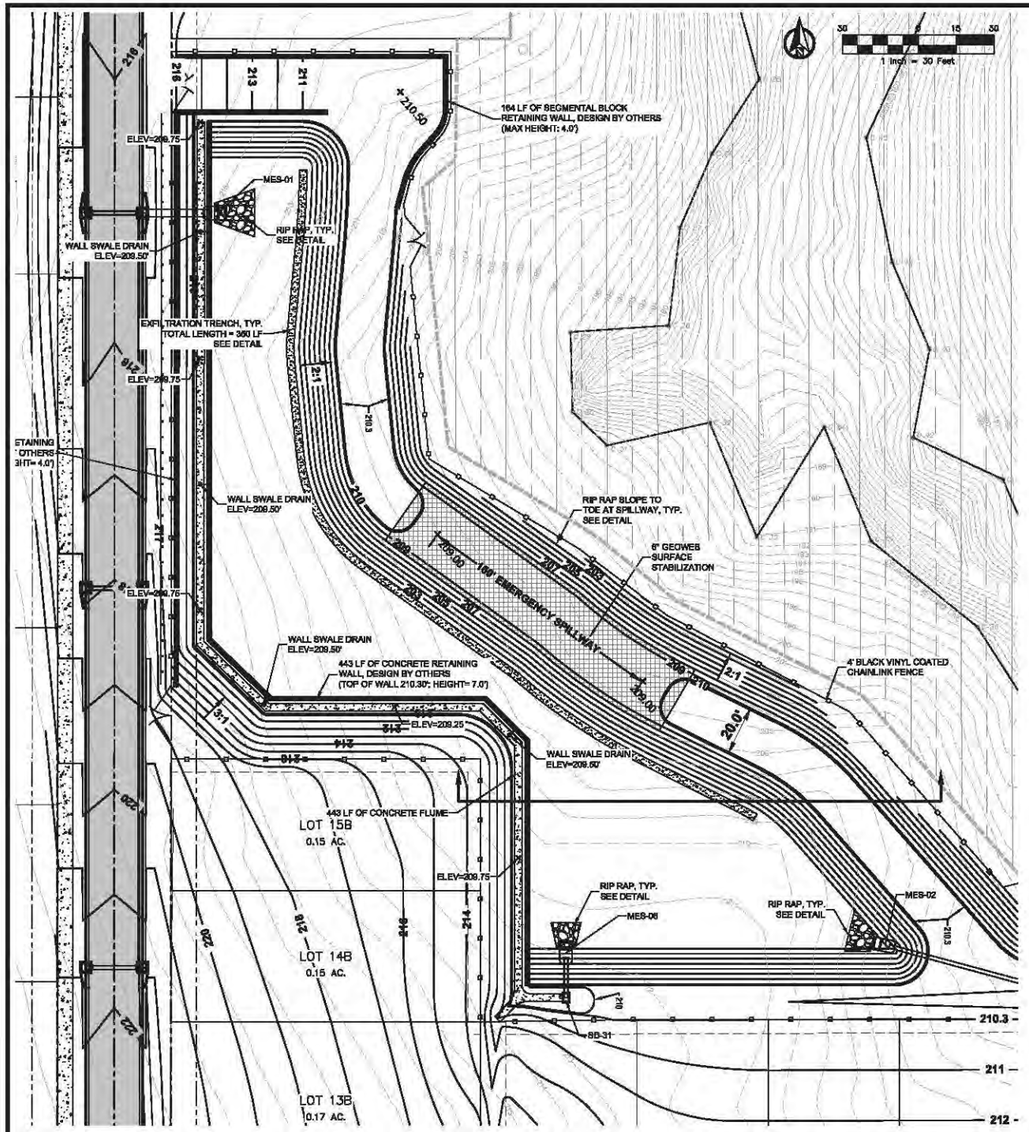
Component Percent Cutoff: None Specified

Tie-break Rule: Higher

APPENDIX C

Basin Map

- **Brookside Stormwater System**
- **Pre-development Basin**
- **Post Development Basin**



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3. BACKFILL TRENCH AS THE EXCAVATION PROGRESSES, AND LIGHTLY "PUDDLE COMPACT" THE SAND FILL TO PRE-SETTLE THE FILL AND PRECLUDE LATER "HOLLOWING" OF THE TOP OF THE TRENCH.
4. MOUND THE BACKFILL SAND AT LEAST 6" ABOVE ADJACENT POND BOTTOM GRADE, AND TOP WITH 3" THICKNESS NO. 57 GRAVEL TO DISSIPATE HORIZONTAL FLOW VELOCITIES IN THE POND BOTTOM.
5. BACKFILL SAND MUST BE CLEAN, UNIFORMLY GRADED MEDIUM TO FINE SAND WITH LESS THAN 8% PASSING THE US NO. 200 SIEVE, AND MINIMUM PERMEABILITY 20 INCHES PER HOUR. MINIMUM TESTS REQUIRED ARE TWO (2) PERMEABILITY AND 200 SIEVE TEST FROM THE PIT OR STOCKPILE FOR ACCEPTANCE (OR REJECTION), AND ONE SET OF TEST PER 50' OF TRENCH BACKFILL.
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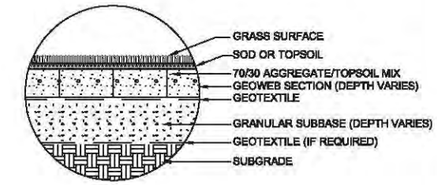
9. S.W.M.F. BERM TO BE CONSTRUCTED OF SC MATERIAL, COMPACTED TO 95% MODIFIED PROCTOR.

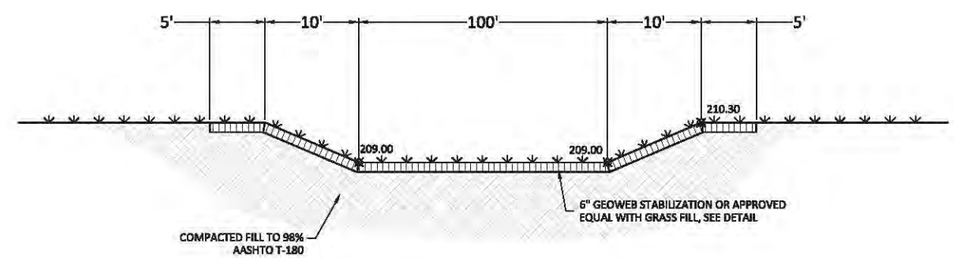
SECTION A - A



DETAIL A

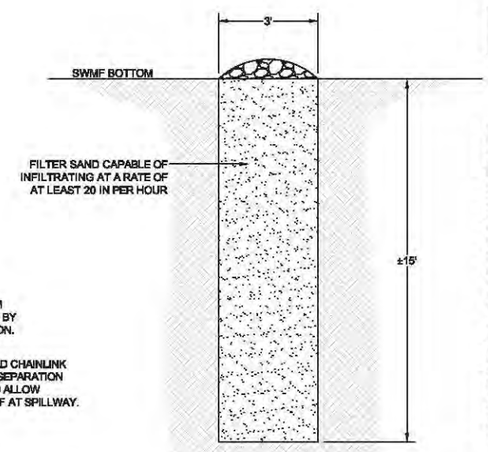
GEOWEB SURFACE STABILIZATION

N.T.S.



EMERGENCY SPILLWAY DETAIL

N.T.S.



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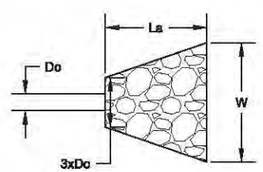
TRENCH DETAIL AND NOTES

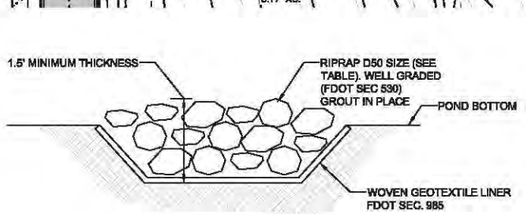
N.T.S.

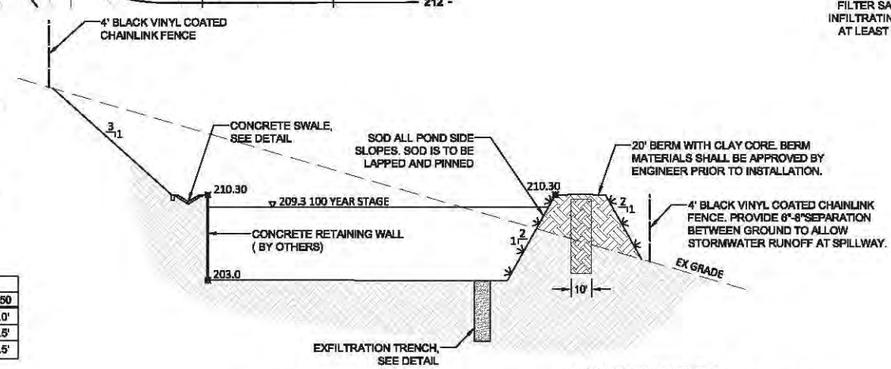


POND 100				
OUT	Do	La	W	D50
MES-01	3.0'	16'	19'	2.0'
MES-02	1.5'	10'	16'	0.5'
MES-06	1.5'	10'	16'	0.5'

RIP RAP DETAIL

N.T.S.





POND 100 CROSS SECTION

N.T.S.

CLAY CORE SPECIFICATIONS.
MATERIAL MUST CONSIST OF A-4, A-6, OR A-7 SOILS. CORE MUST BE COMPACTED TO 95% MODIFIED PROCTOR DRY DENSITY AND WITHIN 3% OF OPTIMUM MOISTURE CONTENT. CORE MUST EXTEND MIMIMUM 2' INTO EXISTING SOILS.

URBAN CATALYST CONSULTANTS, INC.
2840 PABLO AVENUE
TALLAHASSEE, FLORIDA, 32308
PHONE: (850) 999-4241
WWW.UCCENG.COM
FL CA 00030572

DATE	BY	REVISIONS

BROOKSIDE VILLAGE RESIDENTIAL SUBDIVISION

POND 100 DETAILS

LEON COUNTY FLORIDA

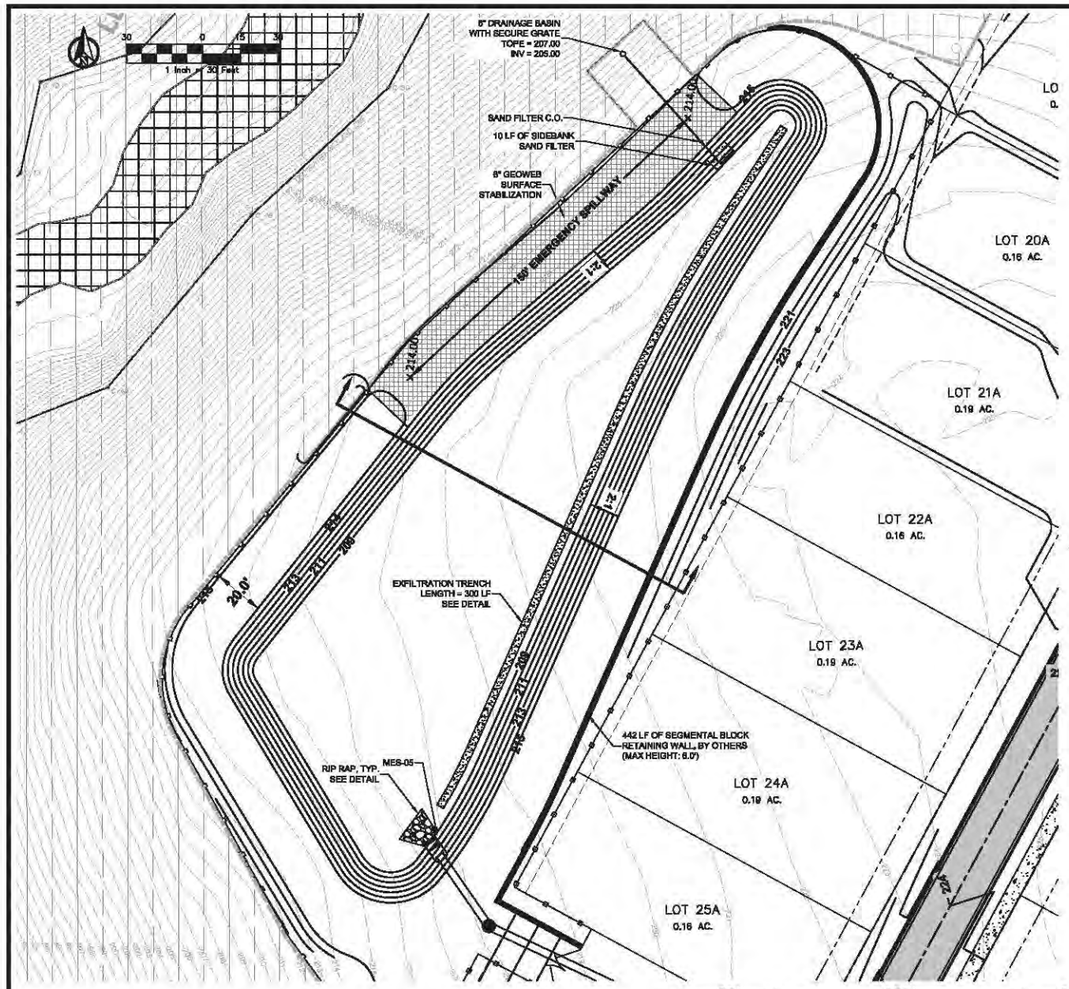
SEAN K. MARSTON, P.E.
LICENSE NUMBER. 53967

DRAWN BY:	W.E.C.
CHECKED BY:	S.K.M.
DATE:	07/19/17
HORZ. SCALE:	1"=30'
VERT. SCALE:	

SHEET C-128

PROJECT No. 15015.00

July 21, 2017 (10:36:22 EST)
F:\15015.00 - BROOKSIDE VILLAGE\CADD\BASE.DWG



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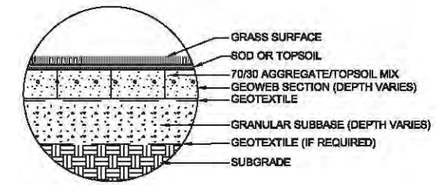

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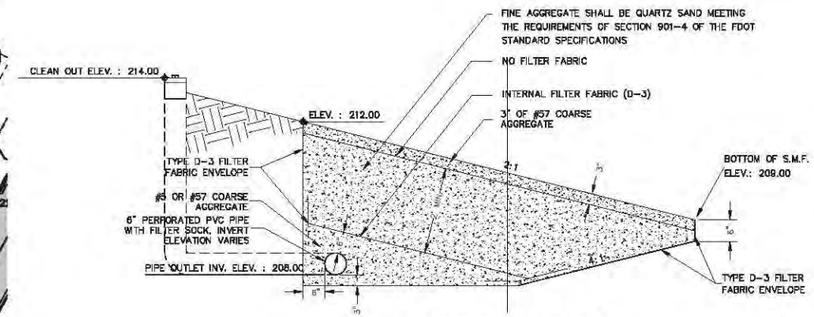
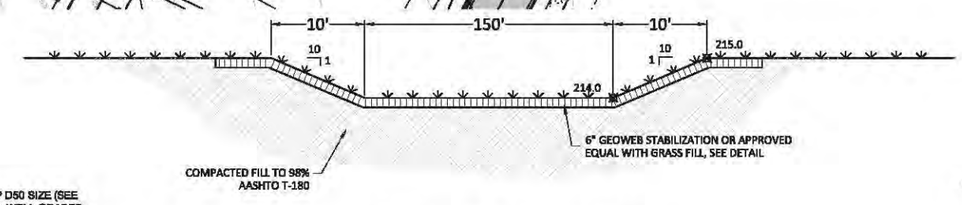
N.T.S.

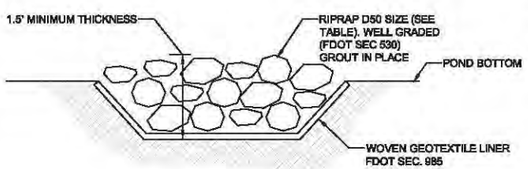


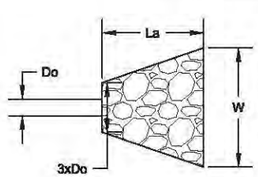
UNDERDRAIN DETAIL
N.T.S.

NOTE:
1. VERTICAL PORTIONS ARE NON-PERFORATED AND ALL APPURTENANCES SHALL INCLUDE WATERTIGHT CAP AND FITTINGS (WYE FITTINGS OR BENDS), AND HAVE AN ANGLE NO GREATER THAN 45 DEGREES AS MEASURED FROM THE HORIZONTAL AXIS OF THE FILTER PIPE.
2. FILTER SAND SHALL BE WASHED AND HAVE AN EFFECTIVE GRAIN SIZE 0.20 TO 0.55 MM, WITH A UNIFORMITY COEFFICIENT 1.5 TO 4.0. ADDITIONALLY, PROVIDE A NOTE INDICATING THAT THE CONTRACTOR SHALL PROVIDE THE GRAIN-SIZE ANALYSIS OF THE SELECTED FILTER SAND TO THE REGISTERED PROFESSIONAL.
3. CONTRACTOR TO PROVIDE A FILTER FABRIC COVER PROTECTING THE SAND FILTER UNTIL FINAL INSPECTION. ONCE APPROVED THE FABRIC IS TO BE REMOVED.



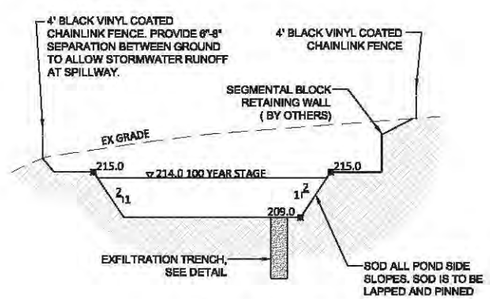
EMERGENCY SPILLWAY DETAIL
N.T.S.





POND 200				
OUT	Do	La	W	D50
MES-05	3.0'	16'	19'	1.0'

RIP RAP DETAIL
N.T.S.



POND 200 CROSS SECTION
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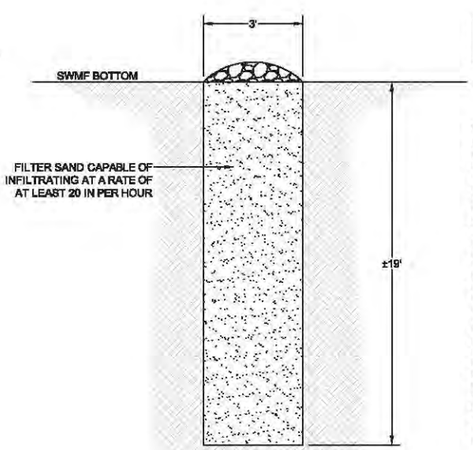

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2840 PABLO AVENUE
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PHONE: (850) 999-4241
WWW.UCCENG.COM
FL CA 00030572

DATE	BY	REVISIONS

BROOKSIDE VILLAGE
RESIDENTIAL SUBDIVISION

POND 200 DETAILS

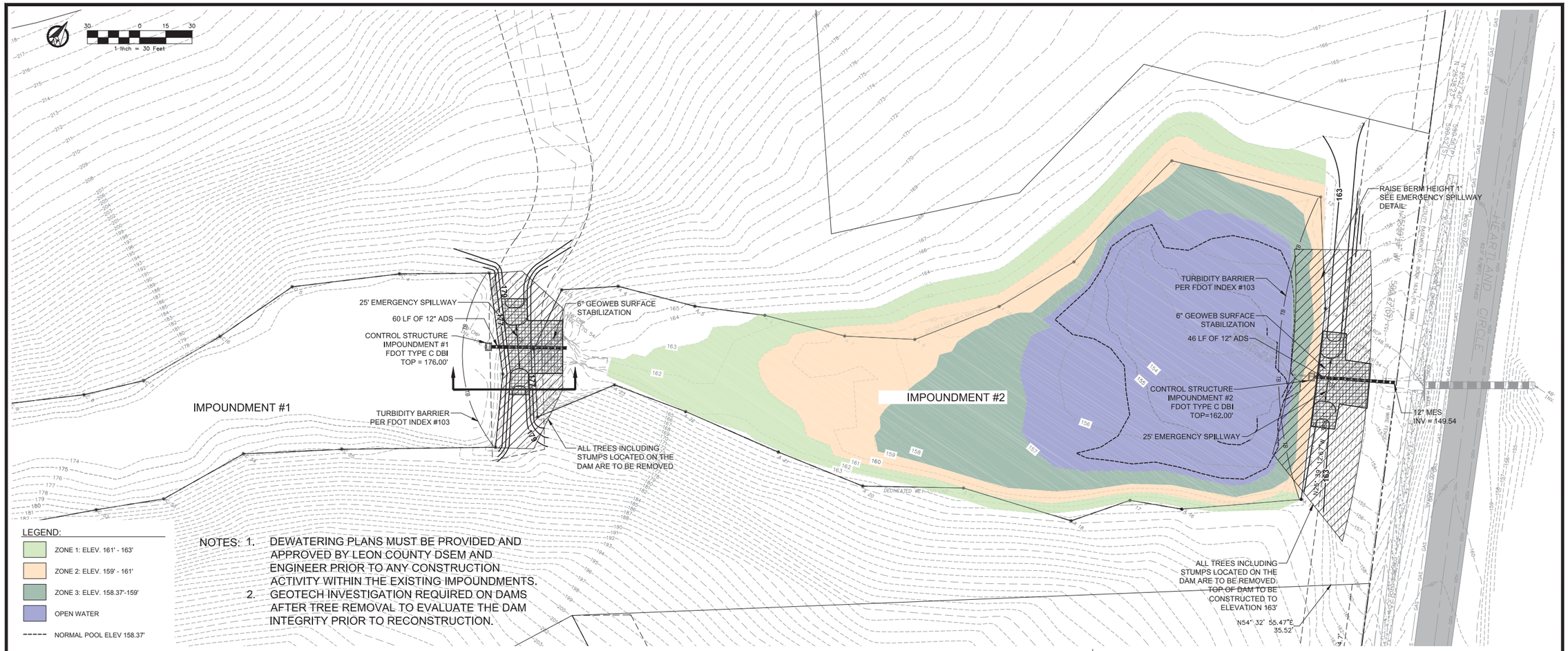
LEON COUNTY FLORIDA

SEAN K. MARSTON, P.E.
LICENSE NUMBER: 53987

DRAWN BY: W.E.C.
CHECKED BY: S.K.M.
DATE: 07/19/17
HORZ. SCALE: 1"=30'
VERT. SCALE:

SHEET C-129
PROJECT No. 15015.00

July 21, 2017 (10:39:22 EST)
F:\15015.00 - BROOKSIDE VILLAGE\CADD\BASE.DWG



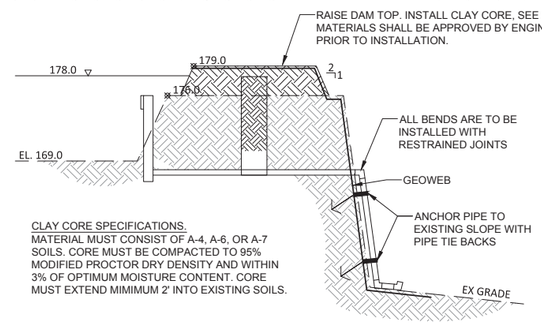
LEGEND:

- ZONE 1: ELEV. 161' - 163'
- ZONE 2: ELEV. 159' - 161'
- ZONE 3: ELEV. 158.37'-159'
- OPEN WATER
- NORMAL POOL ELEV 158.37'

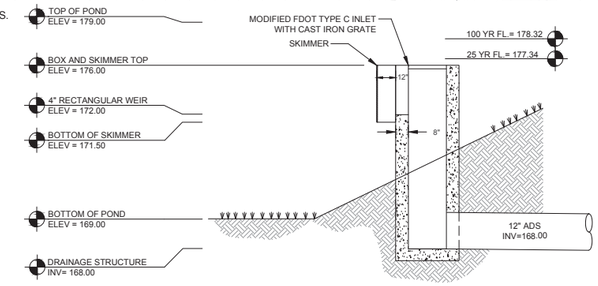
NOTES:

1. DEWATERING PLANS MUST BE PROVIDED AND APPROVED BY LEON COUNTY DSEM AND ENGINEER PRIOR TO ANY CONSTRUCTION ACTIVITY WITHIN THE EXISTING IMPOUNDMENTS.
2. GEOTECH INVESTIGATION REQUIRED ON DAMS AFTER TREE REMOVAL TO EVALUATE THE DAM INTEGRITY PRIOR TO RECONSTRUCTION.

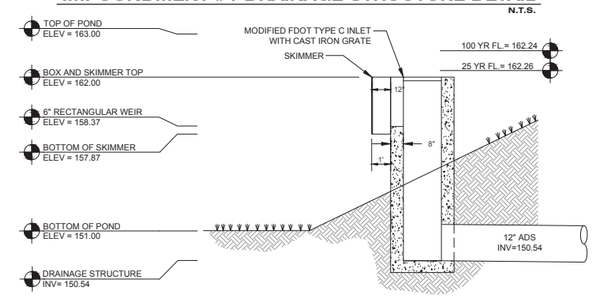
Common Name	Scientific Name	Minimum Size	Acreage	Quantity trees-250/ac	min/max spacing	Zone Number	Elevation
Sweetbay magnolia	Magnolia virginiana	3 gallon			20' centers (min)	Zone 1	161-163
Bald cypress	Taxodium distichum	3 gallon			20' centers (min)	Zone 1	161-163
Tulip poplar	Liriodendron tulipifera	3 gallon	0.12	30	20' centers (min)	Zone 1	161-163
Red maple	Acer rubrum	3 gallon	0.12	30	20' centers (min)	Zone 1	161-163
		Total	0.24	60			
				Quantity shrubs-150/ac			
dahoon holly	Ilex cassine	3 gallon	0.12	18	5' centers (min)	Zone 1	161-163
Walters viburnum	Viburnum obovatum	3 gallon			5' centers (min)	Zone 1	161-163
wax myrtle (as substitute shrub)	Myrica cerifera	3 gallon	0.12	18	5' centers (min)	Zone 1	161-163
		Total	0.24	36			
				Quantity trees-250/ac			
Sweetbay magnolia	Magnolia virginiana	3 gallon	0.13	33	20' centers (min)	Zone 2	159-161
Bald cypress	Taxodium distichum	3 gallon	0.14	35	20' centers (min)	Zone 2	159-161
Red maple	Acer rubrum	3 gallon			20' centers (min)	Zone 2	159-161
buttonbush	Cephalanthus occidentalis	3 gallon			5' centers (min)	Zone 2	159-161
		Total	0.27	68			
				Quantity herbs-150/ac			
soft rush	Juncus effuses	bareroot	0.08	12	3' centers (suggested)	Zone 3	157.37-159
duck potato	Sagittaria latifolia/lancifolia	bareroot			3' centers (suggested)	Zone 3	157.37-159
Pickerel weed	Pontederia cordata	bareroot	0.08	12	3' centers (suggested)	Zone 3	157.37-159
yellow canna	Canna flaccida	bareroot	0.09	14	3' centers (suggested)	Zone 3	157.37-159
		Total	0.25	60			



IMPOUNDMENT #1 DAM CROSS SECTION
N.T.S.



IMPOUNDMENT #1 DRAINAGE STRUCTURE DETAIL
N.T.S.



IMPOUNDMENT #2 DRAINAGE STRUCTURE DETAIL
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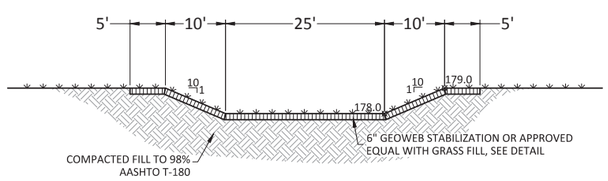
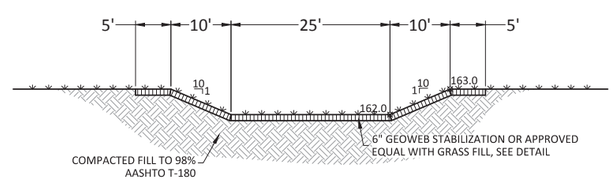


IMPOUNDMENT #1 EMERGENCY SPILLWAY DETAIL
N.T.S.



IMPOUNDMENT #2 EMERGENCY SPILLWAY DETAIL
N.T.S.

URBAN CATALYST CONSULTANTS, INC.
2840 PABLO AVENUE
TALLAHASSEE, FLORIDA, 32308
PHONE: (850) 999-4241
WWW.UCCENG.COM
FL CA 00030572

DATE	BY	REVISIONS

BROOKSIDE VILLAGE
RESIDENTIAL SUBDIVISION

IMPOUNDMENT DETAILS

LEON COUNTY FLORIDA

SEAN K. MARSTON, P.E.
LICENSE NUMBER. 55987

DRAWN BY:	W.E.C.
CHECKED BY:	S.K.M.
DATE:	07/19/17
HORZ. SCALE:	1"=30'
VERT. SCALE:	

C-130

PROJECT No. 15015.00

July 21, 2017 (11:52:52 EST)
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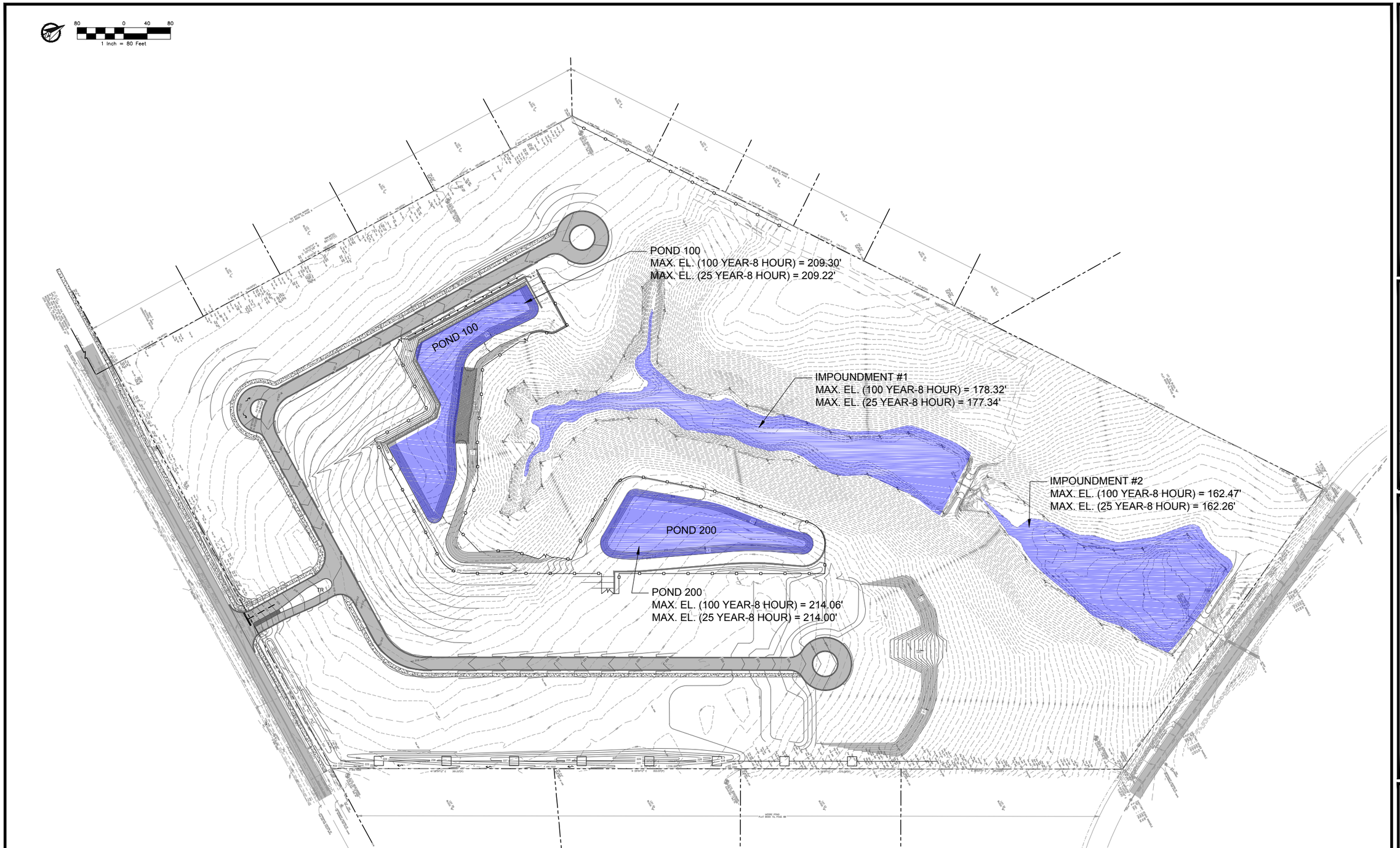


Pond 100

Elev. (feet)	Surface Area (sq. ft.)	Surface Area (acres)	Incr. Volume (acre ft.)	Total Volume (acre ft.)	Total Volume (cubic ft.)
210.00	29478.32	0.68	0.66	4.82	174,939
209.00	23172.34	0.53	0.53	3.35	146,115
208.00	25880.81	0.62	0.60	2.72	118,592
207.00	25501.86	0.59	0.57	2.12	92,354
206.00	24335.47	0.56	0.54	1.55	67,388
205.00	23081.65	0.53	0.52	1.00	43,682
204.00	21840.39	0.50	0.49	0.49	21,224
203.00	20612.77	0.47			

Pond 200

Elev. (feet)	Surface Area (sq. ft.)	Surface Area (acres)	Incr. Volume (acre ft.)	Total Volume (acre ft.)	Total Volume (cubic ft.)
215.00	28107.00	0.65	0.63	3.21	139,640
214.00	26459.00	0.61	0.59	2.58	112,361
213.00	24836.00	0.57	0.55	1.99	86,718
212.00	23238.00	0.53	0.52	1.44	62,686
211.00	21665.00	0.50	0.48	0.92	40,239
210.00	20118.00	0.46	0.44	0.44	19,352
209.00	18596.00	0.43			

Impoundment #1

Elev. (feet)	Surface Area (sq. ft.)	Surface Area (acres)	Incr. Volume (acre ft.)	Total Volume (acre ft.)	Total Volume (cubic ft.)
179.00	51836.00	1.19	1.11	4.39	191,359
178.00	44867.00	1.03	0.93	3.28	143,049
177.00	36590.00	0.84	0.77	2.35	102,391
176.00	30492.00	0.70	0.60	1.58	68,896
175.00	22216.00	0.51	0.46	0.98	42,651
174.00	17860.00	0.41	0.31	0.52	22,653
173.00	9583.00	0.22	0.21	0.21	9,144
172.00	8712.00	0.20			

Impoundment #2

Elev. (feet)	Surface Area (sq. ft.)	Surface Area (acres)	Incr. Volume (acre ft.)	Total Volume (acre ft.)	Total Volume (cubic ft.)
163.00	52272.00	1.20	1.14	5.63	245,410
162.00	47480.00	1.09	1.02	4.49	195,553
161.00	41382.00	0.95	0.89	3.47	151,157
160.00	36154.00	0.83	0.76	2.58	112,418
159.00	30492.00	0.70	0.65	1.82	79,136
158.00	26572.00	0.61	0.53	1.16	50,625
157.00	20938.00	0.48	0.39	0.63	27,386
156.00	13939.00	0.32	0.24	0.24	10,501
155.00	7405.00	0.17			

URBAN CATALYST CONSULTANTS, INC.
2840 PABLO AVENUE
TALLAHASSEE, FLORIDA, 32308
PHONE: (850) 999-4241
WWW.UCCENG.COM
FL CA 00030572

DATE	BY	REVISIONS

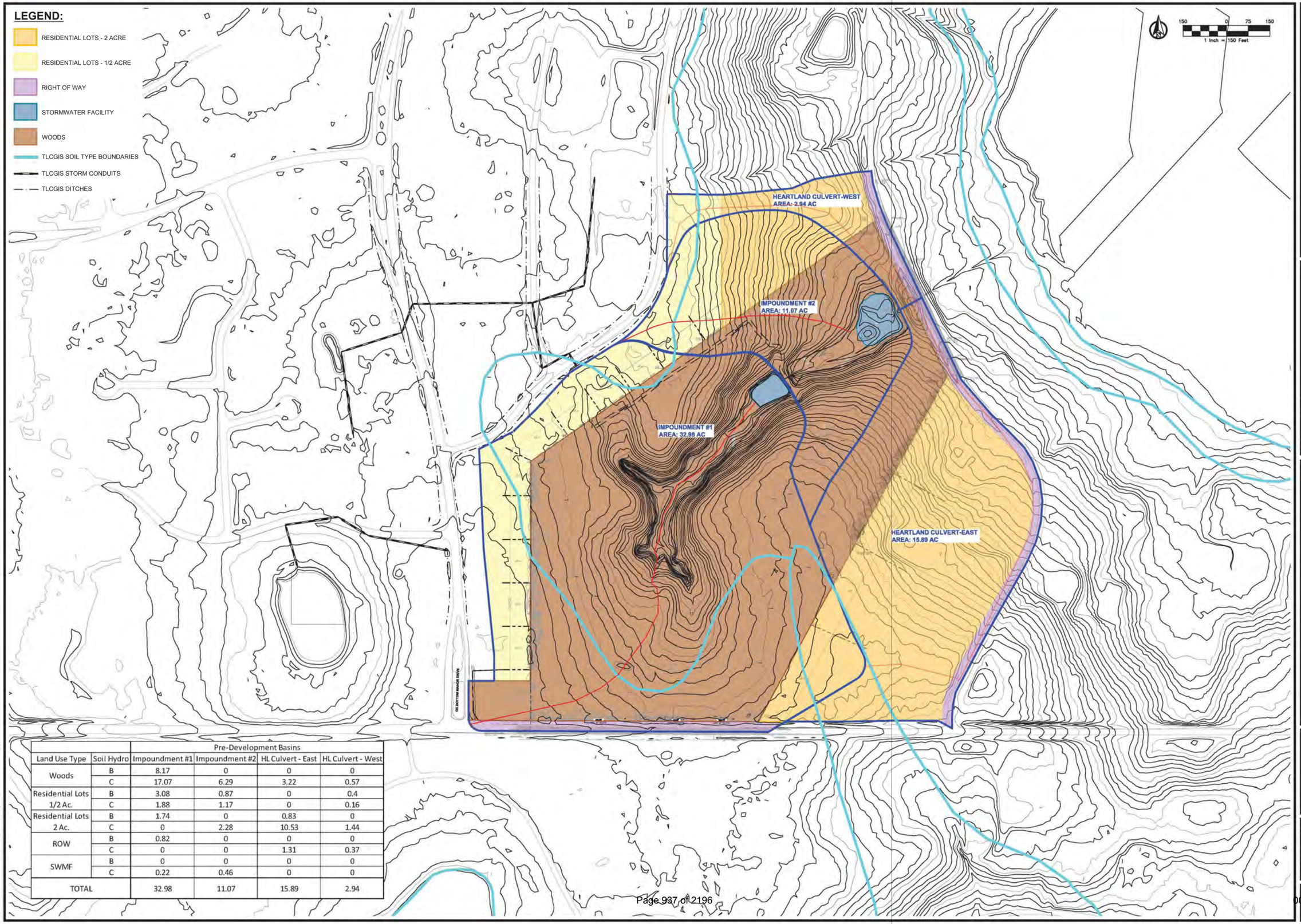
BROOKSIDE VILLAGE
RESIDENTIAL SUBDIVISION
STORMWATER SYSTEM
LEON COUNTY FLORIDA

SEAN K. MARSTON, P.E.
LICENSE NUMBER. 55987

DRAWN BY: W.E.C.
CHECKED BY: S.K.M.
DATE: 04/19/17
HORZ. SCALE: 1"=80'
VERT. SCALE:

C-131
PROJECT No. 15015.00

July 21, 2017 (14:36:21 EST)
F:\15015.00 – BROOKSIDE VILLAGE\CADD\BASE.DWG



		Pre-Development Basins			
Land Use Type	Soil Hydro	Impoundment #1	Impoundment #2	HL Culvert - East	HL Culvert - West
Woods	B	8.17	0	0	0
	C	17.07	6.29	3.22	0.57
Residential Lots 1/2 Ac.	B	3.08	0.87	0	0.4
	C	1.88	1.17	0	0.16
Residential Lots 2 Ac.	B	1.74	0	0.83	0
	C	0	2.28	10.53	1.44
ROW	B	0.82	0	0	0
	C	0	0	1.31	0.37
SWMF	B	0	0	0	0
	C	0.22	0.46	0	0
TOTAL		32.98	11.07	15.89	2.94

URBAN CATALYST CONSULTANTS, INC.
2840 PABLO AVENUE
TALLAHASSEE, FLORIDA, 32308
PHONE: (850) 999-4241
WWW.UCCENG.COM
FL CA 00030572

DATE	BY	REVISIONS

BROOKSIDE VILLAGE
RESIDENTIAL SUBDIVISION

PRE-DEVELOPMENT BASIN MAP

LEON COUNTY FLORIDA

SEAN K. MARSTON, P.E.
LICENSE NUMBER. 55987

DRAWN BY: W.E.C.
CHECKED BY: S.K.M.
DATE: 6/21/17
HORZ. SCALE: 1"=150'
VERT. SCALE:

PROJECT No. 15015.00

June 21, 2017 (10:24:16 EST)
F:\15015.00 - BROOKSIDE VILLAGE\CAD\OLD\BASIN MAP-SKM-FIRE (2).DWG

000035

LEGEND:

- RESIDENTIAL LOTS - 1/8 ACRE
- RESIDENTIAL LOTS - 1/4 ACRE
- RESIDENTIAL LOTS - 1/2 ACRE
- RESIDENTIAL LOTS - 2 ACRE
- RIGHT OF WAY
- STORMWATER FACILITY
- OPEN SPACE - GOOD CONDITION
- WOODS
- TLCGIS SOIL TYPE BOUNDARIES

		Post Development Basins					
Land Use Type	Soil Hydro	Pond 100	Pond 200	Impoundment #1	Impoundment #2	HL Culvert - East	HL Culvert - West
Woods	B	1.68	0.00	0.03	0.00	0.00	0.00
	C	0.32	0.00	8.26	1.95	0.50	0.03
Open Space Good	B	0.00	0.00	0.00	0.00	0.00	0.00
	C	0.67	0.51	0.00	1.50	0.37	0.21
Residential Lots 1/8 Ac.	B	2.27	0.10	0.00	0.00	0.00	0.00
	C	2.02	1.16	0.00	0.00	0.00	0.00
Residential Lots 1/4 Ac.	B	1.69	1.15	0.00	0.00	0.00	0.00
	C	1.55	1.40	0.00	0.00	0.00	0.00
Residential Lots 1/2 Ac.	B	2.37	0.00	0.71	0.88	0.00	0.40
	C	0.60	0.00	1.28	1.16	0.00	0.16
Residential Lots 2 Ac.	B	1.75	0.00	0.03	0.00	0.84	0.00
	C	0.00	0.00	0.36	4.26	11.70	1.77
ROW	B	1.56	0.40	0.00	0.00	0.00	0.00
	C	1.00	0.47	0.00	0.06	1.31	0.37
SWMF	B	0.00	0.00	0.00	0.00	0.00	0.00
	C	0.68	0.65	0.22	0.46	0.00	0.00
TOTAL		18.16	5.84	10.89	10.27	14.72	2.94

URBAN CATALYST CONSULTANTS, INC.
2840 PABLO AVENUE
TALLAHASSEE, FLORIDA, 32308
PHONE: (850) 999-4241
WWW.UCCENG.COM
FL CA 00030572

BROOKSIDE VILLAGE RESIDENTIAL SUBDIVISION

BASIN MAP

SEAN K. MARSTON, P.E
LICENSE NUMBER. 559

DRAWN BY: W.E.C.
CHECKED BY: S.K.M
DATE: 07/19/17
HORZ. SCALE: 1"=10
VERT. SCALE:

PROJECT No. 15015.0

July 21, 2017 (12:00:19 EST)
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Appendix D

Curve Number and Time of Concentration

Brookside Village
Pre-development Analysis
Leon County, Florida

Sub-Area Land Use and Curve Number Details

Sub-Area Identifier	Land Use		Hydrologic Soil Group	Sub-Area Area (ac)	Curve Number
Impound #1	Open space; grass cover > 75%	(good)	B	.49	61
	Paved parking lots, roofs, driveways		B	.33	98
	Paved parking lots, roofs, driveways		C	.22	98
	Residential districts (1/2 acre)		B	3.08	70
	Residential districts (1/2 acre)		C	1.88	80
	Residential districts (2 acre)		B	1.74	65
	Woods	(fair)	B	8.17	60
	Woods	(fair)	C	17.07	73
	Total Area / Weighted Curve Number			32.98	70
				=====	==
Impound #2	Paved parking lots, roofs, driveways		C	.46	98
	Residential districts (1/2 acre)		B	.87	70
	Residential districts (1/2 acre)		C	1.17	80
	Residential districts (2 acre)		C	2.28	77
	Woods	(fair)	C	6.29	73
	Total Area / Weighted Curve Number			11.07	75
				=====	==
Culvert-W	Open space; grass cover > 75%	(good)	C	.15	74
	Paved parking lots, roofs, driveways		C	.22	98
	Residential districts (1/2 acre)		B	.4	70
	Residential districts (1/2 acre)		C	.16	80
	Residential districts (2 acre)		C	1.44	77
	Woods	(fair)	C	.57	73
	Total Area / Weighted Curve Number			2.94	77
				====	==
Culvert-E	Open space; grass cover > 75%	(good)	C	.79	74
	Paved parking lots, roofs, driveways		C	.52	98
	Residential districts (2 acre)		B	.83	65
	Residential districts (2 acre)		C	10.53	77
	Woods	(fair)	C	3.22	73
	Total Area / Weighted Curve Number			15.89	76
				=====	==

SKM

Brookside Village
Pre-development Analysis
Leon County, Florida

Sub-Area Time of Concentration Details

Sub-Area Identifier/	Flow Length (ft)	Slope (ft/ft)	Mannings's n	End Area (sq ft)	Wetted Perimeter (ft)	Velocity (ft/sec)	Travel Time (hr)
Impound #1							
SHEET	100	0.0200	0.240				0.195
SHALLOW	781	0.0230	0.050				0.089
SHALLOW	118	0.2210	0.050				0.004
CHANNEL	665	0.0670	0.200	51.00	64.00	1.664	0.111
					Time of Concentration		.399
Impound #2							
SHEET	100	0.0200	0.240				0.195
SHALLOW	713	0.0700	0.050				0.046
					Time of Concentration		.241
Culvert-W							
SHEET	100	0.0100	0.150				0.177
SHALLOW	235	0.0200	0.050				0.029
SHALLOW	1021	0.0700	0.050				0.066
					Time of Concentration		.272
Culvert-E							
SHEET	100	0.0100	0.150				0.177
SHALLOW	235	0.0200	0.050				0.029
SHALLOW	1487	0.0500	0.050				0.114
					Time of Concentration		.32

Brookside Village
POST DEVELOPMENT
Leon County, Florida

Sub-Area Land Use and Curve Number Details

Sub-Area Identifier	Land Use		Hydrologic Soil Group	Sub-Area Area (ac)	Curve Number
Pond 100	Open space; grass cover > 75%	(good)	B	.47	61
	Open space; grass cover > 75%	(good)	C	.97	74
	Paved parking lots, roofs, driveways		B	1.09	98
	Paved parking lots, roofs, driveways		C	1.38	98
	Residential districts (1/8 acre)		B	2.27	85
	Residential districts (1/8 acre)		C	2.02	90
	Residential districts (1/4 acre)		B	1.69	75
	Residential districts (1/4 acre)		C	1.55	83
	Residential districts (1/2 acre)		B	2.37	70
	Residential districts (1/2 acre)		C	.6	80
	Residential districts (2 acre)		B	1.75	65
	Woods	(fair)	B	1.68	60
	Woods	(fair)	C	.32	73
	Total Area / Weighted Curve Number			18.16	78
				=====	==
Pond 200	Open space; grass cover > 75%	(good)	B	.12	61
	Open space; grass cover > 75%	(good)	C	.65	74
	Paved parking lots, roofs, driveways		B	.28	98
	Paved parking lots, roofs, driveways		C	.98	98
	Residential districts (1/8 acre)		B	.1	85
	Residential districts (1/8 acre)		C	1.16	90
	Residential districts (1/4 acre)		B	1.15	75
	Residential districts (1/4 acre)		C	1.4	83
	Total Area / Weighted Curve Number			5.84	85
				====	==
Imp #1	Paved parking lots, roofs, driveways		C	.22	98
	Residential districts (1/2 acre)		B	.71	70
	Residential districts (1/2 acre)		C	1.28	80
	Residential districts (2 acre)		B	.03	65
	Residential districts (2 acre)		C	.36	77
	Woods	(fair)	B	.03	60
	Woods	(fair)	C	8.26	73
	Total Area / Weighted Curve Number			10.89	74
				=====	==
Imp #2	Open space; grass cover > 75%	(good)	C	1.5	74
	Paved parking lots, roofs, driveways		C	.52	98
	Residential districts (1/2 acre)		B	.88	70
	Residential districts (1/2 acre)		C	1.16	80
	Residential districts (2 acre)		C	4.26	77
	Woods	(fair)	C	1.95	73
	Total Area / Weighted Curve Number			10.27	77
				=====	==
Pre-P-100	Open space; grass cover > 75%	(good)	B	.25	61
	Paved parking lots, roofs, driveways		B	.57	98
	Residential districts (1/2 acre)		B	2.37	70
	Residential districts (1/2 acre)		C	.6	80
	Residential districts (2 acre)		B	1.75	65
	Woods	(fair)	B	6.38	60
	Woods	(fair)	C	6.24	73

Sub-Area Land Use and Curve Number Details (continued)

Sub-Area Identifier	Land Use		Hydrologic Soil Group	Sub-Area Area (ac)	Curve Number
	Total Area / Weighted Curve Number			18.16	68
				=====	==
Pre-P-200	Woods	(fair)	B	1.65	60
	Woods	(fair)	C	4.19	73
	Total Area / Weighted Curve Number			5.84	69
				====	==
Culvert-W	Open space; grass cover > 75%	(good)	C	.22	74
	Paved parking lots, roofs, driveways		C	.26	98
	Residential districts (1/2 acre)		B	.4	70
	Residential districts (1/2 acre)		C	.16	80
	Residential districts (2 acre)		C	1.77	77
	Woods	(fair)	C	.03	73
	Total Area / Weighted Curve Number			2.84	78
				====	==
Culvert-E	Open space; grass cover > 75%	(good)	C	.76	74
	Paved parking lots, roofs, driveways		C	.92	98
	Residential districts (2 acre)		B	.84	65
	Residential districts (2 acre)		C	11.7	77
	Woods	(fair)	C	.5	73
	Total Area / Weighted Curve Number			14.72	77
				=====	==

Brookside Village
POST DEVELOPMENT
Leon County, Florida

Sub-Area Time of Concentration Details

Sub-Area Identifier/	Flow Length (ft)	Slope (ft/ft)	Mannings's n	End Area (sq ft)	Wetted Perimeter (ft)	Velocity (ft/sec)	Travel Time (hr)
Pond 100							
SHEET	100	0.0100	0.150				0.177
SHALLOW	456	0.0270	0.050				0.048
SHALLOW	660	0.0100	0.025				0.090
					Time of Concentration		0.315
Pond 200							
SHEET	100	0.0100	0.240				0.258
SHALLOW	35	0.0185	0.050				0.004
SHALLOW	600	0.0185	0.025				0.060
					Time of Concentration		0.322
Imp #1							
SHEET	100	0.0400	0.240				0.148
SHALLOW	585	0.0550	0.050				0.043
SHALLOW	313	0.0200	0.050				0.038
					Time of Concentration		0.229
Imp #2							
SHEET	100	0.0200	0.240				0.195
SHALLOW	713	0.0700	0.050				0.046
					Time of Concentration		0.241
Pre-P-100							
SHEET	100	0.0150	0.240				0.219
SHALLOW	697	0.0270	0.050				0.073
					Time of Concentration		0.292
Pre-P-200							
SHEET	100	0.0100	0.240				0.258
SHALLOW	35	0.0185	0.050				0.004
SHALLOW	600	0.0242	0.025				0.053
					Time of Concentration		0.315
Culvert-W							
SHEET	100	0.0100	0.150				0.177
SHALLOW	235	0.0200	0.050				0.029
SHALLOW	1021	0.0700	0.050				0.066
					Time of Concentration		0.272
Culvert-E							
SHEET	100	0.0100	0.150				0.177
SHALLOW	235	0.0200	0.050				0.029
SHALLOW	1487	0.0500	0.050				0.114

Brookside Village
POST DEVELOPMENT
Leon County, Florida

Sub-Area Time of Concentration Details (continued)

Sub-Area Identifier/	Flow Length (ft)	Slope (ft/ft)	Mannings's n	End Area (sq ft)	Wetted Perimeter (ft)	Velocity (ft/sec)	Travel Time (hr)
						Time of Concentration	0.320

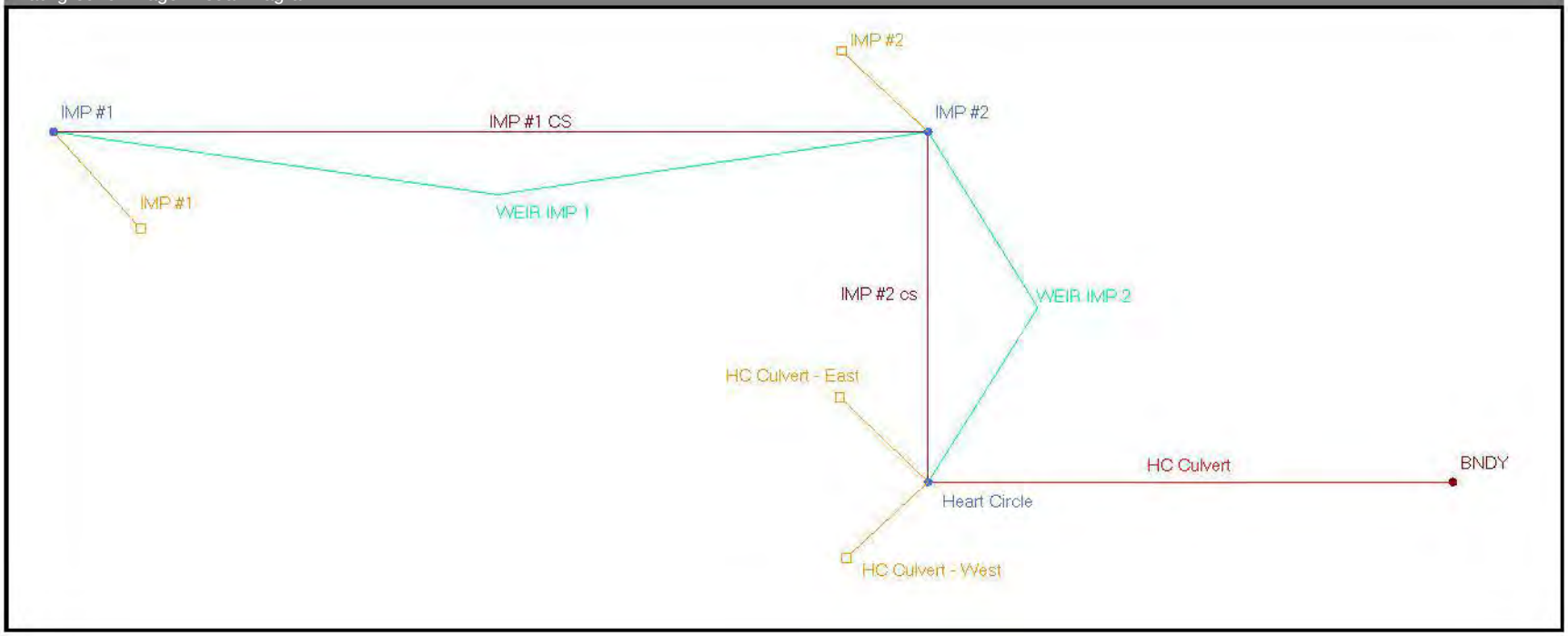
APPENDIX E

ICPR (Pre v. Post Development)

- **Nodal Diagrams**
- **Pre-Development Report**
- **Post-Development Report**

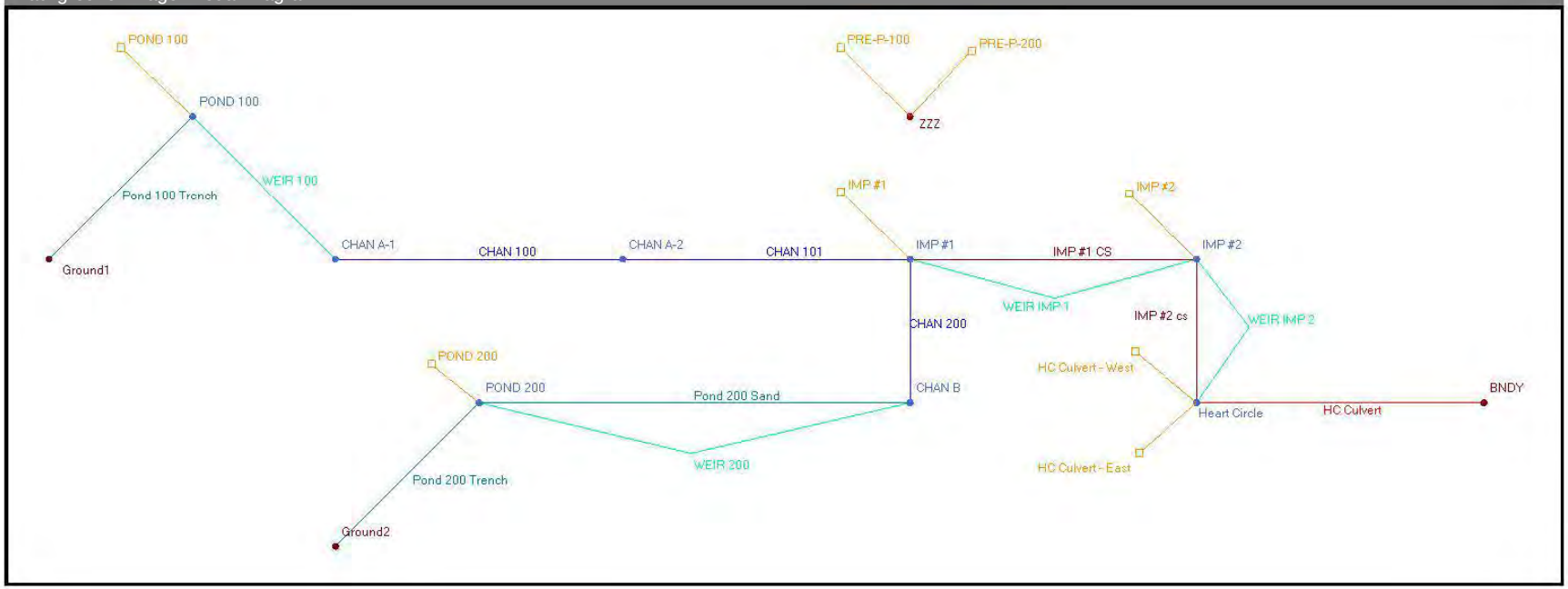
Pre Development
Nodal Diagram

Background Image: Nodal Diagram



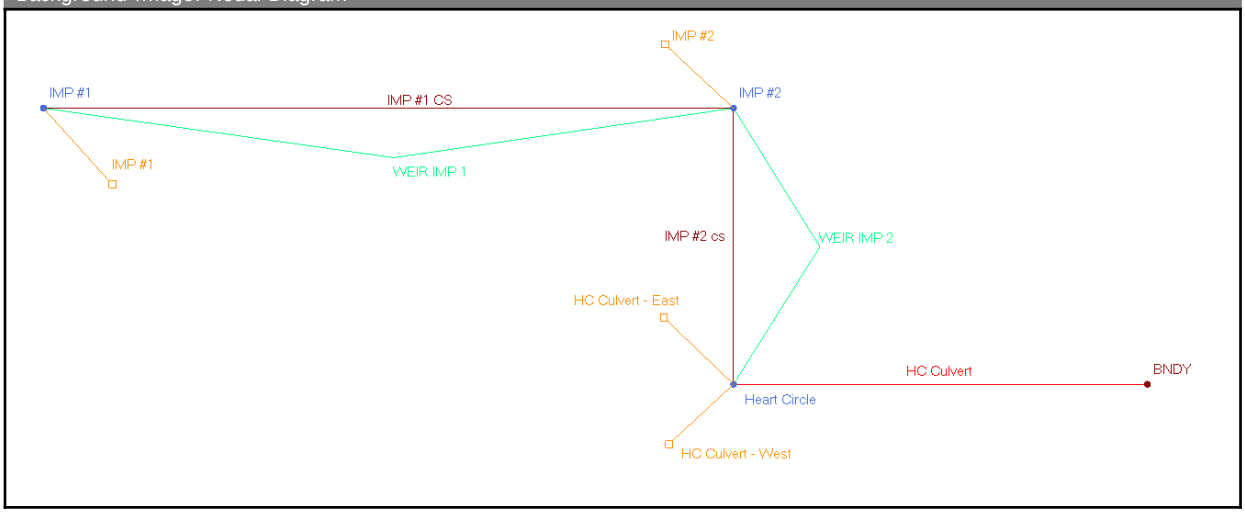
Post Development Nodal Diagram

Background Image: Nodal Diagram



Pre Development Report

Background Image: Nodal Diagram



Node: BNDY

Scenario: Icpr3
Type: Time/Stage
Base Flow: 0.00 cfs
Initial Stage: 149.00 ft
Warning Stage: 151.00 ft
Boundary Stage:

Year	Month	Day	Hour	Stage [ft]
0	0	0	0.0000	149.00
0	0	0	999.0000	149.00

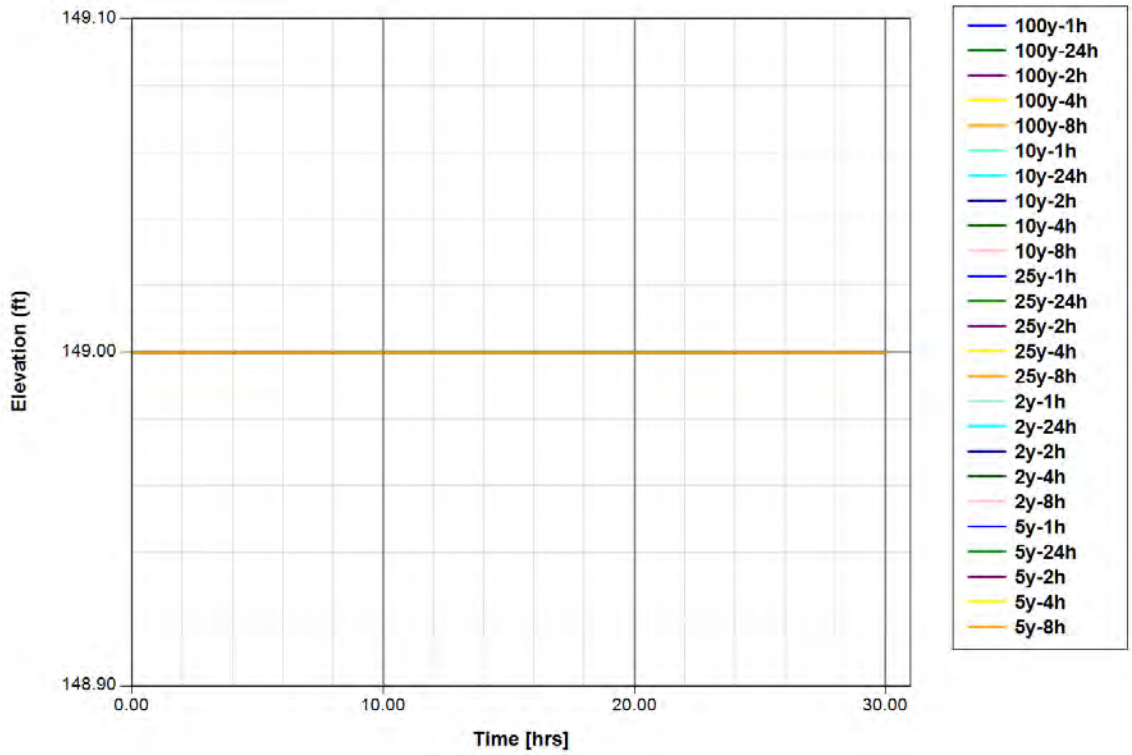
Comment:

Node Max Conditions w/ Times [Icpr3]

Node Name	Sim Name	Warning Stage [ft]	Max Stage [ft]	Min/Max Delta Stage [ft]	Max Total Inflow [cfs]	Max Total Outflow [cfs]	Max Surface Area [ft2]	Time to Max Stage [hr]	Time to Min/Max Delta Stage [hr]	Time to Max Total Inflow [hr]	Time to Max Total Outflow [hr]
BNDY	100y-1h	151.00	149.00	0.0000	63.70	0.02	0	0.0000	0.0000	0.8437	0.4392
BNDY	100y-24h	151.00	149.00	0.0000	54.27	0.02	0	0.0000	0.0000	12.0843	3.9014
BNDY	100y-2h	151.00	149.00	0.0000	106.19	0.02	0	0.0000	0.0000	1.5021	0.4479
BNDY	100y-4h	151.00	149.00	0.0000	135.74	0.02	0	0.0000	0.0000	2.7391	1.1351
BNDY	100y-8h	151.00	149.00	0.0000	157.18	0.02	0	0.0000	0.0000	4.2091	1.9619
BNDY	10y-1h	151.00	149.00	0.0000	37.64	0.02	0	0.0000	0.0000	0.8248	0.4928

Node Name	Sim Name	Warning Stage [ft]	Max Stage [ft]	Min/Max Delta Stage [ft]	Max Total Inflow [cfs]	Max Total Outflow [cfs]	Max Surface Area [ft2]	Time to Max Stage [hr]	Time to Min/Max Delta Stage [hr]	Time to Max Total Inflow [hr]	Time to Max Total Outflow [hr]
BNDY	10y-24h	151.00	149.00	0.0000	22.60	0.02	0	0.0000	0.0000	15.0464	5.0418
BNDY	10y-2h	151.00	149.00	0.0000	37.21	0.02	0	0.0000	0.0000	0.9997	0.5421
BNDY	10y-4h	151.00	149.00	0.0000	58.70	0.02	0	0.0000	0.0000	3.2415	1.3221
BNDY	10y-8h	151.00	149.00	0.0000	63.50	0.02	0	0.0000	0.0000	4.5911	2.3203
BNDY	25y-1h	151.00	149.00	0.0000	48.49	0.02	0	0.0000	0.0000	0.8354	0.4673
BNDY	25y-24h	151.00	149.00	0.0000	30.52	0.02	0	0.0000	0.0000	12.8632	4.6160
BNDY	25y-2h	151.00	149.00	0.0000	50.81	0.02	0	0.0000	0.0000	1.9058	0.5030
BNDY	25y-4h	151.00	149.00	0.0000	93.19	0.02	0	0.0000	0.0000	2.9528	1.2366
BNDY	25y-8h	151.00	149.00	0.0000	112.38	0.02	0	0.0000	0.0000	4.2753	2.1441
BNDY	2y-1h	151.00	149.00	0.0000	19.90	0.02	0	0.0000	0.0000	0.8789	0.5607
BNDY	2y-24h	151.00	149.00	0.0000	8.98	0.02	0	0.0000	0.0000	15.0861	6.7083
BNDY	2y-2h	151.00	149.00	0.0000	20.90	0.02	0	0.0000	0.0000	1.0290	0.6416
BNDY	2y-4h	151.00	149.00	0.0000	19.56	0.02	0	0.0000	0.0000	2.6350	1.5471
BNDY	2y-8h	151.00	149.00	0.0000	22.45	0.02	0	0.0000	0.0000	4.1052	2.7773
BNDY	5y-1h	151.00	149.00	0.0000	29.55	0.02	0	0.0000	0.0000	0.8556	0.5184
BNDY	5y-24h	151.00	149.00	0.0000	16.14	0.02	0	0.0000	0.0000	16.1471	5.5700
BNDY	5y-2h	151.00	149.00	0.0000	28.08	0.02	0	0.0000	0.0000	1.0172	0.5905
BNDY	5y-4h	151.00	149.00	0.0000	27.76	0.02	0	0.0000	0.0000	2.6242	1.3948
BNDY	5y-8h	151.00	149.00	0.0000	44.97	0.02	0	0.0000	0.0000	5.0409	2.4454

Node Stage: BNDY [Icpr3]



Node: Heart Circle

Scenario: Icpr3
Type: Stage/Area
Base Flow: 0.00 cfs
Initial Stage: 148.00 ft
Warning Stage: 159.00 ft

Stage [ft]	Area [ac]	Area [ft2]
148.00	0.0100	436
149.00	0.0100	436
150.00	0.0100	436
151.00	0.0100	436
152.00	0.0200	871
153.00	0.0400	1742
154.00	0.0800	3485
155.00	0.1100	4792
156.00	0.1400	6098
157.00	0.1700	7405
158.00	0.2100	9148

Stage [ft]	Area [ac]	Area [ft2]
159.00	0.2700	11761
160.00	0.3000	13068
161.00	0.3000	13068
162.00	0.3000	13068

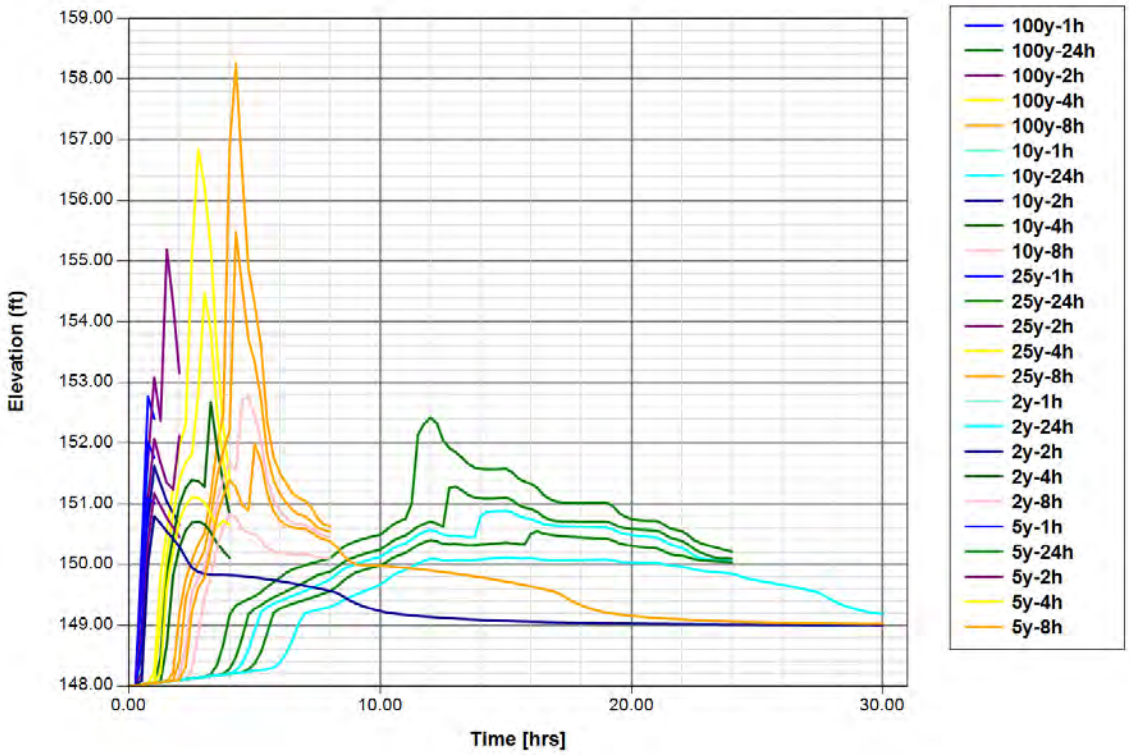
Comment:

Node Max Conditions w/ Times [Icpr3]

Node Name	Sim Name	Warning Stage [ft]	Max Stage [ft]	Min/Max Delta Stage [ft]	Max Total Inflow [cfs]	Max Total Outflow [cfs]	Max Surface Area [ft2]	Time to Max Stage [hr]	Time to Min/Max Delta Stage [hr]	Time to Max Total Inflow [hr]	Time to Max Total Outflow [hr]
Heart Circle	100y-1h	159.00	153.04	0.0010	64.86	63.70	2634	0.8448	0.4305	0.8000	0.8437
Heart Circle	100y-24h	159.00	152.44	0.0010	54.32	54.27	2385	12.0897	13.2095	12.0655	12.0843
Heart Circle	100y-2h	159.00	155.19	0.0010	112.72	106.19	5236	1.5035	0.4140	1.4096	1.5021
Heart Circle	100y-4h	159.00	156.85	0.0010	142.25	135.74	7282	2.7401	2.4305	2.6008	2.7391
Heart Circle	100y-8h	159.00	158.30	0.0011	170.00	157.18	9984	4.2099	3.8684	4.0834	4.2091
Heart Circle	10y-1h	159.00	151.65	0.0010	37.97	37.64	1994	0.8511	0.4740	0.8167	0.8248
Heart Circle	10y-24h	159.00	150.89	0.0010	22.61	22.60	1716	15.0595	4.4313	15.0464	15.0464
Heart Circle	10y-2h	159.00	151.62	0.0010	37.41	37.21	1983	1.0024	0.4979	0.9668	0.9997
Heart Circle	10y-4h	159.00	152.68	0.0010	60.07	58.70	2506	3.2390	1.2599	3.1956	3.2415
Heart Circle	10y-8h	159.00	153.02	0.0010	64.87	63.50	2614	4.5926	3.2115	4.5265	4.5911
Heart Circle	25y-1h	159.00	152.16	0.0010	48.84	48.49	2211	0.8375	0.4596	0.8004	0.8354
Heart Circle	25y-24h	159.00	151.29	0.0010	30.55	30.52	1858	12.8545	16.1688	12.8192	12.8632
Heart Circle	25y-2h	159.00	152.27	0.0010	51.48	50.81	2285	1.9035	0.5014	1.8655	1.9058
Heart Circle	25y-4h	159.00	154.51	0.0010	95.25	93.19	4442	2.9485	1.1828	2.8533	2.9528
Heart Circle	25y-8h	159.00	155.51	0.0010	120.74	112.38	5613	4.2759	5.2011	4.1857	4.2753
Heart Circle	2y-1h	159.00	150.75	0.0010	20.05	19.90	1704	0.8795	0.5504	0.8653	0.8789
Heart	2y-24h	159.00	150.12	0.0010	8.98	8.98	1579	15.0974	6.6235	15.0658	15.0861

Node Name	Sim Name	Warning Stage [ft]	Max Stage [ft]	Min/Max Delta Stage [ft]	Max Total Inflow [cfs]	Max Total Outflow [cfs]	Max Surface Area [ft2]	Time to Max Stage [hr]	Time to Min/Max Delta Stage [hr]	Time to Max Total Inflow [hr]	Time to Max Total Outflow [hr]
Circle											
Heart Circle	2y-2h	159.00	150.80	0.0010	21.00	20.90	1709	1.0326	0.6046	0.9999	1.0290
Heart Circle	2y-4h	159.00	150.74	0.0010	19.59	19.56	1703	2.6365	1.4796	2.6167	2.6350
Heart Circle	2y-8h	159.00	150.88	0.0010	22.52	22.45	1716	4.1062	3.1205	4.0834	4.1052
Heart Circle	5y-1h	159.00	151.24	0.0010	29.70	29.55	1835	0.8524	0.5098	0.8333	0.8556
Heart Circle	5y-24h	159.00	150.56	0.0010	16.15	16.14	1676	16.1532	5.2155	16.1294	16.1471
Heart Circle	5y-2h	159.00	151.17	0.0010	28.22	28.08	1804	1.0127	0.4831	0.9834	1.0172
Heart Circle	5y-4h	159.00	151.16	0.0010	27.80	27.76	1797	2.6183	1.3849	2.5998	2.6242
Heart Circle	5y-8h	159.00	151.99	0.0010	45.08	44.97	2101	5.0368	2.2700	5.0045	5.0409

Node Stage: Heart Circle [Icpr3]



Node: IMP #1

Scenario: Icpr3
Type: Stage/Area
Base Flow: 0.00 cfs
Initial Stage: 172.00 ft
Warning Stage: 176.00 ft

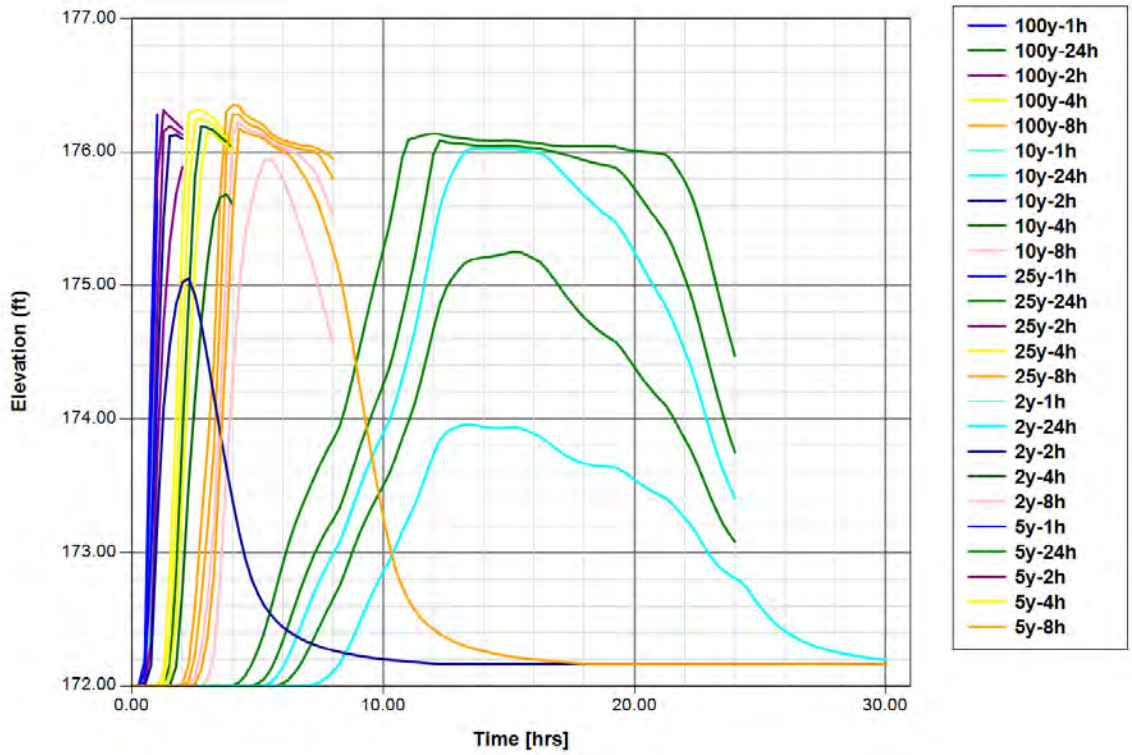
Stage [ft]	Area [ac]	Area [ft2]
172.00	0.2000	8712
173.00	0.2200	9583
174.00	0.4100	17860
175.00	0.5100	22216
176.00	0.7000	30492
177.00	0.8400	36590

Comment:

Node Max Conditions w/ Times [Icpr3]

Node Name	Sim Name	Warning Stage [ft]	Max Stage [ft]	Min/Max Delta Stage [ft]	Max Total Inflow [cfs]	Max Total Outflow [cfs]	Max Surface Area [ft2]	Time to Max Stage [hr]	Time to Min/Max Delta Stage [hr]	Time to Max Total Inflow [hr]	Time to Max Total Outflow [hr]
IMP #1	100y-1h	176.00	176.28	0.0010	73.55	59.41	32211	1.0001	0.7314	0.8667	1.0001
IMP #1	100y-24h	176.00	176.14	0.0010	27.12	27.07	31342	12.1079	5.0135	12.0682	12.1109
IMP #1	100y-2h	176.00	176.33	0.0010	76.58	71.98	32488	1.1593	0.7189	1.0333	1.1594
IMP #1	100y-4h	176.00	176.32	0.0010	69.63	69.50	32435	2.6495	1.6811	2.6167	2.6497
IMP #1	100y-8h	176.00	176.36	0.0010	82.80	82.56	32705	4.1274	3.5097	4.1001	4.1275
IMP #1	10y-1h	176.00	174.94	0.0010	38.76	8.08	21945	1.0000	0.7405	0.8834	1.0000
IMP #1	10y-24h	176.00	176.03	0.0010	15.64	11.45	30655	13.5109	5.8761	12.0835	13.5122
IMP #1	10y-2h	176.00	176.14	0.0010	39.33	27.25	31348	1.5938	1.0768	1.0666	1.5942
IMP #1	10y-4h	176.00	176.19	0.0010	38.83	37.91	31670	2.7528	1.7444	2.6501	2.7528
IMP #1	10y-8h	176.00	176.23	0.0010	47.38	46.81	31907	4.1665	3.5405	4.1166	4.1665
IMP #1	25y-1h	176.00	175.64	0.0010	52.55	9.43	27528	1.0001	0.6375	0.8833	1.0001
IMP #1	25y-24h	176.00	176.09	0.0010	18.97	18.20	31013	12.2371	22.3735	12.0830	12.2371
IMP #1	25y-2h	176.00	176.21	0.0010	51.79	41.85	31778	1.3478	0.7223	1.0500	1.3478
IMP #1	25y-4h	176.00	176.25	0.0010	51.14	51.00	32012	2.6689	2.1720	2.6333	2.6691
IMP #1	25y-8h	176.00	176.29	0.0010	62.86	62.64	32284	4.1378	3.4034	4.1000	4.1378
IMP #1	2y-1h	176.00	173.65	0.0010	17.51	4.31	14965	1.0001	0.7554	0.9166	1.0001
IMP #1	2y-24h	176.00	173.96	0.0010	6.85	5.53	17519	13.3394	8.7285	12.1154	13.3208
IMP #1	2y-2h	176.00	175.06	0.0010	19.33	8.34	22711	2.1778	1.2416	1.1000	2.1778
IMP #1	2y-4h	176.00	175.69	0.0010	19.87	9.50	27907	3.6934	1.8837	2.6833	3.6934
IMP #1	2y-8h	176.00	175.95	0.0010	23.30	9.94	30102	5.4067	6.3268	4.1335	5.4067
IMP #1	5y-1h	176.00	174.36	0.0010	28.67	6.63	19411	1.0001	0.7081	0.9000	1.0001
IMP #1	5y-24h	176.00	175.25	0.0010	12.06	8.71	24324	15.2657	10.3278	12.0998	15.2657
IMP #1	5y-2h	176.00	175.89	0.0010	27.89	9.84	29586	2.0003	1.4444	1.0833	2.0003
IMP #1	5y-4h	176.00	176.15	0.0010	30.95	28.45	31387	3.0380	1.7238	2.6667	3.0383
IMP #1	5y-8h	176.00	176.18	0.0010	38.63	34.59	31576	4.2774	3.6505	4.1167	4.2774

Node Stage: IMP #1 [Icpr3]



Node: IMP #2

Scenario: Icpr3
Type: Stage/Area
Base Flow: 0.00 cfs
Initial Stage: 158.37 ft
Warning Stage: 162.00 ft

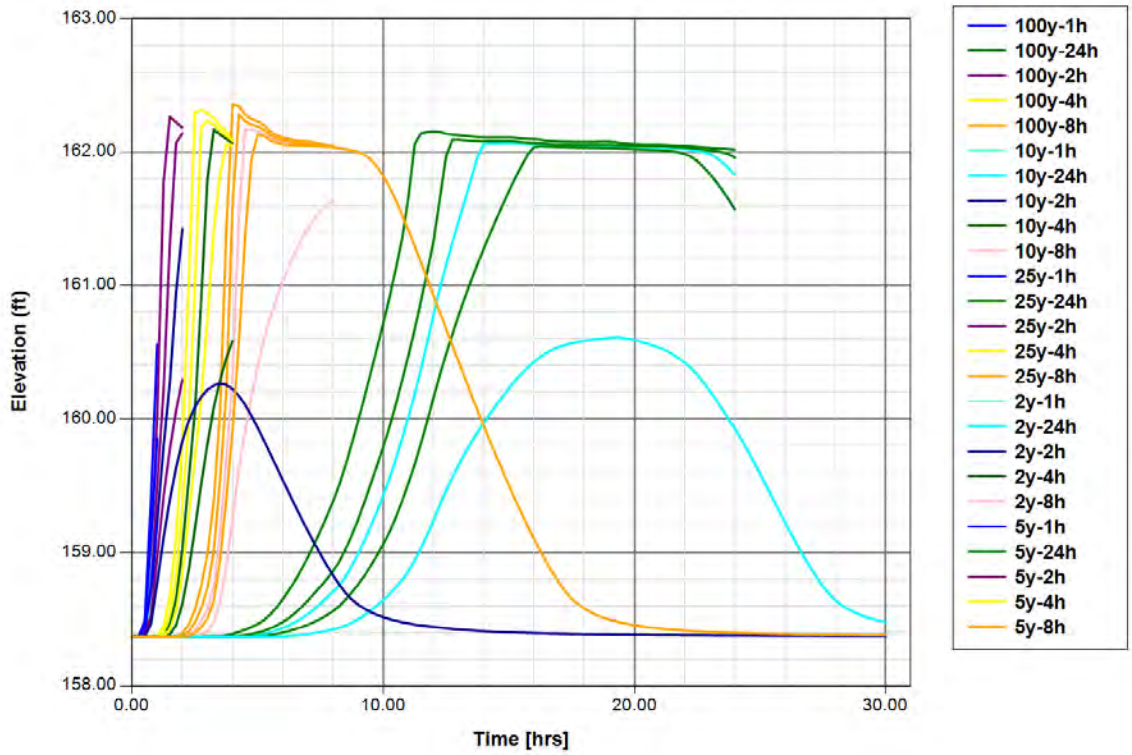
Stage [ft]	Area [ac]	Area [ft2]
155.00	0.1700	7405
156.00	0.3200	13939
157.00	0.4600	20038
158.00	0.6100	26572
159.00	0.7000	30492
160.00	0.8300	36155
161.00	0.9500	41382
162.00	1.0900	47480
163.00	1.2000	52272

Comment:

Node Max Conditions w/ Times [Icpr3]

Node Name	Sim Name	Warning Stage [ft]	Max Stage [ft]	Min/Max Delta Stage [ft]	Max Total Inflow [cfs]	Max Total Outflow [cfs]	Max Surface Area [ft2]	Time to Max Stage [hr]	Time to Min/Max Delta Stage [hr]	Time to Max Total Inflow [hr]	Time to Max Total Outflow [hr]
IMP #2	100y-1h	162.00	160.56	0.0010	82.00	5.59	39089	1.0001	0.9878	1.0001	1.0001
IMP #2	100y-24h	162.00	162.16	0.0010	37.10	37.02	48225	12.0927	10.9471	12.0556	12.0927
IMP #2	100y-2h	162.00	162.27	0.0010	100.22	76.57	48784	1.4245	1.0873	1.1397	1.4246
IMP #2	100y-4h	162.00	162.32	0.0010	96.24	95.70	49021	2.6314	2.1797	2.5833	2.6257
IMP #2	100y-8h	162.00	162.37	0.0010	114.93	114.33	49235	4.1072	3.6261	4.0758	4.1036
IMP #2	10y-1h	162.00	159.50	0.0004	26.50	4.03	33349	1.0000	0.8549	0.8167	1.0000
IMP #2	10y-24h	162.00	162.07	0.0010	15.56	15.44	47797	15.0725	9.7406	13.4897	15.0856
IMP #2	10y-2h	162.00	161.43	0.0010	36.67	6.61	43981	2.0004	1.5716	1.5713	2.0004
IMP #2	10y-4h	162.00	162.17	0.0010	52.26	41.41	48296	3.2189	2.6268	2.7267	3.2189
IMP #2	10y-8h	162.00	162.18	0.0010	65.18	44.54	48345	4.5429	4.0052	4.1198	4.5431
IMP #2	25y-1h	162.00	159.85	0.0004	34.25	4.60	35321	1.0001	0.9969	0.7981	1.0001
IMP #2	25y-24h	162.00	162.09	0.0010	24.63	20.94	47925	12.8388	9.5762	12.2074	12.8388
IMP #2	25y-2h	162.00	162.15	0.0010	57.36	35.59	48201	1.8869	1.2822	1.3307	1.8875
IMP #2	25y-4h	162.00	162.24	0.0010	71.10	64.78	48633	2.8693	2.4076	2.6000	2.8695
IMP #2	25y-8h	162.00	162.29	0.0010	87.77	81.74	48848	4.2065	3.8270	4.0833	4.2045
IMP #2	2y-1h	162.00	158.90	0.0003	12.88	2.76	30119	1.0001	0.9656	0.8691	1.0001
IMP #2	2y-24h	162.00	160.61	0.0010	7.79	5.66	39349	19.2504	24.2194	13.0592	19.2504
IMP #2	2y-2h	162.00	160.27	0.0010	14.28	5.20	37542	3.5417	5.4659	1.1713	3.5508
IMP #2	2y-4h	162.00	160.59	0.0010	16.20	5.63	39219	4.0008	3.6208	3.0330	4.0008
IMP #2	2y-8h	162.00	161.63	0.0010	18.06	6.83	45251	8.0013	4.9634	4.0834	8.0013
IMP #2	5y-1h	162.00	159.23	0.0004	20.19	3.51	31796	1.0001	0.9759	0.8476	1.0001
IMP #2	5y-24h	162.00	162.04	0.0010	12.42	11.27	47678	16.1826	10.9430	12.0808	16.1860
IMP #2	5y-2h	162.00	160.30	0.0010	19.74	5.25	37712	2.0003	1.7871	1.0321	2.0003
IMP #2	5y-4h	162.00	162.06	0.0010	39.15	15.22	47791	3.8253	2.9203	3.0167	3.8253
IMP #2	5y-8h	162.00	162.13	0.0010	46.57	30.95	48121	5.0244	11.0196	4.2590	5.0244

Node Stage: IMP #2 [Icpr3]



Manual Basin: HC Culvert - East

Scenario:	Icpr3
Node:	Heart Circle
Hydrograph Method:	NRCS Unit Hydrograph
Infiltration Method:	Curve Number
Time of Concentration:	19.0000 min
Max Allowable Q:	0.00 cfs
Time Shift:	0.0000 hr
Unit Hydrograph:	UH323
Peaking Factor:	323.0

Area [ac]	Land Cover Zone	Soil Zone	Rainfall Name
15.8900	HC Culvert - East	HC Culvert - East	

Comment:

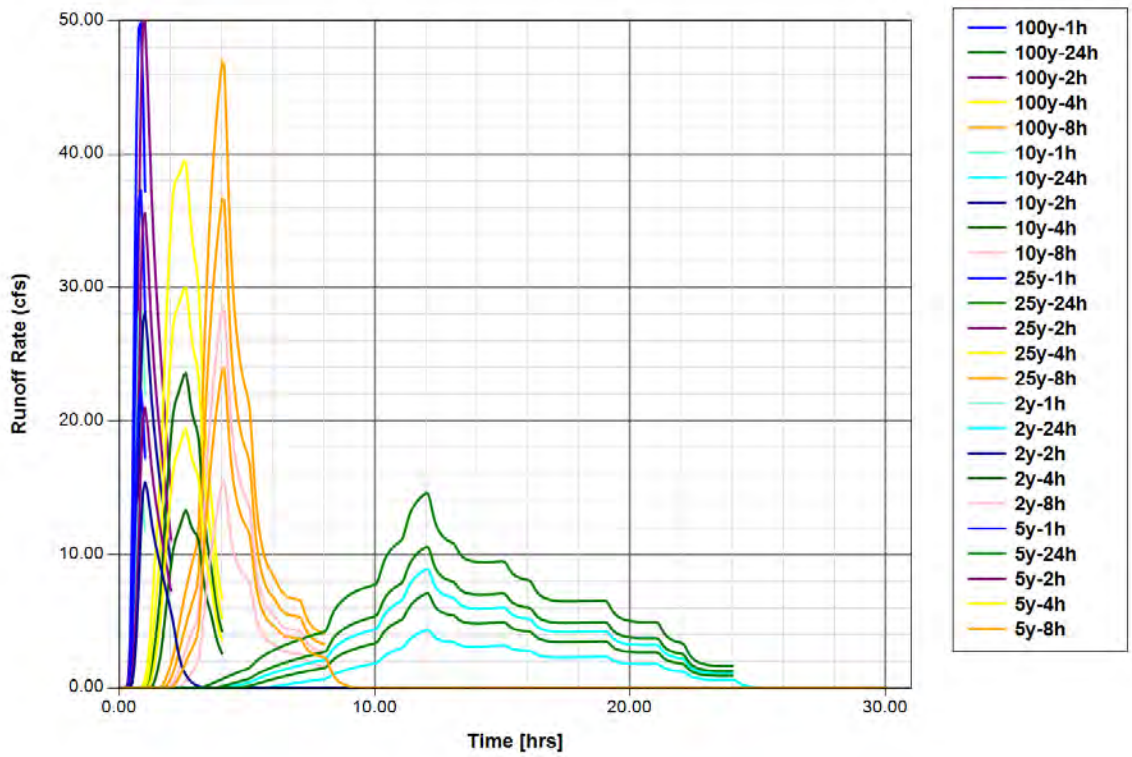
Manual Basin Runoff Summary [Icpr3]

Basin	Sim Name	Max Flow	Time to	Total	Total	Area [ac]	Equivalent	% Imperv	% DCIA

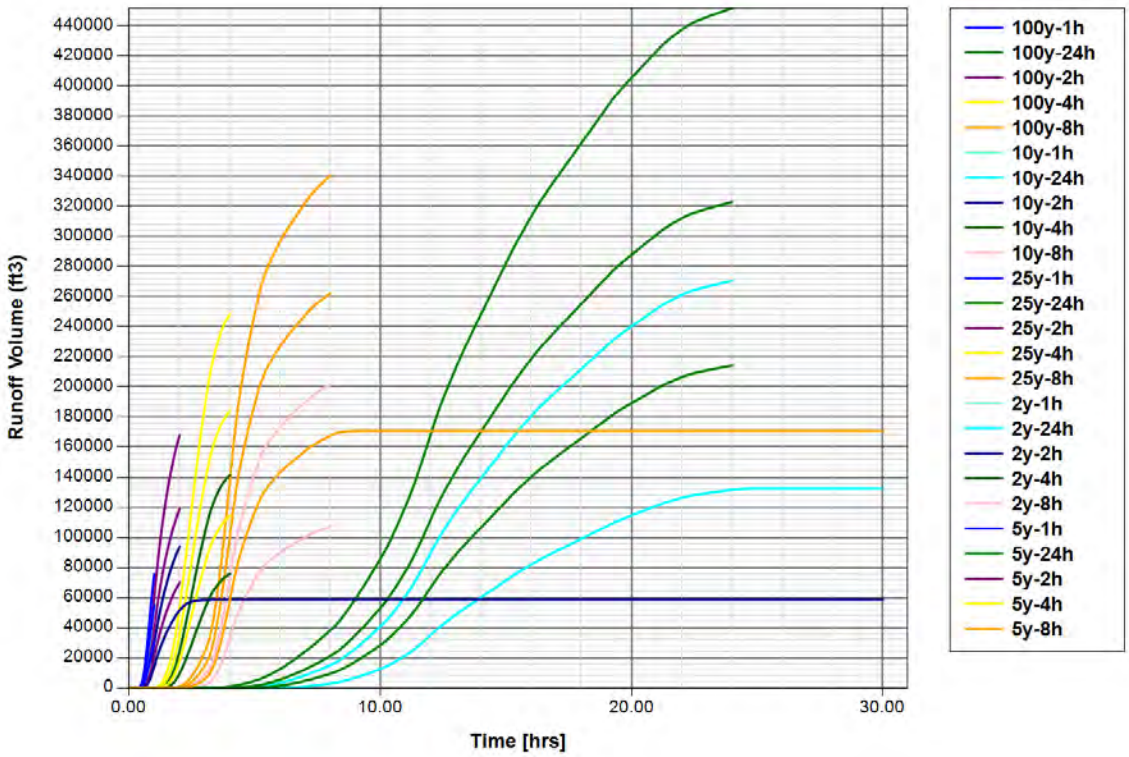
Basin Name	Sim Name	Max Flow [cfs]	Time to Max Flow [hrs]	Total Rainfall [in]	Total Runoff [in]	Area [ac]	Equivalent Curve Number	% Imperv	% DCIA
HC Culvert - East	100y-1h	50.40	0.8000	4.40	1.31	15.8900	76.0	0.00	0.00
HC Culvert - East	100y-24h	14.61	12.0333	10.90	7.83	15.8900	76.0	0.00	0.00
HC Culvert - East	100y-2h	50.63	0.9500	5.80	2.91	15.8900	76.0	0.00	0.00
HC Culvert - East	100y-4h	39.55	2.5500	7.20	4.31	15.8900	76.0	0.00	0.00
HC Culvert - East	100y-8h	47.12	4.0500	8.90	5.90	15.8900	76.0	0.00	0.00
HC Culvert - East	10y-1h	28.87	0.8167	3.20	0.71	15.8900	76.0	0.00	0.00
HC Culvert - East	10y-24h	8.91	12.0500	7.50	4.69	15.8900	76.0	0.00	0.00
HC Culvert - East	10y-2h	28.29	0.9667	4.10	1.63	15.8900	76.0	0.00	0.00
HC Culvert - East	10y-4h	23.62	2.5833	5.00	2.45	15.8900	76.0	0.00	0.00
HC Culvert - East	10y-8h	28.73	4.0667	6.20	3.50	15.8900	76.0	0.00	0.00
HC Culvert - East	25y-1h	37.54	0.8000	3.70	0.95	15.8900	76.0	0.00	0.00
HC Culvert - East	25y-24h	10.58	12.0333	8.50	5.60	15.8900	76.0	0.00	0.00
HC Culvert - East	25y-2h	35.93	0.9667	4.70	2.06	15.8900	76.0	0.00	0.00
HC Culvert - East	25y-4h	30.07	2.5667	5.90	3.19	15.8900	76.0	0.00	0.00
HC Culvert - East	25y-8h	36.85	4.0500	7.40	4.55	15.8900	76.0	0.00	0.00
HC Culvert - East	2y-1h	14.82	0.8333	2.30	0.34	15.8900	76.0	0.00	0.00
HC Culvert - East	2y-24h	4.35	12.0500	4.70	2.30	15.8900	76.0	0.00	0.00
HC Culvert - East	2y-2h	15.43	0.9833	3.00	1.02	15.8900	76.0	0.00	0.00
HC Culvert - East	2y-4h	13.29	2.6000	3.50	1.31	15.8900	76.0	0.00	0.00
HC Culvert - East	2y-8h	15.62	4.0833	4.20	1.86	15.8900	76.0	0.00	0.00
HC Culvert - East	5y-1h	22.33	0.8167	2.80	0.54	15.8900	76.0	0.00	0.00
HC Culvert - East	5y-24h	7.09	12.0500	6.40	3.72	15.8900	76.0	0.00	0.00
HC Culvert - East	5y-2h	21.05	0.9833	3.50	1.22	15.8900	76.0	0.00	0.00
HC Culvert	5y-4h	19.40	2.5833	4.40	1.98	15.8900	76.0	0.00	0.00

Basin Name	Sim Name	Max Flow [cfs]	Time to Max Flow [hrs]	Total Rainfall [in]	Total Runoff [in]	Area [ac]	Equivalent Curve Number	% Imperv	% DCIA
- East									
HC Culvert - East	5y-8h	24.05	4.0667	5.50	2.96	15.8900	76.0	0.00	0.00

Manual Basin Runoff Rate: HC Culvert - East [Icpr3]



Manual Basin Runoff Volume: HC Culvert - East



Manual Basin: HC Culvert - West

Scenario:	Icpr3
Node:	Heart Circle
Hydrograph Method:	NRCS Unit Hydrograph
Infiltration Method:	Curve Number
Time of Concentration:	16.3200 min
Max Allowable Q:	0.00 cfs
Time Shift:	0.0000 hr
Unit Hydrograph:	UH323
Peaking Factor:	323.0

Area [ac]	Land Cover Zone	Soil Zone	Rainfall Name
2.9400	HC Culvert - West	HC Culvert - West	

Comment:

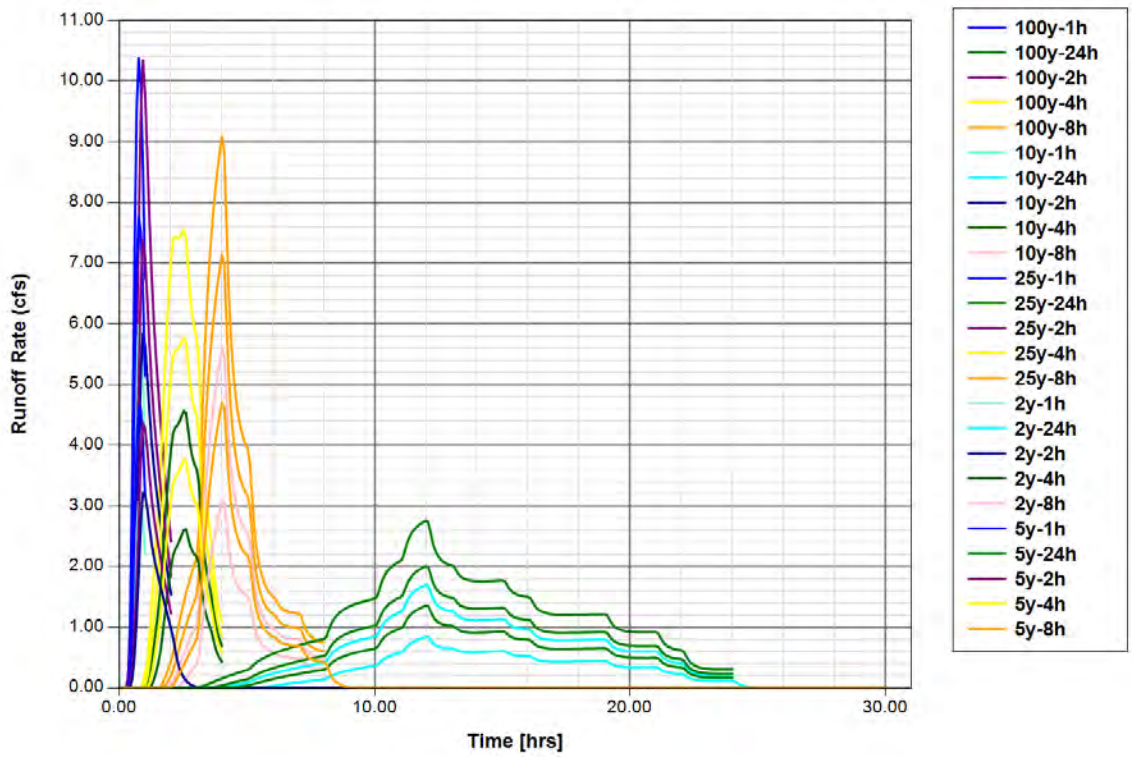
Manual Basin Runoff Summary [Icpr3]

Basin	Sim Name	Max Flow	Time to	Total	Total	Area [ac]	Equivalent	% Imperv	% DCIA

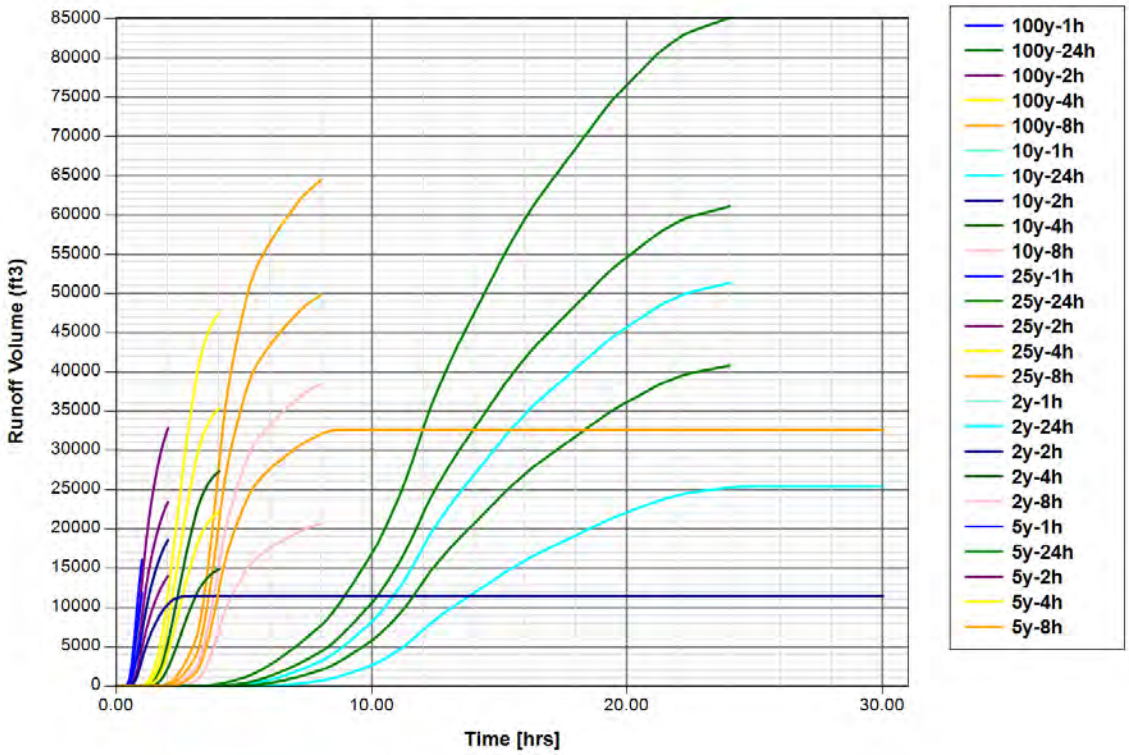
Basin Name	Sim Name	Max Flow [cfs]	Time to Max Flow [hrs]	Total Rainfall [in]	Total Runoff [in]	Area [ac]	Equivalent Curve Number	% Imperv	% DCIA
HC Culvert - West	100y-1h	10.38	0.7667	4.40	1.51	2.9400	77.0	0.00	0.00
HC Culvert - West	100y-24h	2.76	12.0167	10.90	7.97	2.9400	77.0	0.00	0.00
HC Culvert - West	100y-2h	10.34	0.9167	5.80	3.07	2.9400	77.0	0.00	0.00
HC Culvert - West	100y-4h	7.55	2.5167	7.20	4.45	2.9400	77.0	0.00	0.00
HC Culvert - West	100y-8h	9.09	4.0333	8.90	6.04	2.9400	77.0	0.00	0.00
HC Culvert - West	10y-1h	6.02	0.7833	3.20	0.84	2.9400	77.0	0.00	0.00
HC Culvert - West	10y-24h	1.70	12.0333	7.50	4.81	2.9400	77.0	0.00	0.00
HC Culvert - West	10y-2h	5.86	0.9333	4.10	1.74	2.9400	77.0	0.00	0.00
HC Culvert - West	10y-4h	4.57	2.5500	5.00	2.56	2.9400	77.0	0.00	0.00
HC Culvert - West	10y-8h	5.61	4.0500	6.20	3.61	2.9400	77.0	0.00	0.00
HC Culvert - West	25y-1h	7.78	0.7667	3.70	1.11	2.9400	77.0	0.00	0.00
HC Culvert - West	25y-24h	2.01	12.0167	8.50	5.72	2.9400	77.0	0.00	0.00
HC Culvert - West	25y-2h	7.40	0.9333	4.70	2.20	2.9400	77.0	0.00	0.00
HC Culvert - West	25y-4h	5.78	2.5333	5.90	3.31	2.9400	77.0	0.00	0.00
HC Culvert - West	25y-8h	7.15	4.0333	7.40	4.67	2.9400	77.0	0.00	0.00
HC Culvert - West	2y-1h	3.15	0.8000	2.30	0.41	2.9400	77.0	0.00	0.00
HC Culvert - West	2y-24h	0.84	12.0333	4.70	2.38	2.9400	77.0	0.00	0.00
HC Culvert - West	2y-2h	3.25	0.9500	3.00	1.07	2.9400	77.0	0.00	0.00
HC Culvert - West	2y-4h	2.62	2.5667	3.50	1.39	2.9400	N/A	0.00	0.00
HC Culvert - West	2y-8h	3.11	4.0500	4.20	1.94	2.9400	77.0	0.00	0.00
HC Culvert - West	5y-1h	4.69	0.7833	2.80	0.64	2.9400	77.0	0.00	0.00
HC Culvert - West	5y-24h	1.36	12.0333	6.40	3.82	2.9400	77.0	0.00	0.00
HC Culvert - West	5y-2h	4.40	0.9500	3.50	1.31	2.9400	N/A	0.00	0.00
HC Culvert	5y-4h	3.78	2.5500	4.40	2.08	2.9400	77.0	0.00	0.00

Basin Name	Sim Name	Max Flow [cfs]	Time to Max Flow [hrs]	Total Rainfall [in]	Total Runoff [in]	Area [ac]	Equivalent Curve Number	% Imperv	% DCIA
- West									
HC Culvert - West	5y-8h	4.72	4.0500	5.50	3.05	2.9400	77.0	0.00	0.00

Manual Basin Runoff Rate: HC Culvert - West [Icpr3]



Manual Basin Runoff Volume: HC Culvert - West



Manual Basin: IMP #1

Scenario:	Icpr3
Node:	IMP #1
Hydrograph Method:	NRCS Unit Hydrograph
Infiltration Method:	Curve Number
Time of Concentration:	23.9400 min
Max Allowable Q:	999999.00 cfs
Time Shift:	0.0000 hr
Unit Hydrograph:	Uh323
Peaking Factor:	323.0

Area [ac]	Land Cover Zone	Soil Zone	Rainfall Name
32.9800	IMP #1	IMP #1	

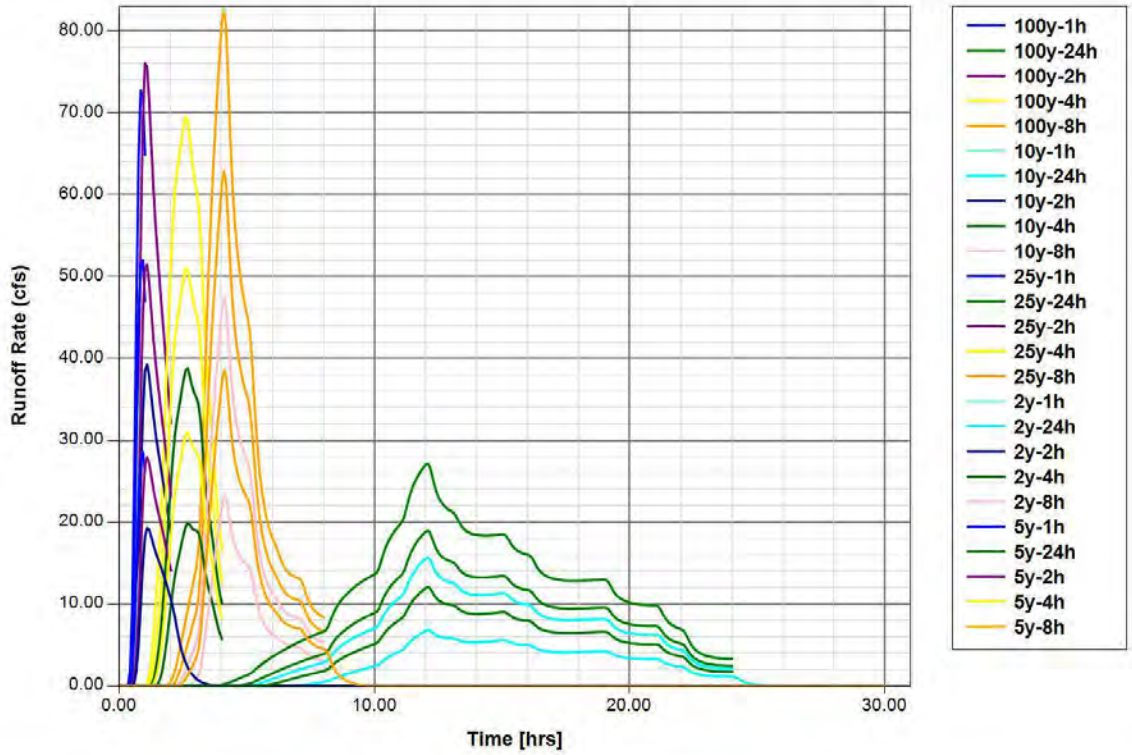
Comment:

Manual Basin Runoff Summary [Icpr3]

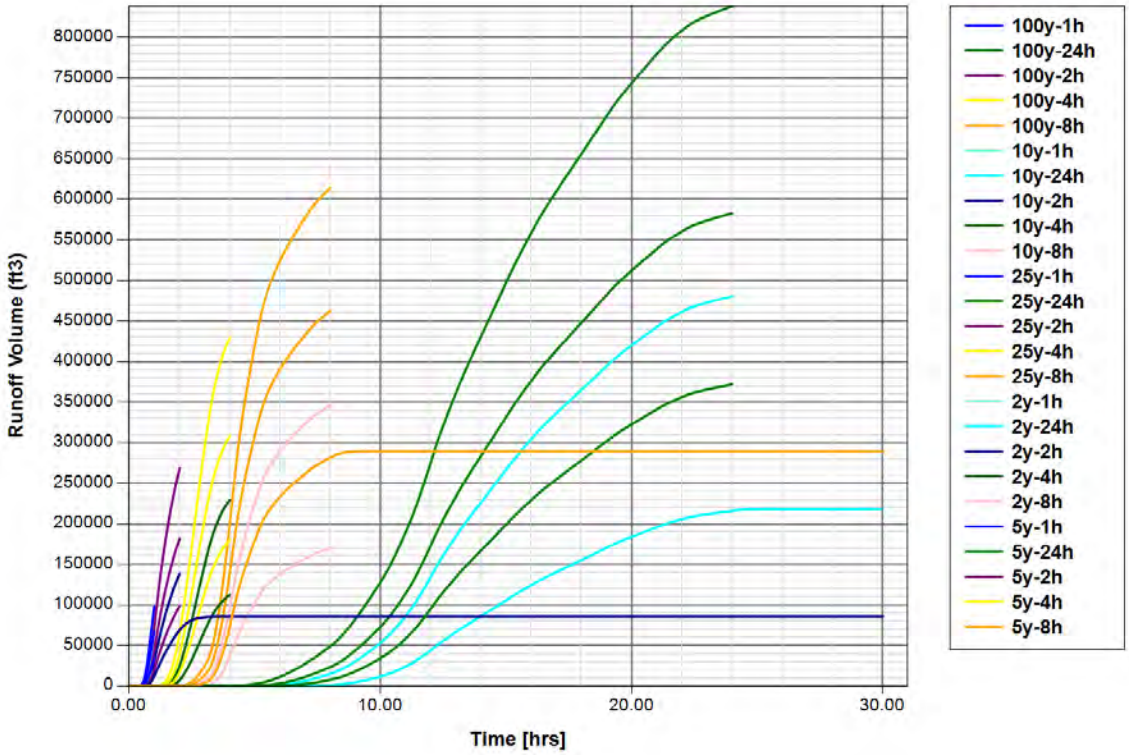
Basin	Sim Name	Max Flow	Time to	Total	Total	Area [ac]	Equivalent	% Imperv	% DCIA

Basin Name	Sim Name	Max Flow [cfs]	Time to Max Flow [hrs]	Total Rainfall [in]	Total Runoff [in]	Area [ac]	Equivalent Curve Number	% Imperv	% DCIA
IMP #1	100y-1h	73.55	0.8667	4.40	0.82	32.9800	70.0	0.00	0.00
IMP #1	100y-24h	27.13	12.0667	10.90	7.01	32.9800	70.0	0.00	0.00
IMP #1	100y-2h	76.58	1.0333	5.80	2.24	32.9800	70.0	0.00	0.00
IMP #1	100y-4h	69.63	2.6167	7.20	3.59	32.9800	70.0	0.00	0.00
IMP #1	100y-8h	82.80	4.1000	8.90	5.14	32.9800	70.0	0.00	0.00
IMP #1	10y-1h	38.76	0.8833	3.20	0.40	32.9800	70.0	0.00	0.00
IMP #1	10y-24h	15.64	12.0833	7.50	4.02	32.9800	70.0	0.00	0.00
IMP #1	10y-2h	39.33	1.0667	4.10	1.16	32.9800	70.0	0.00	0.00
IMP #1	10y-4h	38.83	2.6500	5.00	1.92	32.9800	70.0	0.00	0.00
IMP #1	10y-8h	47.38	4.1167	6.20	2.89	32.9800	70.0	0.00	0.00
IMP #1	25y-1h	52.55	0.8833	3.70	0.56	32.9800	70.0	0.00	0.00
IMP #1	25y-24h	18.97	12.0833	8.50	4.87	32.9800	70.0	0.00	0.00
IMP #1	25y-2h	51.79	1.0500	4.70	1.52	32.9800	70.0	0.00	0.00
IMP #1	25y-4h	51.14	2.6333	5.90	2.58	32.9800	70.0	0.00	0.00
IMP #1	25y-8h	62.86	4.1000	7.40	3.87	32.9800	70.0	0.00	0.00
IMP #1	2y-1h	17.51	0.9167	2.30	0.16	32.9800	70.0	0.00	0.00
IMP #1	2y-24h	6.85	12.1167	4.70	1.82	32.9800	70.0	0.00	0.00
IMP #1	2y-2h	19.33	1.1000	3.00	0.72	32.9800	70.0	0.00	0.00
IMP #1	2y-4h	19.87	2.6833	3.50	0.94	32.9800	70.0	0.00	0.00
IMP #1	2y-8h	23.30	4.1333	4.20	1.42	32.9800	70.0	0.00	0.00
IMP #1	5y-1h	28.67	0.9000	2.80	0.29	32.9800	70.0	0.00	0.00
IMP #1	5y-24h	12.06	12.1000	6.40	3.11	32.9800	70.0	0.00	0.00
IMP #1	5y-2h	27.89	1.0833	3.50	0.83	32.9800	70.0	0.00	0.00
IMP #1	5y-4h	30.95	2.6667	4.40	1.50	32.9800	70.0	0.00	0.00
IMP #1	5y-8h	38.63	4.1167	5.50	2.42	32.9800	70.0	0.00	0.00

Manual Basin Runoff Rate: IMP #1 [Icpr3]



Manual Basin Runoff Volume: IMP #1



Manual Basin: IMP #2

Scenario:	Icpr3
Node:	IMP #2
Hydrograph Method:	NRCS Unit Hydrograph
Infiltration Method:	Curve Number
Time of Concentration:	14.4600 min
Max Allowable Q:	999999.00 cfs
Time Shift:	0.0000 hr
Unit Hydrograph:	Uh323
Peaking Factor:	323.0

Area [ac]	Land Cover Zone	Soil Zone	Rainfall Name
11.0700	IMP #2	IMP #2	

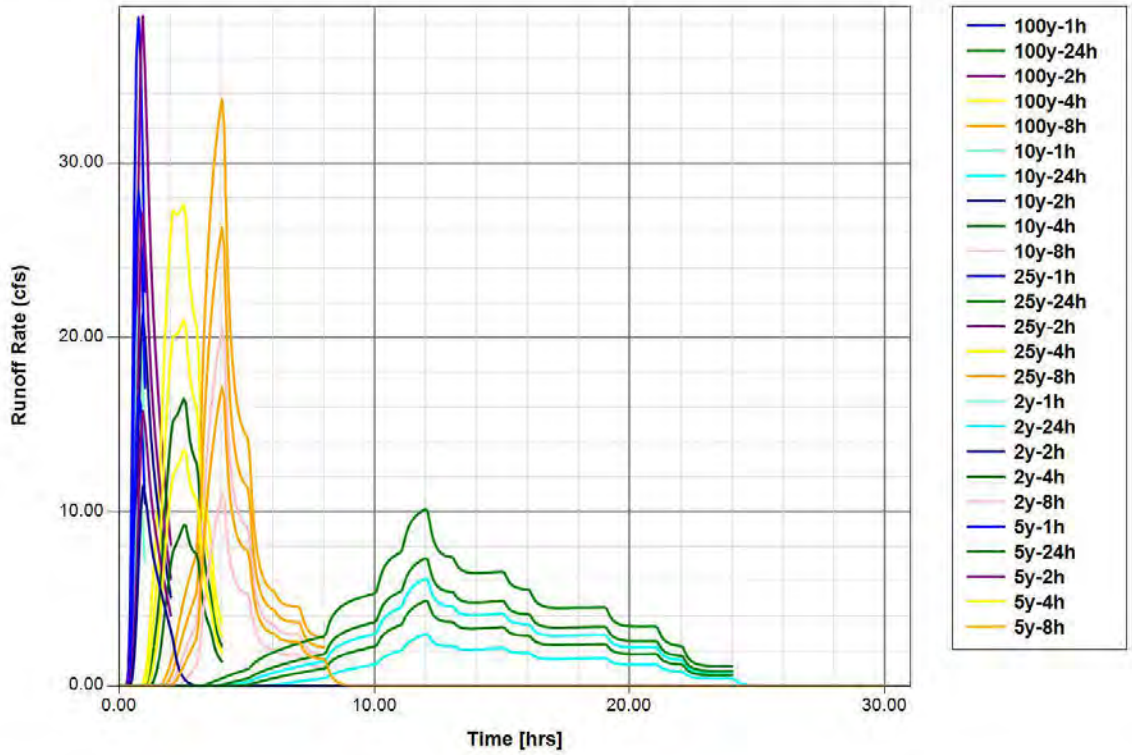
Comment:

Manual Basin Runoff Summary [Icpr3]

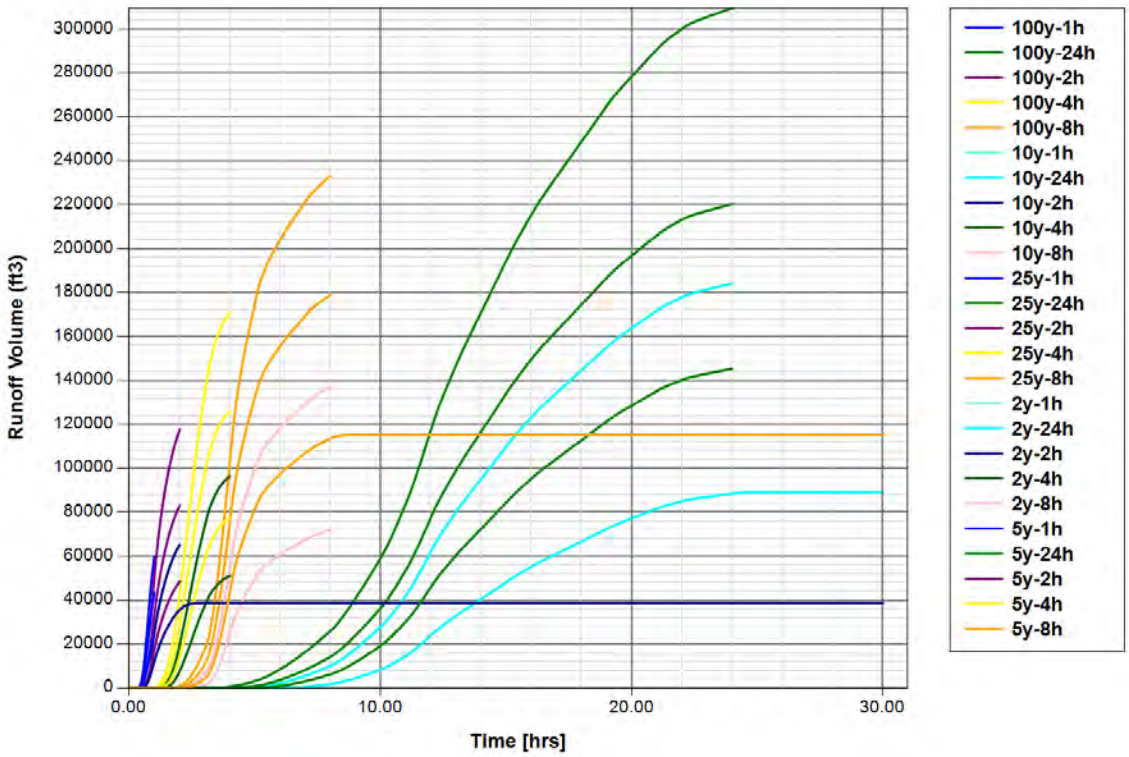
Basin	Sim Name	Max Flow	Time to	Total	Total	Area [ac]	Equivalent	% Imperv	% DCIA

Basin Name	Sim Name	Max Flow [cfs]	Time to Max Flow [hrs]	Total Rainfall [in]	Total Runoff [in]	Area [ac]	Equivalent Curve Number	% Imperv	% DCIA
IMP #2	100y-1h	38.37	0.7500	4.40	1.48	11.0700	75.0	0.00	0.00
IMP #2	100y-24h	10.15	12.0167	10.90	7.70	11.0700	75.0	0.00	0.00
IMP #2	100y-2h	38.48	0.9000	5.80	2.93	11.0700	75.0	0.00	0.00
IMP #2	100y-4h	27.61	2.5167	7.20	4.25	11.0700	75.0	0.00	0.00
IMP #2	100y-8h	33.67	4.0333	8.90	5.80	11.0700	75.0	0.00	0.00
IMP #2	10y-1h	21.76	0.7667	3.20	0.80	11.0700	75.0	0.00	0.00
IMP #2	10y-24h	6.16	12.0167	7.50	4.58	11.0700	75.0	0.00	0.00
IMP #2	10y-2h	21.32	0.9167	4.10	1.62	11.0700	75.0	0.00	0.00
IMP #2	10y-4h	16.50	2.5333	5.00	2.40	11.0700	75.0	0.00	0.00
IMP #2	10y-8h	20.51	4.0333	6.20	3.41	11.0700	75.0	0.00	0.00
IMP #2	25y-1h	28.45	0.7500	3.70	1.07	11.0700	75.0	0.00	0.00
IMP #2	25y-24h	7.33	12.0167	8.50	5.48	11.0700	75.0	0.00	0.00
IMP #2	25y-2h	27.17	0.9167	4.70	2.07	11.0700	75.0	0.00	0.00
IMP #2	25y-4h	21.01	2.5333	5.90	3.13	11.0700	75.0	0.00	0.00
IMP #2	25y-8h	26.33	4.0333	7.40	4.45	11.0700	75.0	0.00	0.00
IMP #2	2y-1h	11.01	0.7833	2.30	0.38	11.0700	75.0	0.00	0.00
IMP #2	2y-24h	2.97	12.0333	4.70	2.21	11.0700	75.0	0.00	0.00
IMP #2	2y-2h	11.47	0.9333	3.00	0.96	11.0700	75.0	0.00	0.00
IMP #2	2y-4h	9.28	2.5667	3.50	1.27	11.0700	75.0	0.00	0.00
IMP #2	2y-8h	11.12	4.0500	4.20	1.79	11.0700	75.0	0.00	0.00
IMP #2	5y-1h	16.74	0.7667	2.80	0.61	11.0700	75.0	0.00	0.00
IMP #2	5y-24h	4.88	12.0167	6.40	3.62	11.0700	75.0	0.00	0.00
IMP #2	5y-2h	15.76	0.9167	3.50	1.21	11.0700	75.0	0.00	0.00
IMP #2	5y-4h	13.56	2.5500	4.40	1.93	11.0700	75.0	0.00	0.00
IMP #2	5y-8h	17.16	4.0333	5.50	2.87	11.0700	75.0	0.00	0.00

Manual Basin Runoff Rate: IMP #2 [Icpr3]



Manual Basin Runoff Volume: IMP #2



Pipe Link: HC Culvert		Upstream		Downstream	
Scenario:	Icpr3	Invert:	148.94 ft	Invert:	148.13 ft
From Node:	Heart Circle	Manning's N:	0.0130	Manning's N:	0.0130
To Node:	BNDY	Geometry: Circular		Geometry: Circular	
Link Count:	1	Max Depth:	4.00 ft	Max Depth:	4.00 ft
Flow Direction:	Both	Bottom Clip			
Dampening:	0.0000 ft	Default:	0.00 ft	Default:	0.00 ft
Length:	326.13 ft	Op Table:		Op Table:	
FHWA Code:	1	Ref Node:		Ref Node:	
Entr Loss Coef:	0.00	Manning's N:	0.0000	Manning's N:	0.0000
Exit Loss Coef:	1.00	Top Clip			
Bend Loss Coef:	0.00	Default:	0.00 ft	Default:	0.00 ft
Bend Location:	0.00 ft	Op Table:		Op Table:	
Energy Switch:	Energy	Ref Node:		Ref Node:	
		Manning's N:	0.0000	Manning's N:	0.0000

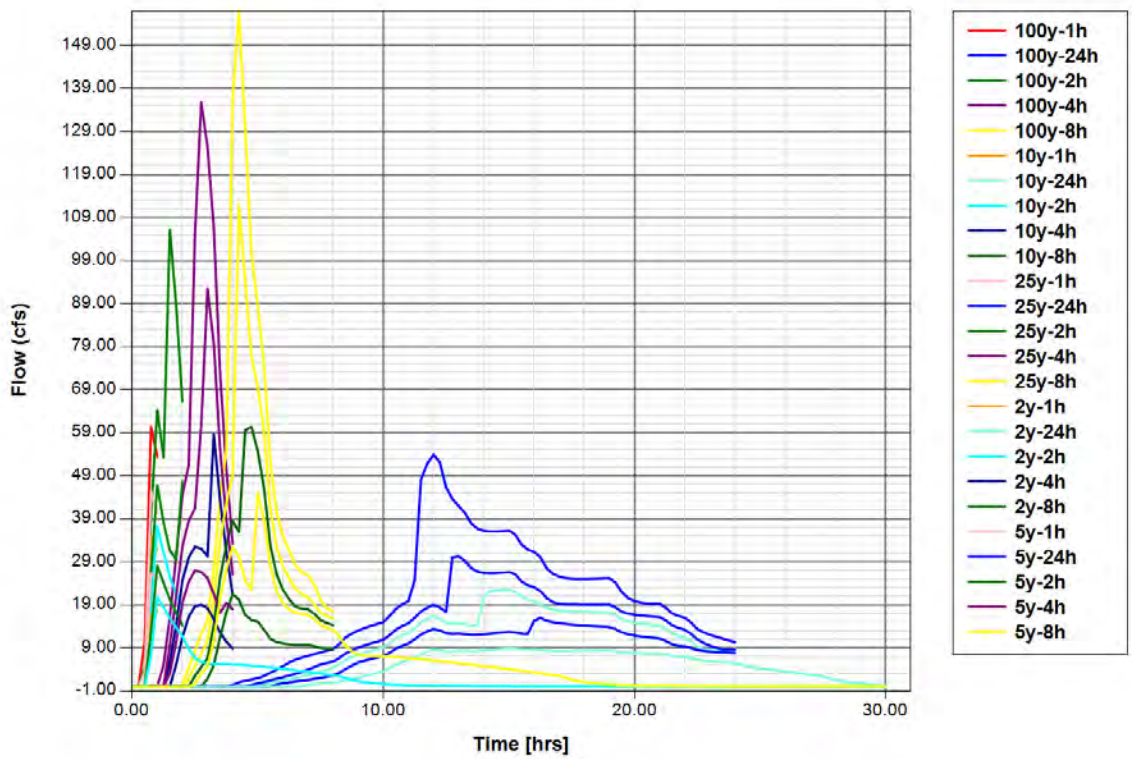
Comment:

Link Min/Max Conditions with Times [Icpr3]

Link Name	Sim Name	Max Flow [cfs]	Min Flow [cfs]	Min/Max Delta Flow [cfs]	Max Us Velocity [fps]	Max Ds Velocity [fps]	Time to Max Flow [hrs]	Time to Min Flow [hrs]	Time to Min/Max Delta Flow [hrs]	Time to Max Us Velocity [hrs]	Time to Max Ds Velocity [hrs]
HC Culvert	100y-1h	63.70	-0.02	0.25	5.07	8.06	0.8437	0.4392	0.8045	0.8437	0.8848
HC Culvert	100y-24h	54.27	-0.02	0.19	4.65	7.59	12.0843	3.9014	12.2115	12.1018	12.1109
HC Culvert	100y-2h	106.19	-0.02	0.33	8.45	10.12	1.5021	0.4479	1.4503	1.5021	1.5021
HC Culvert	100y-4h	135.74	-0.02	0.34	10.80	11.73	2.7391	1.1351	2.5193	2.7391	2.7391
HC Culvert	100y-8h	157.18	-0.02	-0.34	12.51	13.09	4.2091	1.9619	4.5935	4.2091	4.2091
HC Culvert	10y-1h	37.64	-0.02	0.14	4.18	6.78	0.8248	0.4928	0.8787	0.8248	0.8250
HC Culvert	10y-24h	22.60	-0.02	-0.03	3.72	5.76	15.0464	5.0418	15.4754	15.0986	15.0986
HC Culvert	10y-2h	37.21	-0.02	0.14	4.16	6.69	0.9997	0.5421	1.0975	1.0079	1.0079
HC Culvert	10y-4h	58.70	-0.02	-0.22	4.81	7.83	3.2415	1.3221	3.2084	3.2415	3.2084
HC Culvert	10y-8h	63.50	-0.02	0.26	5.05	8.06	4.5911	2.3203	4.5569	4.5911	4.6357
HC Culvert	25y-1h	48.49	-0.02	-0.18	4.47	7.31	0.8354	0.4673	0.7904	0.8412	0.8419
HC Culvert	25y-24h	30.52	-0.02	-0.10	3.98	6.30	12.8632	4.6160	12.7735	13.1020	12.7735
HC Culvert	25y-2h	50.81	-0.02	-0.18	4.54	7.44	1.9058	0.5030	1.8596	1.9066	1.9091
HC Culvert	25y-4h	93.19	-0.02	0.32	7.42	9.46	2.9528	1.2366	2.8862	2.9528	2.9977
HC Culvert	25y-8h	112.38	-0.02	-0.34	8.94	10.43	4.2753	2.1441	4.3086	4.2753	4.3086
HC Culvert	2y-1h	19.90	-0.02	0.03	3.59	5.51	0.8789	0.5607	0.6851	0.8847	0.8847
HC Culvert	2y-24h	8.98	-0.02	-0.02	2.89	4.20	15.0861	6.7083	19.2094	15.1230	15.1230
HC Culvert	2y-2h	20.90	-0.02	0.02	3.64	5.66	1.0290	0.6416	0.8434	1.0380	1.0380
HC Culvert	2y-4h	19.56	-0.02	-0.03	3.57	5.49	2.6350	1.5471	3.2375	2.6444	2.6444
HC Culvert	2y-8h	22.45	-0.02	-0.02	3.71	5.75	4.1052	2.7773	5.1979	4.1105	4.1122
HC Culvert	5y-1h	29.55	-0.02	0.09	3.95	6.20	0.8556	0.5184	0.9824	0.8566	0.8574
HC Culvert	5y-24h	16.14	-0.02	0.02	3.39	5.16	16.1471	5.5700	15.8906	16.1723	16.1723

Link Name	Sim Name	Max Flow [cfs]	Min Flow [cfs]	Min/Max Delta Flow [cfs]	Max Us Velocity [fps]	Max Ds Velocity [fps]	Time to Max Flow [hrs]	Time to Min Flow [hrs]	Time to Min/Max Delta Flow [hrs]	Time to Max Us Velocity [hrs]	Time to Max Ds Velocity [hrs]
HC Culvert	5y-2h	28.08	-0.02	-0.09	3.90	6.14	1.0172	0.5905	0.9233	1.0215	1.0215
HC Culvert	5y-4h	27.76	-0.02	-0.10	3.88	6.12	2.6242	1.3948	2.4282	2.6270	2.6270
HC Culvert	5y-8h	44.97	-0.02	0.16	4.37	7.14	5.0409	2.4454	5.1470	5.0436	5.0436

Link Flow: HC Culvert [Icpr3]



Drop Structure Link: IMP #1 CS		Upstream Pipe		Downstream Pipe	
Scenario:	Icpr3	Invert:	172.07 ft	Invert:	170.54 ft
From Node:	IMP #1	Manning's N:	0.0200	Manning's N:	0.0200
To Node:	IMP #2	Geometry: Circular		Geometry: Circular	
Link Count:	1	Max Depth:	1.50 ft	Max Depth:	1.50 ft

Flow Direction:	Both	Bottom Clip			
Solution:	Combine	Default:	0.00 ft	Default:	0.00 ft
Increments:	10	Op Table:		Op Table:	
Pipe Count:	1	Ref Node:		Ref Node:	
Dampening:	0.0000 ft	Manning's N:	0.0200	Manning's N:	0.0200
Length:	30.00 ft	Top Clip			
FHWA Code:	6	Default:	0.00 ft	Default:	0.00 ft
Entr Loss Coef:	0.00	Op Table:		Op Table:	
Exit Loss Coef:	1.00	Ref Node:		Ref Node:	
Bend Loss Coef:	0.00	Manning's N:	0.0200	Manning's N:	0.0200
Bend Location:	0.00 ft				
Energy Switch:	Energy				

Pipe Comment:

Weir Component			
Weir:	1	Bottom Clip	
Weir Count:	1	Default:	0.00 ft
Dampening:	0.0000 ft	Op Table:	
Weir Type:	Sharp Crested Vertical	Ref Node:	
Geometry Type:	Circular	Top Clip	
Invert:	172.07 ft	Default:	0.00 ft
Control Elevation:	172.07 ft	Op Table:	
Max Depth:	1.50 ft	Ref Node:	
		Discharge Coefficients	
		Weir Default:	3.200
		Weir Table:	
		Orifice Default:	0.600
		Orifice Table:	

Weir Comment:

Drop Structure Comment:

Link Min/Max Conditions with Times [Icpr3]

Link Name	Sim Name	Max Flow [cfs]	Min Flow [cfs]	Min/Max Delta Flow [cfs]	Max Us Velocity [fps]	Max Ds Velocity [fps]	Time to Max Flow [hrs]	Time to Min Flow [hrs]	Time to Min/Max Delta Flow [hrs]	Time to Max Us Velocity [hrs]	Time to Max Ds Velocity [hrs]
IMP #1 CS - Pipe	100y-1h	10.45	0.00	0.03	0.00	0.00	1.0001	0.0000	0.4995	0.0000	0.0000
IMP #1 CS - Weir: 1	100y-1h	10.45	0.00	0.06	5.91	5.91	1.0001	0.0000	0.4997	1.0001	1.0001
IMP #1 CS - Pipe	100y-24h	10.23	0.00	0.03	0.00	0.00	12.1268	0.0000	4.8041	0.0000	0.0000

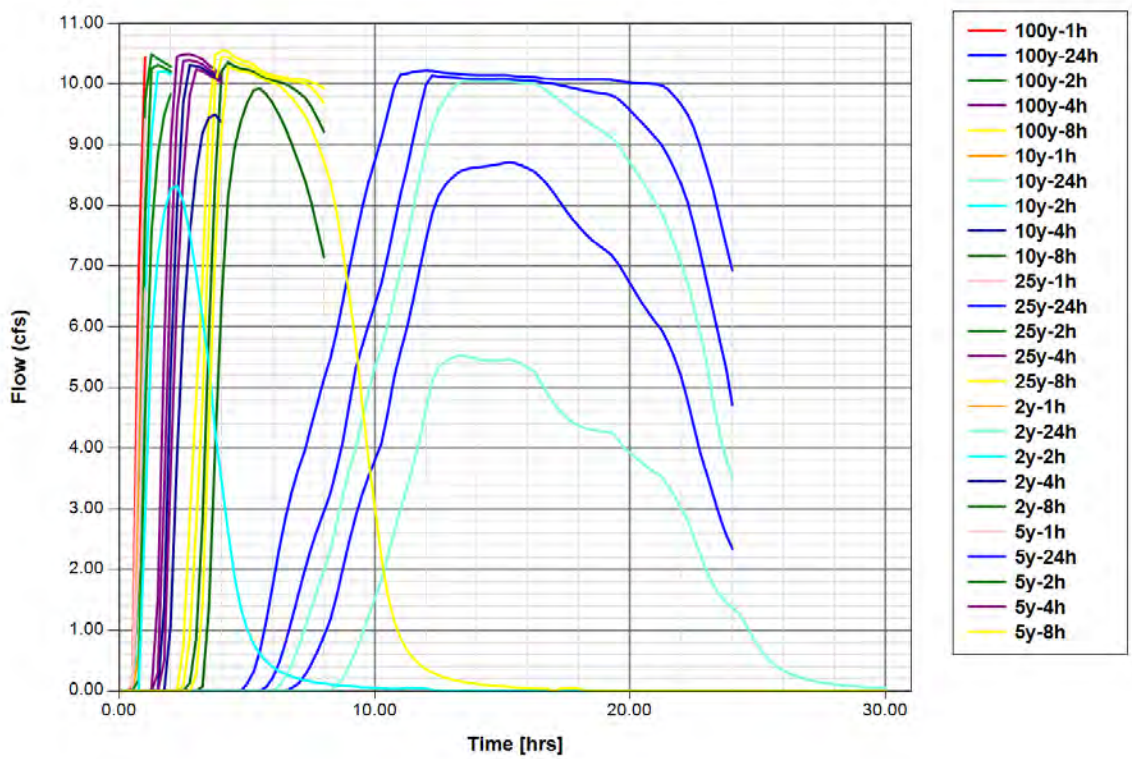
Link Name	Sim Name	Max Flow [cfs]	Min Flow [cfs]	Min/Max Delta Flow [cfs]	Max Us Velocity [fps]	Max Ds Velocity [fps]	Time to Max Flow [hrs]	Time to Min Flow [hrs]	Time to Min/Max Delta Flow [hrs]	Time to Max Us Velocity [hrs]	Time to Max Ds Velocity [hrs]
IMP #1 CS - Weir: 1	100y-24h	10.23	0.00	0.06	5.79	5.79	12.1169	0.0000	4.8225	12.1169	12.1169
IMP #1 CS - Pipe	100y-2h	10.52	0.00	-0.03	0.00	0.00	1.1594	0.0000	0.5363	0.0000	0.0000
IMP #1 CS - Weir: 1	100y-2h	10.52	0.00	0.07	5.95	5.95	1.1593	0.0000	0.5416	1.1593	1.1593
IMP #1 CS - Pipe	100y-4h	10.51	0.00	0.03	0.00	0.00	2.6562	0.0000	1.2991	0.0000	0.0000
IMP #1 CS - Weir: 1	100y-4h	10.51	0.00	0.06	5.94	5.94	2.6479	0.0000	1.3027	2.6479	2.6479
IMP #1 CS - Pipe	100y-8h	10.57	0.00	0.03	0.00	0.00	4.1312	0.0000	2.2803	0.0000	0.0000
IMP #1 CS - Weir: 1	100y-8h	10.57	0.00	0.07	5.98	5.98	4.1274	0.0000	2.2803	4.1274	4.1274
IMP #1 CS - Pipe	10y-1h	8.07	0.00	-0.03	0.00	0.00	1.0000	0.0000	0.5607	0.0000	0.0000
IMP #1 CS - Weir: 1	10y-1h	8.08	0.00	0.05	4.57	4.57	1.0000	0.0000	0.5620	1.0000	1.0000
IMP #1 CS - Pipe	10y-24h	10.06	0.00	0.03	0.00	0.00	13.5122	0.0000	6.1175	0.0000	0.0000
IMP #1 CS - Weir: 1	10y-24h	10.06	0.00	0.05	5.69	5.69	13.5109	0.0000	6.1175	13.5109	13.5109
IMP #1 CS - Pipe	10y-2h	10.23	0.00	-0.03	0.00	0.00	1.5942	0.0000	0.6442	0.0000	0.0000
IMP #1 CS - Weir: 1	10y-2h	10.23	0.00	0.05	5.79	5.79	1.5938	0.0000	0.6468	1.5938	1.5938
IMP #1 CS - Pipe	10y-4h	10.31	0.00	0.03	0.00	0.00	2.7530	0.0000	1.5157	0.0000	0.0000
IMP #1 CS - Weir: 1	10y-4h	10.31	0.00	0.05	5.84	5.84	2.7528	0.0000	1.5157	2.7528	2.7528

Link Name	Sim Name	Max Flow [cfs]	Min Flow [cfs]	Min/Max Delta Flow [cfs]	Max Us Velocity [fps]	Max Ds Velocity [fps]	Time to Max Flow [hrs]	Time to Min Flow [hrs]	Time to Min/Max Delta Flow [hrs]	Time to Max Us Velocity [hrs]	Time to Max Ds Velocity [hrs]
IMP #1 CS - Pipe	10y-8h	10.37	0.00	0.03	0.00	0.00	4.1667	0.0000	2.6798	0.0000	0.0000
IMP #1 CS - Weir: 1	10y-8h	10.37	0.00	0.07	5.87	5.87	4.1665	0.0000	2.6790	4.1665	4.1665
IMP #1 CS - Pipe	25y-1h	9.43	0.00	0.04	0.00	0.00	1.0001	0.0000	0.5322	0.0000	0.0000
IMP #1 CS - Weir: 1	25y-1h	9.43	0.00	0.06	5.33	5.33	1.0001	0.0000	0.5342	1.0001	1.0001
IMP #1 CS - Pipe	25y-24h	10.15	0.00	-0.03	0.00	0.00	12.2377	0.0000	5.6765	0.0000	0.0000
IMP #1 CS - Weir: 1	25y-24h	10.15	0.00	0.07	5.74	5.74	12.2371	0.0000	5.7021	12.2371	12.2371
IMP #1 CS - Pipe	25y-2h	10.34	0.00	0.03	0.00	0.00	1.3480	0.0000	0.6033	0.0000	0.0000
IMP #1 CS - Weir: 1	25y-2h	10.34	0.00	0.06	5.85	5.85	1.3478	0.0000	0.6054	1.3478	1.3478
IMP #1 CS - Pipe	25y-4h	10.40	0.00	0.03	0.00	0.00	2.6691	0.0000	1.4070	0.0000	0.0000
IMP #1 CS - Weir: 1	25y-4h	10.40	0.00	0.07	5.89	5.89	2.6689	0.0000	1.4155	2.6689	2.6689
IMP #1 CS - Pipe	25y-8h	10.47	0.00	0.02	0.00	0.00	4.1378	0.0000	2.4540	0.0000	0.0000
IMP #1 CS - Weir: 1	25y-8h	10.47	0.00	0.04	5.92	5.92	4.1378	0.0000	2.4430	4.1378	4.1378
IMP #1 CS - Pipe	2y-1h	4.30	0.00	0.03	0.00	0.00	1.0001	0.0000	0.6531	0.0000	0.0000
IMP #1 CS - Weir: 1	2y-1h	4.31	0.00	0.06	2.44	2.44	1.0001	0.0000	0.6564	1.0001	1.0001
IMP #1 CS - Pipe	2y-24h	5.53	0.00	0.05	0.00	0.00	13.3420	0.0000	8.3596	0.0000	0.0000

Link Name	Sim Name	Max Flow [cfs]	Min Flow [cfs]	Min/Max Delta Flow [cfs]	Max Us Velocity [fps]	Max Ds Velocity [fps]	Time to Max Flow [hrs]	Time to Min Flow [hrs]	Time to Min/Max Delta Flow [hrs]	Time to Max Us Velocity [hrs]	Time to Max Ds Velocity [hrs]
IMP #1 CS - Weir: 1	2y-24h	5.53	0.00	0.07	3.13	3.13	13.3208	0.0000	8.3596	13.3208	13.3208
IMP #1 CS - Pipe	2y-2h	8.34	0.00	-0.03	0.00	0.00	2.1788	0.0000	0.7618	0.0000	0.0000
IMP #1 CS - Weir: 1	2y-2h	8.34	0.00	0.07	4.72	4.72	2.1778	0.0000	0.7681	2.1778	2.1778
IMP #1 CS - Pipe	2y-4h	9.50	0.00	-0.03	0.00	0.00	3.6934	0.0000	1.7765	0.0000	0.0000
IMP #1 CS - Weir: 1	2y-4h	9.50	0.00	0.06	5.38	5.38	3.6934	0.0000	1.7824	3.6934	3.6934
IMP #1 CS - Pipe	2y-8h	9.94	0.00	-0.03	0.00	0.00	5.4067	0.0000	3.2154	0.0000	0.0000
IMP #1 CS - Weir: 1	2y-8h	9.94	0.00	0.06	5.62	5.62	5.4067	0.0000	3.2245	5.4067	5.4067
IMP #1 CS - Pipe	5y-1h	6.63	0.00	-0.03	0.00	0.00	1.0001	0.0000	0.5925	0.0000	0.0000
IMP #1 CS - Weir: 1	5y-1h	6.63	0.00	0.06	3.75	3.75	1.0001	0.0000	0.5992	1.0001	1.0001
IMP #1 CS - Pipe	5y-24h	8.71	0.00	0.02	0.00	0.00	15.2680	0.0000	6.7754	0.0000	0.0000
IMP #1 CS - Weir: 1	5y-24h	8.71	0.00	0.06	4.93	4.93	15.2657	0.0000	6.7754	15.2657	15.2657
IMP #1 CS - Pipe	5y-2h	9.84	0.00	0.03	0.00	0.00	2.0003	0.0000	0.7031	0.0000	0.0000
IMP #1 CS - Weir: 1	5y-2h	9.84	0.00	0.06	5.57	5.57	2.0003	0.0000	0.7070	2.0003	2.0003
IMP #1 CS - Pipe	5y-4h	10.24	0.00	0.03	0.00	0.00	3.0383	0.0000	1.6109	0.0000	0.0000
IMP #1 CS - Weir: 1	5y-4h	10.24	0.00	0.07	5.80	5.80	3.0380	0.0000	1.6161	3.0380	3.0380

Link Name	Sim Name	Max Flow [cfs]	Min Flow [cfs]	Min/Max Delta Flow [cfs]	Max Us Velocity [fps]	Max Ds Velocity [fps]	Time to Max Flow [hrs]	Time to Min Flow [hrs]	Time to Min/Max Delta Flow [hrs]	Time to Max Us Velocity [hrs]	Time to Max Ds Velocity [hrs]
IMP #1 CS - Pipe	5y-8h	10.29	0.00	0.03	0.00	0.00	4.2776	0.0000	2.8366	0.0000	0.0000
IMP #1 CS - Weir: 1	5y-8h	10.29	0.00	0.06	5.82	5.82	4.2774	0.0000	2.8356	4.2774	4.2774

Link Flow: IMP #1 CS [Icpr3]



Drop Structure Link: IMP #2 cs		Upstream Pipe		Downstream Pipe	
Scenario:	Icpr3	Invert:	150.54 ft	Invert:	149.54 ft
From Node:	IMP #2	Manning's N:	0.0120	Manning's N:	0.0120
To Node:	Heart Circle	Geometry: Circular		Geometry: Circular	
Link Count:	1	Max Depth:	1.00 ft	Max Depth:	1.00 ft

Flow Direction:	Both	Bottom Clip			
Solution:	Combine	Default:	0.00 ft	Default:	0.00 ft
Increments:	10	Op Table:		Op Table:	
Pipe Count:	1	Ref Node:		Ref Node:	
Dampening:	0.0000 ft	Manning's N:	0.0120	Manning's N:	0.0120
Length:	50.00 ft	Top Clip			
FHWA Code:	48	Default:	0.00 ft	Default:	0.00 ft
Entr Loss Coef:	0.00	Op Table:		Op Table:	
Exit Loss Coef:	1.00	Ref Node:		Ref Node:	
Bend Loss Coef:	0.00	Manning's N:	0.0120	Manning's N:	0.0120
Bend Location:	0.00 ft				
Energy Switch:	Energy				

Pipe Comment:

Weir Component			
Weir:	1	Bottom Clip	
Weir Count:	1	Default:	0.00 ft
Dampening:	0.0000 ft	Op Table:	
Weir Type:	Horizontal	Ref Node:	
Geometry Type:	Circular	Top Clip	
Invert:	158.37 ft	Default:	0.00 ft
Control Elevation:	158.37 ft	Op Table:	
Max Depth:	1.00 ft	Ref Node:	
		Discharge Coefficients	
		Weir Default:	3.200
		Weir Table:	
		Orifice Default:	0.600
		Orifice Table:	

Weir Comment:

Drop Structure Comment:

Link Min/Max Conditions with Times [Icpr3]

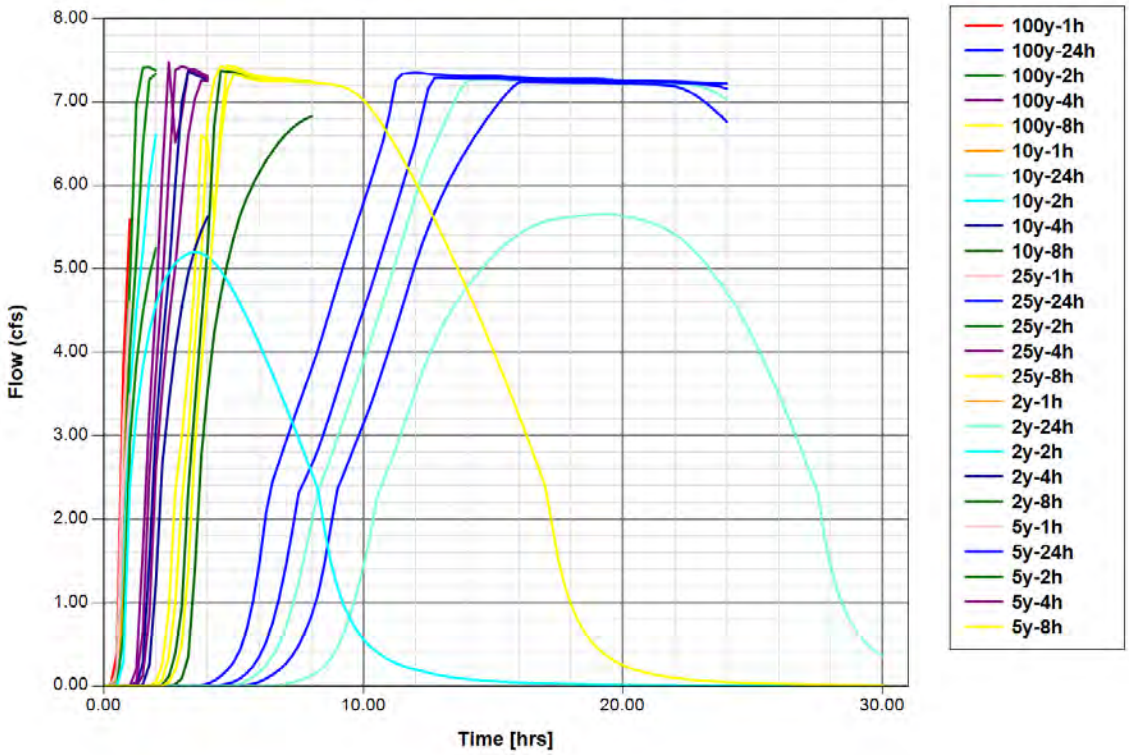
Link Name	Sim Name	Max Flow [cfs]	Min Flow [cfs]	Min/Max Delta Flow [cfs]	Max Us Velocity [fps]	Max Ds Velocity [fps]	Time to Max Flow [hrs]	Time to Min Flow [hrs]	Time to Min/Max Delta Flow [hrs]	Time to Max Us Velocity [hrs]	Time to Max Ds Velocity [hrs]
IMP #2 cs - Pipe	100y-1h	5.59	0.00	0.00	0.00	0.00	1.0001	0.0000	0.5974	0.0000	0.0000
IMP #2 cs - Weir: 1	100y-1h	5.59	0.00	0.00	7.12	7.12	1.0001	0.0000	0.5973	1.0001	1.0001
IMP #2 cs - Pipe	100y-24 h	7.35	0.00	0.01	0.00	0.00	12.0988	0.0000	6.3227	0.0000	0.0000
IMP #2 cs -	100y-24 h	7.35	0.00	0.00	9.36	9.36	12.0988	0.0000	6.3417	12.0988	12.0988

Link Name	Sim Name	Max Flow [cfs]	Min Flow [cfs]	Min/Max Delta Flow [cfs]	Max Us Velocity [fps]	Max Ds Velocity [fps]	Time to Max Flow [hrs]	Time to Min Flow [hrs]	Time to Min/Max Delta Flow [hrs]	Time to Max Us Velocity [hrs]	Time to Max Ds Velocity [hrs]
Weir: 1											
IMP #2 cs - Pipe	100y-2h	7.47	0.00	0.00	0.00	0.00	1.4246	0.0000	0.6780	0.0000	0.0000
IMP #2 cs - Weir: 1	100y-2h	7.47	0.00	0.00	9.51	9.51	1.4245	0.0000	0.6779	1.4245	1.4245
IMP #2 cs - Pipe	100y-4h	7.49	0.00	0.00	0.00	0.00	2.4984	0.0000	1.5592	0.0000	0.0000
IMP #2 cs - Weir: 1	100y-4h	7.49	0.00	0.00	9.54	9.54	2.4984	0.0000	1.5590	2.4984	2.4984
IMP #2 cs - Pipe	100y-8h	7.50	0.00	0.00	0.00	0.00	3.9119	0.0000	2.7452	0.0000	0.0000
IMP #2 cs - Weir: 1	100y-8h	7.50	0.00	0.00	9.55	9.55	3.9119	0.0000	2.7448	3.9119	3.9119
IMP #2 cs - Pipe	10y-1h	4.02	0.00	0.00	0.00	0.00	1.0000	0.0000	0.6770	0.0000	0.0000
IMP #2 cs - Weir: 1	10y-1h	4.03	0.00	0.00	5.13	5.13	1.0000	0.0000	0.6886	1.0000	1.0000
IMP #2 cs - Pipe	10y-24h	7.27	0.00	0.01	0.00	0.00	15.0986	0.0000	8.0713	0.0000	0.0000
IMP #2 cs - Weir: 1	10y-24h	7.27	0.00	0.01	9.25	9.25	15.0856	0.0000	8.1018	15.0856	15.0856
IMP #2 cs - Pipe	10y-2h	6.61	0.00	0.00	0.00	0.00	2.0004	0.0000	0.8076	0.0000	0.0000
IMP #2 cs - Weir: 1	10y-2h	6.61	0.00	0.00	8.41	8.41	2.0004	0.0000	0.8075	2.0004	2.0004
IMP #2 cs - Pipe	10y-4h	7.37	0.00	0.00	0.00	0.00	3.2193	0.0000	1.8246	0.0000	0.0000
IMP #2 cs - Weir: 1	10y-4h	7.37	0.00	0.00	9.38	9.38	3.2189	0.0000	1.8244	3.2189	3.2189
IMP #2 cs - Pipe	10y-8h	7.38	0.00	0.00	0.00	0.00	4.5431	0.0000	3.2385	0.0000	0.0000
IMP #2 cs - Weir: 1	10y-8h	7.38	0.00	0.00	9.39	9.39	4.5429	0.0000	3.2382	4.5429	4.5429
IMP #2 cs - Pipe	25y-1h	4.60	0.00	0.00	0.00	0.00	1.0001	0.0000	0.6451	0.0000	0.0000
IMP #2 cs -	25y-1h	4.60	0.00	0.00	5.86	5.86	1.0001	0.0000	0.6375	1.0001	1.0001

Link Name	Sim Name	Max Flow [cfs]	Min Flow [cfs]	Min/Max Delta Flow [cfs]	Max Us Velocity [fps]	Max Ds Velocity [fps]	Time to Max Flow [hrs]	Time to Min Flow [hrs]	Time to Min/Max Delta Flow [hrs]	Time to Max Us Velocity [hrs]	Time to Max Ds Velocity [hrs]
Weir: 1											
IMP #2 cs - Pipe	25y-24h	7.29	0.00	0.01	0.00	0.00	12.8407	0.0000	7.5007	0.0000	0.0000
IMP #2 cs - Weir: 1	25y-24h	7.29	0.00	0.00	9.28	9.28	12.8368	0.0000	7.4984	12.8368	12.8368
IMP #2 cs - Pipe	25y-2h	7.35	0.00	0.00	0.00	0.00	1.8875	0.0000	0.7563	0.0000	0.0000
IMP #2 cs - Weir: 1	25y-2h	7.35	0.00	0.00	9.36	9.36	1.8869	0.0000	0.7562	1.8869	1.8869
IMP #2 cs - Pipe	25y-4h	7.44	0.00	0.00	0.00	0.00	2.8695	0.0000	1.7025	0.0000	0.0000
IMP #2 cs - Weir: 1	25y-4h	7.44	0.00	0.00	9.47	9.47	2.8693	0.0000	1.7023	2.8693	2.8693
IMP #2 cs - Pipe	25y-8h	7.48	0.00	0.00	0.00	0.00	4.1900	0.0000	3.0117	0.0000	0.0000
IMP #2 cs - Weir: 1	25y-8h	7.48	0.00	0.00	9.52	9.52	4.1900	0.0000	3.0166	4.1900	4.1900
IMP #2 cs - Pipe	2y-1h	2.76	0.00	0.00	0.00	0.00	1.0001	0.0000	0.8653	0.0000	0.0000
IMP #2 cs - Weir: 1	2y-1h	2.76	0.00	0.00	3.52	3.52	1.0001	0.0000	0.8651	1.0001	1.0001
IMP #2 cs - Pipe	2y-24h	5.66	0.00	-0.01	0.00	0.00	19.2572	0.0000	27.5471	0.0000	0.0000
IMP #2 cs - Weir: 1	2y-24h	5.66	0.00	-0.01	7.20	7.20	19.2504	0.0000	27.5121	19.2504	19.2504
IMP #2 cs - Pipe	2y-2h	5.20	0.00	-0.01	0.00	0.00	3.5508	0.0000	8.3697	0.0000	0.0000
IMP #2 cs - Weir: 1	2y-2h	5.20	0.00	-0.01	6.62	6.62	3.5508	0.0000	8.2965	3.5508	3.5508
IMP #2 cs - Pipe	2y-4h	5.63	0.00	0.00	0.00	0.00	4.0008	0.0000	2.1390	0.0000	0.0000
IMP #2 cs - Weir: 1	2y-4h	5.63	0.00	0.00	7.16	7.16	4.0008	0.0000	2.1387	4.0008	4.0008
IMP #2 cs - Pipe	2y-8h	6.83	0.00	0.00	0.00	0.00	8.0013	0.0000	3.6164	0.0000	0.0000
IMP #2 cs -	2y-8h	6.83	0.00	0.00	8.69	8.69	8.0013	0.0000	3.6161	8.0013	8.0013

Link Name	Sim Name	Max Flow [cfs]	Min Flow [cfs]	Min/Max Delta Flow [cfs]	Max Us Velocity [fps]	Max Ds Velocity [fps]	Time to Max Flow [hrs]	Time to Min Flow [hrs]	Time to Min/Max Delta Flow [hrs]	Time to Max Us Velocity [hrs]	Time to Max Ds Velocity [hrs]
Weir: 1											
IMP #2 cs - Pipe	5y-1h	3.50	0.00	0.00	0.00	0.00	1.0001	0.0000	0.7482	0.0000	0.0000
IMP #2 cs - Weir: 1	5y-1h	3.51	0.00	0.00	4.46	4.46	1.0001	0.0000	0.7481	1.0001	1.0001
IMP #2 cs - Pipe	5y-24h	7.24	0.00	0.01	0.00	0.00	16.1895	0.0000	8.9109	0.0000	0.0000
IMP #2 cs - Weir: 1	5y-24h	7.24	0.00	0.00	9.22	9.22	16.1826	0.0000	8.9370	16.1826	16.1826
IMP #2 cs - Pipe	5y-2h	5.25	0.00	0.00	0.00	0.00	2.0003	0.0000	0.8856	0.0000	0.0000
IMP #2 cs - Weir: 1	5y-2h	5.25	0.00	0.00	6.68	6.68	2.0003	0.0000	0.8870	2.0003	2.0003
IMP #2 cs - Pipe	5y-4h	7.26	0.00	0.00	0.00	0.00	3.8287	0.0000	1.9102	0.0000	0.0000
IMP #2 cs - Weir: 1	5y-4h	7.26	0.00	0.00	9.25	9.25	3.8264	0.0000	1.9275	3.8264	3.8264
IMP #2 cs - Pipe	5y-8h	7.33	0.00	-0.01	0.00	0.00	5.0256	0.0000	17.1263	0.0000	0.0000
IMP #2 cs - Weir: 1	5y-8h	7.33	0.00	-0.01	9.34	9.34	5.0244	0.0000	17.0982	5.0244	5.0244

Link Flow: IMP #2 cs [Icpr3]



Weir Link: WEIR IMP 1

Scenario:	Icpr3
From Node:	IMP #1
To Node:	IMP #2
Link Count:	1
Flow Direction:	Both
Dampening:	0.0000 ft
Weir Type:	Sharp Crested Vertical
Geometry Type:	Trapezoidal
Invert:	176.00 ft
Control Elevation:	176.00 ft
Max Depth:	9999.00 ft
Extrapolation Method:	Normal Projection
Bottom Width:	100.00 ft
Left Slope:	10.000 (h:v)
Right Slope:	10.000 (h:v)

Bottom Clip	
Default:	0.00 ft
Op Table:	
Ref Node:	

Top Clip	
Default:	0.00 ft
Op Table:	
Ref Node:	

Discharge Coefficients	
Weir Default:	3.200
Weir Table:	
Orifice Default:	0.600
Orifice Table:	

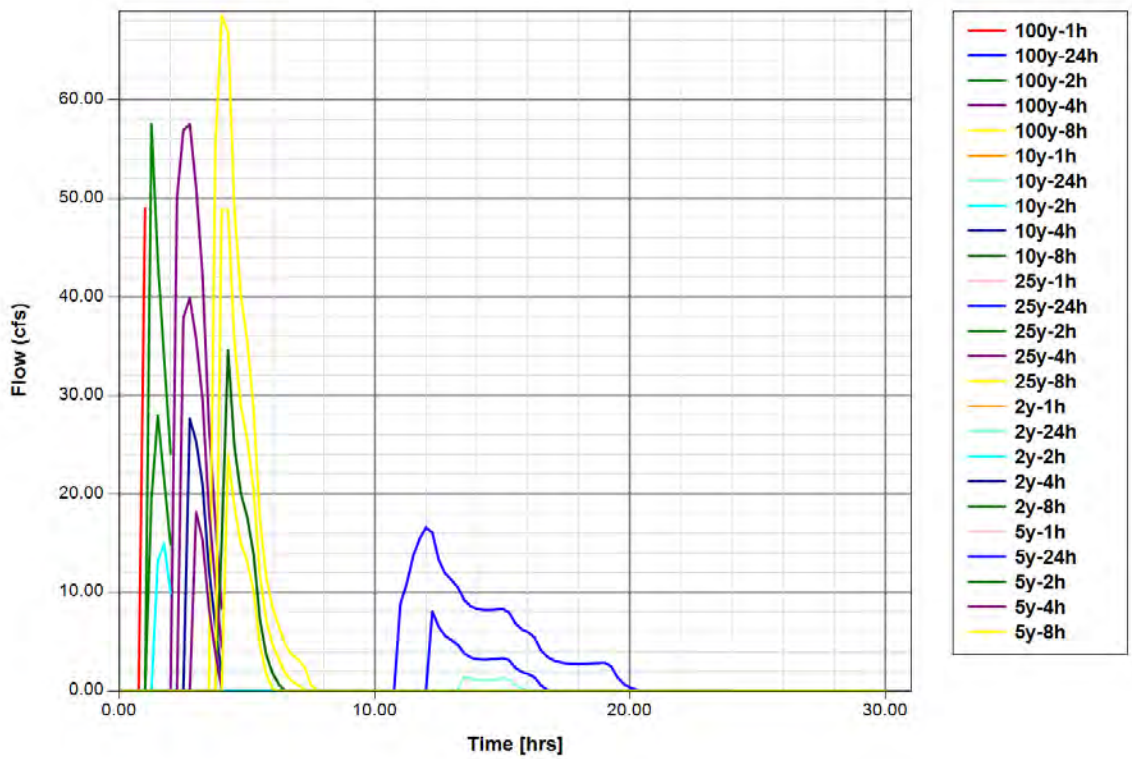
Comment:

Link Min/Max Conditions with Times [Icpr3]

Link Name	Sim Name	Max Flow [cfs]	Min Flow [cfs]	Min/Max Delta Flow [cfs]	Max Us Velocity [fps]	Max Ds Velocity [fps]	Time to Max Flow [hrs]	Time to Min Flow [hrs]	Time to Min/Max Delta Flow [hrs]	Time to Max Us Velocity [hrs]	Time to Max Ds Velocity [hrs]
WEIR IMP 1	100y-1h	48.96	0.00	0.15	1.69	1.69	1.0001	0.0000	0.9399	1.0001	1.0001
WEIR IMP 1	100y-24h	16.84	0.00	0.07	1.19	1.19	12.1109	0.0000	10.8231	12.1139	12.1139
WEIR IMP 1	100y-2h	61.46	0.00	0.18	1.82	1.82	1.1594	0.0000	1.0435	1.1594	1.1594
WEIR IMP 1	100y-4h	59.00	0.00	0.15	1.79	1.79	2.6497	0.0000	2.1282	2.6497	2.6497
WEIR IMP 1	100y-8h	71.99	0.00	0.14	1.91	1.91	4.1275	0.0000	3.5872	4.1275	4.1275
WEIR IMP 1	10y-1h	0.00	0.00	0.00	0.00	0.00	0.0000	0.0000	0.0000	0.0000	0.0000
WEIR IMP 1	10y-24h	1.40	0.00	0.01	0.00	0.00	13.5122	0.0000	13.2853	0.0000	0.0000
WEIR IMP 1	10y-2h	17.01	0.00	0.10	1.20	1.20	1.5942	0.0000	1.4491	1.5945	1.5945
WEIR IMP 1	10y-4h	27.60	0.00	0.12	1.40	1.40	2.7528	0.0000	2.5800	2.7530	2.7530
WEIR IMP 1	10y-8h	36.44	0.00	0.13	1.53	1.53	4.1665	0.0000	3.9859	4.1669	4.1669
WEIR IMP 1	25y-1h	0.00	0.00	0.00	0.00	0.00	0.0000	0.0000	0.0000	0.0000	0.0000
WEIR IMP 1	25y-24h	8.05	0.00	0.06	0.93	0.93	12.2371	0.0000	12.0360	12.2377	12.2377
WEIR IMP 1	25y-2h	31.50	0.00	0.14	1.46	1.46	1.3478	0.0000	1.2248	1.3480	1.3480
WEIR IMP 1	25y-4h	40.60	0.00	0.13	1.59	1.59	2.6691	0.0000	2.3448	2.6693	2.6693
WEIR IMP 1	25y-8h	52.17	0.00	0.14	1.72	1.72	4.1378	0.0000	3.7744	4.1378	4.1378
WEIR IMP 1	2y-1h	0.00	0.00	0.00	0.00	0.00	0.0000	0.0000	0.0000	0.0000	0.0000
WEIR IMP 1	2y-24h	0.00	0.00	0.00	0.00	0.00	0.0000	0.0000	0.0000	0.0000	0.0000
WEIR IMP 1	2y-2h	0.00	0.00	0.00	0.00	0.00	0.0000	0.0000	0.0000	0.0000	0.0000
WEIR IMP 1	2y-4h	0.00	0.00	0.00	0.00	0.00	0.0000	0.0000	0.0000	0.0000	0.0000
WEIR IMP 1	2y-8h	0.00	0.00	0.00	0.00	0.00	0.0000	0.0000	0.0000	0.0000	0.0000
WEIR IMP 1	5y-1h	0.00	0.00	0.00	0.00	0.00	0.0000	0.0000	0.0000	0.0000	0.0000
WEIR IMP 1	5y-24h	0.00	0.00	0.00	0.00	0.00	0.0000	0.0000	0.0000	0.0000	0.0000

Link Name	Sim Name	Max Flow [cfs]	Min Flow [cfs]	Min/Max Delta Flow [cfs]	Max Us Velocity [fps]	Max Ds Velocity [fps]	Time to Max Flow [hrs]	Time to Min Flow [hrs]	Time to Min/Max Delta Flow [hrs]	Time to Max Us Velocity [hrs]	Time to Max Ds Velocity [hrs]
WEIR IMP 1	5y-2h	0.00	0.00	0.00	0.00	0.00	0.0000	0.0000	0.0000	0.0000	0.0000
WEIR IMP 1	5y-4h	18.21	0.00	0.10	1.22	1.22	3.0383	0.0000	2.8271	3.0386	3.0386
WEIR IMP 1	5y-8h	24.30	0.00	0.12	1.34	1.34	4.2774	0.0000	4.1567	4.2776	4.2776

Link Flow: WEIR IMP 1 [Icpr3]



Weir Link: WEIR IMP 2

Scenario:	Icpr3	Bottom Clip	
From Node:	IMP #2	Default:	0.00 ft
To Node:	Heart Circle	Op Table:	
Link Count:	1	Ref Node:	

Flow Direction:	Both
Dampening:	0.0000 ft
Weir Type:	Sharp Crested Vertical
Geometry Type:	Trapezoidal
Invert:	162.00 ft
Control Elevation:	162.00 ft
Max Depth:	9999.00 ft
Extrapolation Method:	Normal Projection
Bottom Width:	150.00 ft
Left Slope:	10.000 (h:v)
Right Slope:	10.000 (h:v)

Top Clip	
Default:	0.00 ft
Op Table:	
Ref Node:	

Discharge Coefficients	
Weir Default:	3.200
Weir Table:	
Orifice Default:	0.600
Orifice Table:	

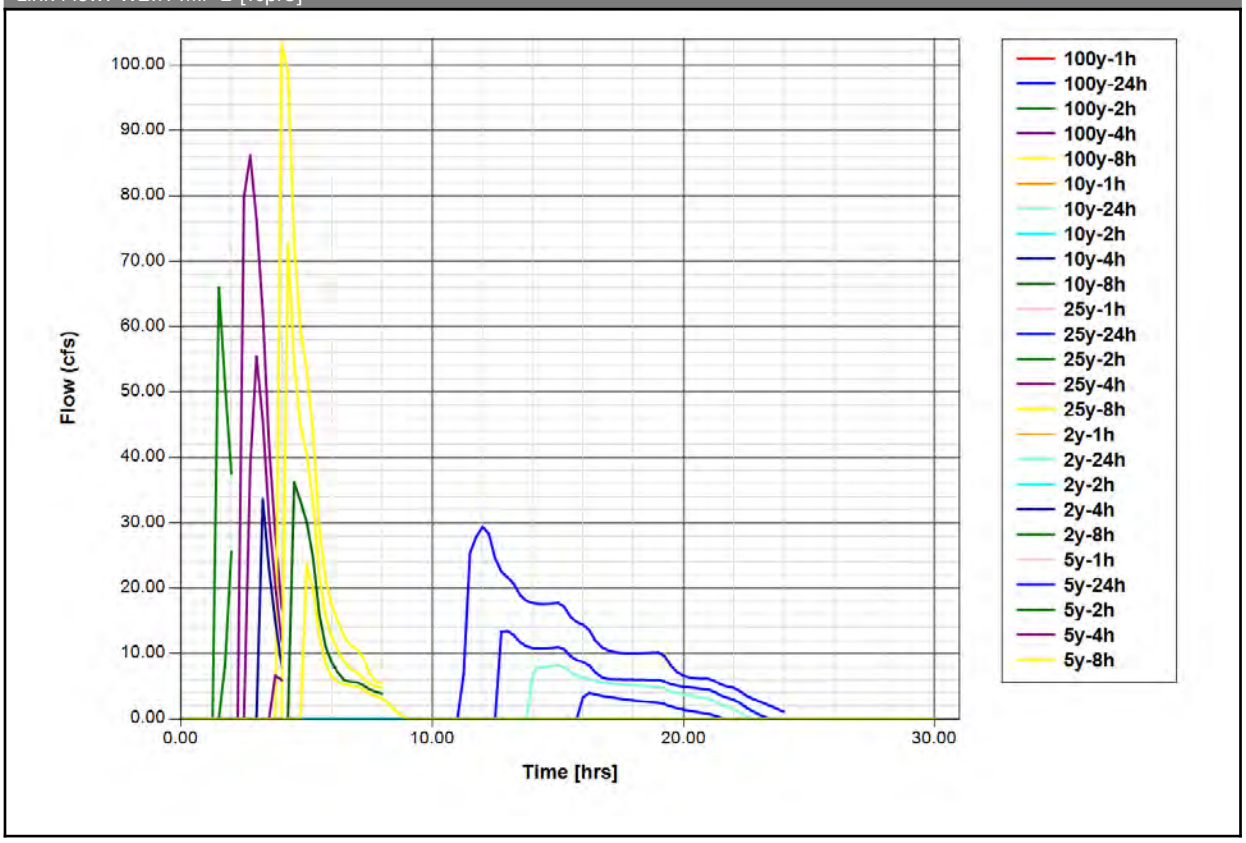
Comment:

Link Min/Max Conditions with Times [Icpr3]

Link Name	Sim Name	Max Flow [cfs]	Min Flow [cfs]	Min/Max Delta Flow [cfs]	Max Us Velocity [fps]	Max Ds Velocity [fps]	Time to Max Flow [hrs]	Time to Min Flow [hrs]	Time to Min/Max Delta Flow [hrs]	Time to Max Us Velocity [hrs]	Time to Max Ds Velocity [hrs]
WEIR IMP 2	100y-1h	0.00	0.00	0.00	0.00	0.00	0.0000	0.0000	0.0000	0.0000	0.0000
WEIR IMP 2	100y-24h	29.67	0.00	0.07	1.26	1.26	12.0927	0.0000	11.2182	12.0958	12.0958
WEIR IMP 2	100y-2h	69.10	0.00	0.16	1.66	1.66	1.4246	0.0000	1.2948	1.4247	1.4247
WEIR IMP 2	100y-4h	89.03	0.00	0.14	1.81	1.81	2.6316	0.0000	2.4007	2.6318	2.6318
WEIR IMP 2	100y-8h	108.48	0.00	0.13	1.93	1.93	4.1073	0.0000	3.8354	4.1075	4.1075
WEIR IMP 2	10y-1h	0.00	0.00	0.00	0.00	0.00	0.0000	0.0000	0.0000	0.0000	0.0000
WEIR IMP 2	10y-24h	8.17	0.00	0.05	0.82	0.82	15.0856	0.0000	13.8255	15.0986	15.0986
WEIR IMP 2	10y-2h	0.00	0.00	0.00	0.00	0.00	0.0000	0.0000	0.0000	0.0000	0.0000
WEIR IMP 2	10y-4h	34.04	0.00	0.11	1.32	1.32	3.2189	0.0000	3.0718	3.2193	3.2193
WEIR IMP 2	10y-8h	37.16	0.00	0.12	1.36	1.36	4.5431	0.0000	4.3849	4.5433	4.5433
WEIR IMP 2	25y-1h	0.00	0.00	0.00	0.00	0.00	0.0000	0.0000	0.0000	0.0000	0.0000
WEIR IMP 2	25y-24h	13.64	0.00	0.07	0.97	0.97	12.8388	0.0000	12.5413	12.8407	12.8407
WEIR IMP 2	25y-2h	28.24	0.00	0.11	1.24	1.24	1.8875	0.0000	1.7314	1.8881	1.8881
WEIR IMP 2	25y-4h	57.35	0.00	0.12	1.56	1.56	2.8695	0.0000	2.6990	2.8697	2.8697

Link Name	Sim Name	Max Flow [cfs]	Min Flow [cfs]	Min/Max Delta Flow [cfs]	Max Us Velocity [fps]	Max Ds Velocity [fps]	Time to Max Flow [hrs]	Time to Min Flow [hrs]	Time to Min/Max Delta Flow [hrs]	Time to Max Us Velocity [hrs]	Time to Max Ds Velocity [hrs]
WEIR IMP 2	25y-8h	74.34	0.00	0.14	1.70	1.70	4.2065	0.0000	4.0682	4.2066	4.2066
WEIR IMP 2	2y-1h	0.00	0.00	0.00	0.00	0.00	0.0000	0.0000	0.0000	0.0000	0.0000
WEIR IMP 2	2y-24h	0.00	0.00	0.00	0.00	0.00	0.0000	0.0000	0.0000	0.0000	0.0000
WEIR IMP 2	2y-2h	0.00	0.00	0.00	0.00	0.00	0.0000	0.0000	0.0000	0.0000	0.0000
WEIR IMP 2	2y-4h	0.00	0.00	0.00	0.00	0.00	0.0000	0.0000	0.0000	0.0000	0.0000
WEIR IMP 2	2y-8h	0.00	0.00	0.00	0.00	0.00	0.0000	0.0000	0.0000	0.0000	0.0000
WEIR IMP 2	5y-1h	0.00	0.00	0.00	0.00	0.00	0.0000	0.0000	0.0000	0.0000	0.0000
WEIR IMP 2	5y-24h	4.03	0.00	0.05	0.00	0.00	16.1860	0.0000	15.8298	0.0000	0.0000
WEIR IMP 2	5y-2h	0.00	0.00	0.00	0.00	0.00	0.0000	0.0000	0.0000	0.0000	0.0000
WEIR IMP 2	5y-4h	7.95	0.00	0.08	0.81	0.81	3.8253	0.0000	3.6706	3.8264	3.8264
WEIR IMP 2	5y-8h	23.61	0.00	0.08	1.17	1.17	5.0244	0.0000	4.7881	5.0256	5.0256

Link Flow: WEIR IMP 2 [Icpr3]



Simulation: 100y-1h

Scenario:	Icpr3
Run Date/Time:	7/20/2017 7:43:32 AM
Program Version:	ICPR4 4.03.01

General

Run Mode: Normal

	Year	Month	Day	Hour [hr]
Start Time:	0	0	0	0.0000
End Time:	0	0	0	1.0000

	Hydrology [sec]	Surface Hydraulics [sec]
Min Calculation Time:	60.0000	0.1000
Max Calculation Time:		60.0000

Output Time Increments

Hydrology

Year	Month	Day	Hour [hr]	Time Increment [min]
0	0	0	0.0000	5.0000

Surface Hydraulics

Year	Month	Day	Hour [hr]	Time Increment [min]
0	0	0	0.0000	15.0000

Restart File

Save Restart: False

Resources & Lookup Tables

Resources

Rainfall Folder: ICPR3

Unit Hydrograph Folder: ICPR3

Lookup Tables

Boundary Stage Set:
Extern Hydrograph Set:
Curve Number Set: ICPR3
Green-Ampt Set: ICPR3
Vertical Layers Set:
Impervious Set: ICPR3

Tolerances & Options

Time Marching: SAOR
Max Iterations: 6
Over-Relax Weight Fact: 0.5 dec
dZ Tolerance: 0.0010 ft
Max dZ: 1.0000 ft
Link Optimizer Tol: 0.0001 ft
Edge Length Option: Automatic

IA Recovery Time: 24.0000 hr
Manual Basin Rain Opt: Global
Rainfall Name: Fdot-1
Rainfall Amount: 4.40 in
Storm Duration: 1.0000 hr
Dflt Dampening (1D): 0.0050 ft
Min Node Srf Area (1D): 113 ft2
Energy Switch (1D): Energy

Comment:

Simulation: 100y-24h

Scenario: Icpr3
Run Date/Time: 7/20/2017 7:43:34 AM

Program Version: ICPR4 4.03.01

General

Run Mode: Normal

	Year	Month	Day	Hour [hr]
Start Time:	0	0	0	0.0000
End Time:	0	0	0	24.0000

	Hydrology [sec]	Surface Hydraulics [sec]
Min Calculation Time:	60.0000	0.1000
Max Calculation Time:		60.0000

Output Time Increments

Hydrology

Year	Month	Day	Hour [hr]	Time Increment [min]
0	0	0	0.0000	5.0000

Surface Hydraulics

Year	Month	Day	Hour [hr]	Time Increment [min]
0	0	0	0.0000	15.0000

Restart File

Save Restart: False

Resources & Lookup Tables

Resources

Rainfall Folder: ICPR3

Unit Hydrograph Folder: ICPR3

Lookup Tables

Boundary Stage Set:

Extern Hydrograph Set:

Curve Number Set: ICPR3

Green-Ampt Set: ICPR3

Vertical Layers Set:

Impervious Set: ICPR3

Tolerances & Options

Time Marching: SAOR

Max Iterations: 6

Over-Relax Weight Fact: 0.5 dec

dZ Tolerance: 0.0010 ft

Max dZ: 1.0000 ft

Link Optimizer Tol: 0.0001 ft

IA Recovery Time: 24.0000 hr

Manual Basin Rain Opt: Global

Rainfall Name: Fdot-24

Rainfall Amount: 10.90 in

Edge Length Option:	Automatic	Storm Duration:	24.0000 hr
		Dflt Dampening (1D):	0.0050 ft
		Min Node Srf Area (1D):	113 ft2
		Energy Switch (1D):	Energy

Comment:

Simulation: 100y-2h

Scenario: Icpr3
Run Date/Time: 7/20/2017 7:43:44 AM
Program Version: ICPR4 4.03.01

General

Run Mode: Normal

	Year	Month	Day	Hour [hr]
Start Time:	0	0	0	0.0000
End Time:	0	0	0	2.0000

	Hydrology [sec]	Surface Hydraulics [sec]
Min Calculation Time:	60.0000	0.1000
Max Calculation Time:		60.0000

Output Time Increments

Hydrology

Year	Month	Day	Hour [hr]	Time Increment [min]
0	0	0	0.0000	5.0000

Surface Hydraulics

Year	Month	Day	Hour [hr]	Time Increment [min]
0	0	0	0.0000	15.0000

Restart File

Save Restart: False

Resources & Lookup Tables

Resources

Rainfall Folder: ICPR3

Lookup Tables

Boundary Stage Set:
Extern Hydrograph Set:

Unit Hydrograph Folder:	ICPR3	Curve Number Set:	ICPR3
		Green-Ampt Set:	ICPR3
		Vertical Layers Set:	
		Impervious Set:	ICPR3

Tolerances & Options

Time Marching:	SAOR	IA Recovery Time:	24.0000 hr
Max Iterations:	6		
Over-Relax Weight Fact:	0.5 dec		
dZ Tolerance:	0.0010 ft	Manual Basin Rain Opt:	Global
Max dZ:	1.0000 ft		
Link Optimizer Tol:	0.0001 ft	Rainfall Name:	Fdot-2
		Rainfall Amount:	5.80 in
Edge Length Option:	Automatic	Storm Duration:	2.0000 hr
		Dflt Dampening (1D):	0.0050 ft
		Min Node Srf Area (1D):	113 ft2
		Energy Switch (1D):	Energy

Comment:

Simulation: 100y-4h

Scenario:	Icpr3
Run Date/Time:	7/20/2017 7:43:47 AM
Program Version:	ICPR4 4.03.01

General

Run Mode: Normal

	Year	Month	Day	Hour [hr]
Start Time:	0	0	0	0.0000
End Time:	0	0	0	4.0000

	Hydrology [sec]	Surface Hydraulics [sec]
Min Calculation Time:	60.0000	0.1000
Max Calculation Time:		60.0000

Output Time Increments

Hydrology

Year	Month	Day	Hour [hr]	Time Increment [min]
0	0	0	0.0000	5.0000

Surface Hydraulics

Year	Month	Day	Hour [hr]	Time Increment [min]
0	0	0	0.0000	15.0000

Restart File

Save Restart: False

Resources & Lookup Tables

Resources

Rainfall Folder: ICPR3

Unit Hydrograph Folder: ICPR3

Lookup Tables

Boundary Stage Set:
Extern Hydrograph Set:
Curve Number Set: ICPR3
Green-Ampt Set: ICPR3
Vertical Layers Set:
Impervious Set: ICPR3

Tolerances & Options

Time Marching: SAOR
Max Iterations: 6
Over-Relax Weight Fact: 0.5 dec
dZ Tolerance: 0.0010 ft
Max dZ: 1.0000 ft
Link Optimizer Tol: 0.0001 ft
Edge Length Option: Automatic

IA Recovery Time: 24.0000 hr
Manual Basin Rain Opt: Global
Rainfall Name: Fdot-4
Rainfall Amount: 7.20 in
Storm Duration: 4.0000 hr
Dflt Dampening (1D): 0.0050 ft
Min Node Srf Area (1D): 113 ft2
Energy Switch (1D): Energy

Comment:

Simulation: 100y-8h

Scenario: Icpr3
Run Date/Time: 7/20/2017 7:43:50 AM
Program Version: ICPR4 4.03.01

General

Run Mode: Normal

	Year	Month	Day	Hour [hr]
Start Time:	0	0	0	0.0000
End Time:	0	0	0	8.0000

	Hydrology [sec]	Surface Hydraulics [sec]
Min Calculation Time:	60.0000	0.1000
Max Calculation Time:		60.0000

Output Time Increments

Hydrology

Year	Month	Day	Hour [hr]	Time Increment [min]
0	0	0	0.0000	5.0000

Surface Hydraulics

Year	Month	Day	Hour [hr]	Time Increment [min]
0	0	0	0.0000	15.0000

Restart File

Save Restart: False

Resources & Lookup Tables

Resources

Rainfall Folder: ICPR3

Unit Hydrograph Folder: ICPR3

Lookup Tables

Boundary Stage Set:

Extern Hydrograph Set:

Curve Number Set: ICPR3

Green-Ampt Set: ICPR3

Vertical Layers Set:

Impervious Set: ICPR3

Tolerances & Options

Time Marching: SAOR

Max Iterations: 6

Over-Relax Weight Fact: 0.5 dec

dZ Tolerance: 0.0010 ft

Max dZ: 1.0000 ft

Link Optimizer Tol: 0.0001 ft

Edge Length Option: Automatic

IA Recovery Time: 24.0000 hr

Manual Basin Rain Opt: Global

Rainfall Name: Fdot-8

Rainfall Amount: 8.90 in

Storm Duration: 8.0000 hr

Dflt Dampening (1D):	0.0050 ft
Min Node Srf Area (1D):	113 ft2
Energy Switch (1D):	Energy

Comment:

Simulation: 10y-1h

Scenario:	Icpr3
Run Date/Time:	7/20/2017 7:43:55 AM
Program Version:	ICPR4 4.03.01

General

Run Mode: Normal

	Year	Month	Day	Hour [hr]
Start Time:	0	0	0	0.0000
End Time:	0	0	0	1.0000

	Hydrology [sec]	Surface Hydraulics [sec]
Min Calculation Time:	60.0000	0.1000
Max Calculation Time:		60.0000

Output Time Increments

Hydrology

Year	Month	Day	Hour [hr]	Time Increment [min]
0	0	0	0.0000	5.0000

Surface Hydraulics

Year	Month	Day	Hour [hr]	Time Increment [min]
0	0	0	0.0000	15.0000

Restart File

Save Restart: False

Resources & Lookup Tables

Resources

Rainfall Folder:	ICPR3
Unit Hydrograph Folder:	ICPR3

Lookup Tables

Boundary Stage Set:	
Extern Hydrograph Set:	
Curve Number Set:	ICPR3

Green-Ampt Set:	ICPR3
Vertical Layers Set:	
Impervious Set:	ICPR3

Tolerances & Options

Time Marching:	SAOR	IA Recovery Time:	24.0000 hr
Max Iterations:	6		
Over-Relax Weight Fact:	0.5 dec		
dZ Tolerance:	0.0010 ft	Manual Basin Rain Opt:	Global
Max dZ:	1.0000 ft		
Link Optimizer Tol:	0.0001 ft	Rainfall Name:	Fdot-1
		Rainfall Amount:	3.20 in
Edge Length Option:	Automatic	Storm Duration:	1.0000 hr
		Dflt Dampening (1D):	0.0050 ft
		Min Node Srf Area (1D):	113 ft2
		Energy Switch (1D):	Energy

Comment:

Simulation: 10y-24h

Scenario:	Icpr3
Run Date/Time:	7/20/2017 7:43:57 AM
Program Version:	ICPR4 4.03.01

General

Run Mode: Normal

	Year	Month	Day	Hour [hr]
Start Time:	0	0	0	0.0000
End Time:	0	0	0	24.0000

	Hydrology [sec]	Surface Hydraulics [sec]
Min Calculation Time:	60.0000	0.1000
Max Calculation Time:		60.0000

Output Time Increments

Hydrology

Year	Month	Day	Hour [hr]	Time Increment [min]
0	0	0	0.0000	5.0000

Surface Hydraulics

Year	Month	Day	Hour [hr]	Time Increment [min]
0	0	0	0.0000	15.0000

Restart File

Save Restart: False

Resources & Lookup Tables

Resources

Rainfall Folder: ICPR3

Unit Hydrograph Folder: ICPR3

Lookup Tables

Boundary Stage Set:
Extern Hydrograph Set:
Curve Number Set: ICPR3
Green-Ampt Set: ICPR3
Vertical Layers Set:
Impervious Set: ICPR3

Tolerances & Options

Time Marching: SAOR
Max Iterations: 6
Over-Relax Weight Fact: 0.5 dec
dZ Tolerance: 0.0010 ft
Max dZ: 1.0000 ft
Link Optimizer Tol: 0.0001 ft
Edge Length Option: Automatic

IA Recovery Time: 24.0000 hr
Manual Basin Rain Opt: Global
Rainfall Name: Fdot-24
Rainfall Amount: 7.50 in
Storm Duration: 24.0000 hr
Dflt Dampening (1D): 0.0050 ft
Min Node Srf Area (1D): 113 ft2
Energy Switch (1D): Energy

Comment:

Simulation: 10y-2h

Scenario: Icpr3
Run Date/Time: 7/20/2017 7:44:05 AM
Program Version: ICPR4 4.03.01

General

Run Mode: Normal

	Year	Month	Day	Hour [hr]
Start Time:	0	0	0	0.0000
End Time:	0	0	0	2.0000

	Hydrology [sec]	Surface Hydraulics [sec]
Min Calculation Time:	60.0000	0.1000
Max Calculation Time:		60.0000

Output Time Increments

Hydrology

Year	Month	Day	Hour [hr]	Time Increment [min]
0	0	0	0.0000	5.0000

Surface Hydraulics

Year	Month	Day	Hour [hr]	Time Increment [min]
0	0	0	0.0000	15.0000

Restart File

Save Restart: False

Resources & Lookup Tables

Resources

Rainfall Folder: ICPR3

Unit Hydrograph Folder: ICPR3

Lookup Tables

Boundary Stage Set:
Extern Hydrograph Set:
Curve Number Set: ICPR3

Green-Ampt Set: ICPR3
Vertical Layers Set:
Impervious Set: ICPR3

Tolerances & Options

Time Marching: SAOR
Max Iterations: 6
Over-Relax Weight Fact: 0.5 dec
dZ Tolerance: 0.0010 ft
Max dZ: 1.0000 ft
Link Optimizer Tol: 0.0001 ft

Edge Length Option: Automatic

IA Recovery Time: 24.0000 hr

Manual Basin Rain Opt: Global

Rainfall Name: Fdot-2
Rainfall Amount: 4.10 in
Storm Duration: 2.0000 hr

Dflt Dampening (1D): 0.0050 ft
Min Node Srf Area 113 ft2

(1D):
Energy Switch (1D): Energy

Comment:

Simulation: 10y-4h

Scenario: Icpr3
Run Date/Time: 7/20/2017 7:44:08 AM
Program Version: ICPR4 4.03.01

General

Run Mode: Normal

	Year	Month	Day	Hour [hr]
Start Time:	0	0	0	0.0000
End Time:	0	0	0	4.0000

	Hydrology [sec]	Surface Hydraulics [sec]
Min Calculation Time:	60.0000	0.1000
Max Calculation Time:		60.0000

Output Time Increments

Hydrology

Year	Month	Day	Hour [hr]	Time Increment [min]
0	0	0	0.0000	5.0000

Surface Hydraulics

Year	Month	Day	Hour [hr]	Time Increment [min]
0	0	0	0.0000	15.0000

Restart File

Save Restart: False

Resources & Lookup Tables

Resources

Rainfall Folder: ICPR3

Unit Hydrograph Folder: ICPR3

Lookup Tables

Boundary Stage Set:
Extern Hydrograph Set:
Curve Number Set: ICPR3

Green-Ampt Set: ICPR3
Vertical Layers Set:

Impervious Set: ICPR3

Tolerances & Options

Time Marching:	SAOR	IA Recovery Time:	24.0000 hr
Max Iterations:	6		
Over-Relax Weight Fact:	0.5 dec		
dZ Tolerance:	0.0010 ft	Manual Basin Rain Opt:	Global
Max dZ:	1.0000 ft		
Link Optimizer Tol:	0.0001 ft	Rainfall Name:	Fdot-4
		Rainfall Amount:	5.00 in
Edge Length Option:	Automatic	Storm Duration:	4.0000 hr
		Dflt Dampening (1D):	0.0050 ft
		Min Node Srf Area (1D):	113 ft2
		Energy Switch (1D):	Energy

Comment:

Simulation: 10y-8h

Scenario: Icpr3
Run Date/Time: 7/20/2017 7:44:11 AM
Program Version: ICPR4 4.03.01

General

Run Mode: Normal

	Year	Month	Day	Hour [hr]
Start Time:	0	0	0	0.0000
End Time:	0	0	0	8.0000

	Hydrology [sec]	Surface Hydraulics [sec]
Min Calculation Time:	60.0000	0.1000
Max Calculation Time:		60.0000

Output Time Increments

Hydrology

Year	Month	Day	Hour [hr]	Time Increment [min]
0	0	0	0.0000	5.0000

Surface Hydraulics

Year	Month	Day	Hour [hr]	Time Increment [min]
0	0	0	0.0000	15.0000

Restart File

Save Restart: False

Resources & Lookup Tables

Resources

Rainfall Folder: ICPR3

Unit Hydrograph Folder: ICPR3

Lookup Tables

Boundary Stage Set:

Extern Hydrograph Set:

Curve Number Set: ICPR3

Green-Ampt Set: ICPR3

Vertical Layers Set:

Impervious Set: ICPR3

Tolerances & Options

Time Marching: SAOR

Max Iterations: 6

Over-Relax Weight Fact: 0.5 dec

dZ Tolerance: 0.0010 ft

Max dZ: 1.0000 ft

Link Optimizer Tol: 0.0001 ft

Edge Length Option: Automatic

IA Recovery Time: 24.0000 hr

Manual Basin Rain Opt: Global

Rainfall Name: Fdot-8

Rainfall Amount: 6.20 in

Storm Duration: 8.0000 hr

Dflt Dampening (1D): 0.0050 ft

Min Node Srf Area (1D): 113 ft2

Energy Switch (1D): Energy

Comment:

Simulation: 25y-1h

Scenario: Icpr3

Run Date/Time: 7/20/2017 7:44:15 AM

Program Version: ICPR4 4.03.01

General

Run Mode: Normal

Year	Month	Day	Hour [hr]

Start Time:	0	0	0	0.0000
End Time:	0	0	0	1.0000

	Hydrology [sec]	Surface Hydraulics [sec]
Min Calculation Time:	60.0000	0.1000
Max Calculation Time:		60.0000

Output Time Increments

Hydrology

Year	Month	Day	Hour [hr]	Time Increment [min]
0	0	0	0.0000	5.0000

Surface Hydraulics

Year	Month	Day	Hour [hr]	Time Increment [min]
0	0	0	0.0000	15.0000

Restart File

Save Restart: False

Resources & Lookup Tables

Resources

Rainfall Folder: ICPR3

Unit Hydrograph Folder: ICPR3

Lookup Tables

Boundary Stage Set:
Extern Hydrograph Set:
Curve Number Set: ICPR3
Green-Ampt Set: ICPR3
Vertical Layers Set:
Impervious Set: ICPR3

Tolerances & Options

Time Marching: SAOR
Max Iterations: 6
Over-Relax Weight Fact: 0.5 dec
dZ Tolerance: 0.0010 ft
Max dZ: 1.0000 ft
Link Optimizer Tol: 0.0001 ft
Edge Length Option: Automatic

IA Recovery Time: 24.0000 hr
Manual Basin Rain Opt: Global
Rainfall Name: Fdot-1
Rainfall Amount: 3.70 in
Storm Duration: 1.0000 hr
Dflt Dampening (1D): 0.0050 ft
Min Node Srf Area (1D): 113 ft2
Energy Switch (1D): Energy

Comment:

Simulation: 25y-24h

Scenario: Icpr3
Run Date/Time: 7/20/2017 7:44:17 AM
Program Version: ICPR4 4.03.01

General

Run Mode: Normal

	Year	Month	Day	Hour [hr]
Start Time:	0	0	0	0.0000
End Time:	0	0	0	24.0000

	Hydrology [sec]	Surface Hydraulics [sec]
Min Calculation Time:	60.0000	0.1000
Max Calculation Time:		60.0000

Output Time Increments

Hydrology

Year	Month	Day	Hour [hr]	Time Increment [min]
0	0	0	0.0000	5.0000

Surface Hydraulics

Year	Month	Day	Hour [hr]	Time Increment [min]
0	0	0	0.0000	15.0000

Restart File

Save Restart: False

Resources & Lookup Tables

Resources

Rainfall Folder: ICPR3

Unit Hydrograph Folder: ICPR3

Lookup Tables

Boundary Stage Set:
Extern Hydrograph Set:
Curve Number Set: ICPR3
Green-Ampt Set: ICPR3
Vertical Layers Set:
Impervious Set: ICPR3

Tolerances & Options

Time Marching:	SAOR	IA Recovery Time:	24.0000 hr
Max Iterations:	6		
Over-Relax Weight Fact:	0.5 dec		
dZ Tolerance:	0.0010 ft	Manual Basin Rain Opt:	Global
Max dZ:	1.0000 ft		
Link Optimizer Tol:	0.0001 ft	Rainfall Name:	Fdot-24
		Rainfall Amount:	8.50 in
Edge Length Option:	Automatic	Storm Duration:	24.0000 hr
		Dflt Dampening (1D):	0.0050 ft
		Min Node Srf Area (1D):	113 ft2
		Energy Switch (1D):	Energy

Comment:

Simulation: 25y-2h

Scenario:	Icpr3
Run Date/Time:	7/20/2017 7:44:27 AM
Program Version:	ICPR4 4.03.01

General

Run Mode: Normal

	Year	Month	Day	Hour [hr]
Start Time:	0	0	0	0.0000
End Time:	0	0	0	2.0000

	Hydrology [sec]	Surface Hydraulics [sec]
Min Calculation Time:	60.0000	0.1000
Max Calculation Time:		60.0000

Output Time Increments

Hydrology

Year	Month	Day	Hour [hr]	Time Increment [min]
0	0	0	0.0000	5.0000

Surface Hydraulics

Year	Month	Day	Hour [hr]	Time Increment [min]

Year	Month	Day	Hour [hr]	Time Increment [min]
0	0	0	0.0000	15.0000

Restart File

Save Restart: False

Resources & Lookup Tables

Resources

Rainfall Folder: ICPR3

Unit Hydrograph Folder: ICPR3

Lookup Tables

Boundary Stage Set:

Extern Hydrograph Set:

Curve Number Set: ICPR3

Green-Ampt Set: ICPR3

Vertical Layers Set:

Impervious Set: ICPR3

Tolerances & Options

Time Marching: SAOR

Max Iterations: 6

Over-Relax Weight Fact: 0.5 dec

dZ Tolerance: 0.0010 ft

Max dZ: 1.0000 ft

Link Optimizer Tol: 0.0001 ft

Edge Length Option: Automatic

IA Recovery Time: 24.0000 hr

Manual Basin Rain Opt: Global

Rainfall Name: Fdot-2

Rainfall Amount: 4.70 in

Storm Duration: 2.0000 hr

Dflt Dampening (1D): 0.0050 ft

Min Node Srf Area (1D): 113 ft2

Energy Switch (1D): Energy

Comment:

Simulation: 25y-4h

Scenario: Icpr3

Run Date/Time: 7/20/2017 7:44:29 AM

Program Version: ICPR4 4.03.01

General

Run Mode: Normal

	Year	Month	Day	Hour [hr]
Start Time:	0	0	0	0.0000

End Time:	0	0	0	4.0000

	Hydrology [sec]	Surface Hydraulics [sec]
Min Calculation Time:	60.0000	0.1000
Max Calculation Time:		60.0000

Output Time Increments

Hydrology

Year	Month	Day	Hour [hr]	Time Increment [min]
0	0	0	0.0000	5.0000

Surface Hydraulics

Year	Month	Day	Hour [hr]	Time Increment [min]
0	0	0	0.0000	15.0000

Restart File

Save Restart: False

Resources & Lookup Tables

Resources

Rainfall Folder: ICPR3

Unit Hydrograph Folder: ICPR3

Lookup Tables

Boundary Stage Set:
Extern Hydrograph Set:
Curve Number Set: ICPR3

Green-Ampt Set: ICPR3
Vertical Layers Set:
Impervious Set: ICPR3

Tolerances & Options

Time Marching: SAOR
Max Iterations: 6
Over-Relax Weight Fact: 0.5 dec
dZ Tolerance: 0.0010 ft
Max dZ: 1.0000 ft
Link Optimizer Tol: 0.0001 ft

Edge Length Option: Automatic

IA Recovery Time: 24.0000 hr

Manual Basin Rain Opt: Global

Rainfall Name: Fdot-4
Rainfall Amount: 5.90 in
Storm Duration: 4.0000 hr

Dflt Dampening (1D): 0.0050 ft
Min Node Srf Area (1D): 113 ft2
Energy Switch (1D): Energy

Comment:

Simulation: 25y-8h

Scenario: Icpr3
Run Date/Time: 7/20/2017 7:44:32 AM
Program Version: ICPR4 4.03.01

General

Run Mode: Normal

	Year	Month	Day	Hour [hr]
Start Time:	0	0	0	0.0000
End Time:	0	0	0	8.0000

	Hydrology [sec]	Surface Hydraulics [sec]
Min Calculation Time:	60.0000	0.1000
Max Calculation Time:		60.0000

Output Time Increments

Hydrology

Year	Month	Day	Hour [hr]	Time Increment [min]
0	0	0	0.0000	5.0000

Surface Hydraulics

Year	Month	Day	Hour [hr]	Time Increment [min]
0	0	0	0.0000	15.0000

Restart File

Save Restart: False

Resources & Lookup Tables

Resources

Rainfall Folder: ICPR3

Unit Hydrograph Folder: ICPR3

Lookup Tables

Boundary Stage Set:
Extern Hydrograph Set:
Curve Number Set: ICPR3
Green-Ampt Set: ICPR3
Vertical Layers Set:
Impervious Set: ICPR3

Tolerances & Options

Time Marching:	SAOR	IA Recovery Time:	24.0000 hr
Max Iterations:	6		
Over-Relax Weight Fact:	0.5 dec		
dZ Tolerance:	0.0010 ft	Manual Basin Rain Opt:	Global
Max dZ:	1.0000 ft		
Link Optimizer Tol:	0.0001 ft	Rainfall Name:	Fdot-8
		Rainfall Amount:	7.40 in
Edge Length Option:	Automatic	Storm Duration:	8.0000 hr
		Dflt Dampening (1D):	0.0050 ft
		Min Node Srf Area (1D):	113 ft2
		Energy Switch (1D):	Energy

Comment:

Simulation: 2y-1h

Scenario:	Icpr3
Run Date/Time:	7/20/2017 7:44:37 AM
Program Version:	ICPR4 4.03.01

General

Run Mode: Normal

	Year	Month	Day	Hour [hr]
Start Time:	0	0	0	0.0000
End Time:	0	0	0	1.0000

	Hydrology [sec]	Surface Hydraulics [sec]
Min Calculation Time:	60.0000	0.1000
Max Calculation Time:		60.0000

Output Time Increments

Hydrology

Year	Month	Day	Hour [hr]	Time Increment [min]
0	0	0	0.0000	5.0000

Surface Hydraulics

Year	Month	Day	Hour [hr]	Time Increment [min]
0	0	0	0.0000	15.0000

Restart File

Save Restart: False

Resources & Lookup Tables

Resources

Rainfall Folder: ICPR3

Unit Hydrograph Folder: ICPR3

Lookup Tables

Boundary Stage Set:

Extern Hydrograph Set:

Curve Number Set: ICPR3

Green-Ampt Set: ICPR3

Vertical Layers Set:

Impervious Set: ICPR3

Tolerances & Options

Time Marching: SAOR

Max Iterations: 6

Over-Relax Weight Fact: 0.5 dec

dZ Tolerance: 0.0010 ft

Max dZ: 1.0000 ft

Link Optimizer Tol: 0.0001 ft

Edge Length Option: Automatic

IA Recovery Time: 24.0000 hr

Manual Basin Rain Opt: Global

Rainfall Name: Fdot-1

Rainfall Amount: 2.30 in

Storm Duration: 1.0000 hr

Dflt Dampening (1D): 0.0050 ft

Min Node Srf Area (1D): 113 ft2

Energy Switch (1D): Energy

Comment:

Simulation: 2y-24h

Scenario: Icpr3

Run Date/Time: 7/20/2017 7:44:38 AM

Program Version: ICPR4 4.03.01

General

Run Mode: Normal

	Year	Month	Day	Hour [hr]
Start Time:	0	0	0	0.0000
End Time:	0	0	0	30.0000

	Hydrology [sec]	Surface Hydraulics [sec]
Min Calculation Time:	60.0000	0.1000
Max Calculation Time:		60.0000

Output Time Increments

Hydrology

Year	Month	Day	Hour [hr]	Time Increment [min]
0	0	0	0.0000	5.0000

Surface Hydraulics

Year	Month	Day	Hour [hr]	Time Increment [min]
0	0	0	0.0000	15.0000

Restart File

Save Restart: False

Resources & Lookup Tables

Resources

Rainfall Folder: ICPR3

Unit Hydrograph Folder: ICPR3

Lookup Tables

Boundary Stage Set:
Extern Hydrograph Set:
Curve Number Set: ICPR3
Green-Ampt Set: ICPR3
Vertical Layers Set:
Impervious Set: ICPR3

Tolerances & Options

Time Marching: SAOR
Max Iterations: 6
Over-Relax Weight Fact: 0.5 dec
dZ Tolerance: 0.0010 ft
Max dZ: 1.0000 ft
Link Optimizer Tol: 0.0001 ft
Edge Length Option: Automatic

IA Recovery Time: 24.0000 hr
Manual Basin Rain Opt: Global
Rainfall Name: Fdot-24
Rainfall Amount: 4.70 in
Storm Duration: 24.0000 hr
Dflt Dampening (1D): 0.0050 ft
Min Node Srf Area (1D): 113 ft2
Energy Switch (1D): Energy

Comment:

Simulation: 2y-2h

Scenario: Icpr3
Run Date/Time: 7/20/2017 7:44:50 AM
Program Version: ICPR4 4.03.01

General

Run Mode: Normal

	Year	Month	Day	Hour [hr]
Start Time:	0	0	0	0.0000
End Time:	0	0	0	30.0000

	Hydrology [sec]	Surface Hydraulics [sec]
Min Calculation Time:	60.0000	0.1000
Max Calculation Time:		60.0000

Output Time Increments

Hydrology

Year	Month	Day	Hour [hr]	Time Increment [min]
0	0	0	0.0000	5.0000

Surface Hydraulics

Year	Month	Day	Hour [hr]	Time Increment [min]
0	0	0	0.0000	15.0000

Restart File

Save Restart: False

Resources & Lookup Tables

Resources

Rainfall Folder: ICPR3
Unit Hydrograph Folder: ICPR3

Lookup Tables

Boundary Stage Set:
Extern Hydrograph Set:
Curve Number Set: ICPR3
Green-Ampt Set: ICPR3
Vertical Layers Set:
Impervious Set: ICPR3

Tolerances & Options

Time Marching: SAOR
Max Iterations: 6
Over-Relax Weight Fact: 0.5 dec
dZ Tolerance: 0.0010 ft
IA Recovery Time: 24.0000 hr
Manual Basin Rain Opt: Global

Max dZ:	1.0000 ft		
Link Optimizer Tol:	0.0001 ft	Rainfall Name:	Fdot-2
		Rainfall Amount:	3.00 in
Edge Length Option:	Automatic	Storm Duration:	2.0000 hr
		Dflt Dampening (1D):	0.0050 ft
		Min Node Srf Area (1D):	113 ft2
		Energy Switch (1D):	Energy

Comment:

Simulation: 2y-4h

Scenario: Icpr3
Run Date/Time: 7/20/2017 7:45:02 AM
Program Version: ICPR4 4.03.01

General

Run Mode: Normal

	Year	Month	Day	Hour [hr]
Start Time:	0	0	0	0.0000
End Time:	0	0	0	4.0000

	Hydrology [sec]	Surface Hydraulics [sec]
Min Calculation Time:	60.0000	0.1000
Max Calculation Time:		60.0000

Output Time Increments

Hydrology

Year	Month	Day	Hour [hr]	Time Increment [min]
0	0	0	0.0000	5.0000

Surface Hydraulics

Year	Month	Day	Hour [hr]	Time Increment [min]
0	0	0	0.0000	15.0000

Restart File

Save Restart: False

Resources & Lookup Tables

Resources		Lookup Tables	
Rainfall Folder:	ICPR3	Boundary Stage Set:	
		Extern Hydrograph Set:	
Unit Hydrograph Folder:	ICPR3	Curve Number Set:	ICPR3
		Green-Ampt Set:	ICPR3
		Vertical Layers Set:	
		Impervious Set:	ICPR3

Tolerances & Options

Time Marching:	SAOR	IA Recovery Time:	24.0000 hr
Max Iterations:	6		
Over-Relax Weight Fact:	0.5 dec		
dZ Tolerance:	0.0010 ft	Manual Basin Rain Opt:	Global
Max dZ:	1.0000 ft		
Link Optimizer Tol:	0.0001 ft	Rainfall Name:	Fdot-4
		Rainfall Amount:	3.50 in
Edge Length Option:	Automatic	Storm Duration:	4.0000 hr
		Dflt Dampening (1D):	0.0050 ft
		Min Node Srf Area (1D):	113 ft2
		Energy Switch (1D):	Energy

Comment:

Simulation: 2y-8h

Scenario:	Icpr3
Run Date/Time:	7/20/2017 7:45:04 AM
Program Version:	ICPR4 4.03.01

General

Run Mode: Normal

	Year	Month	Day	Hour [hr]
Start Time:	0	0	0	0.0000
End Time:	0	0	0	8.0000

	Hydrology [sec]	Surface Hydraulics [sec]
Min Calculation Time:	60.0000	0.1000
Max Calculation Time:		60.0000

Output Time Increments

Hydrology

Year	Month	Day	Hour [hr]	Time Increment [min]
0	0	0	0.0000	5.0000

Surface Hydraulics

Year	Month	Day	Hour [hr]	Time Increment [min]
0	0	0	0.0000	15.0000

Restart File

Save Restart: False

Resources & Lookup Tables

Resources

Rainfall Folder: ICPR3

Unit Hydrograph Folder: ICPR3

Lookup Tables

Boundary Stage Set:
Extern Hydrograph Set:
Curve Number Set: ICPR3

Green-Ampt Set: ICPR3
Vertical Layers Set:
Impervious Set: ICPR3

Tolerances & Options

Time Marching: SAOR
Max Iterations: 6
Over-Relax Weight Fact: 0.5 dec
dZ Tolerance: 0.0010 ft
Max dZ: 1.0000 ft
Link Optimizer Tol: 0.0001 ft

Edge Length Option: Automatic

IA Recovery Time: 24.0000 hr

Manual Basin Rain Opt: Global

Rainfall Name: Fdot-8
Rainfall Amount: 4.20 in
Storm Duration: 8.0000 hr

Dflt Dampening (1D): 0.0050 ft
Min Node Srf Area (1D): 113 ft2
Energy Switch (1D): Energy

Comment:

Simulation: 5y-1h

Scenario: Icpr3

Run Date/Time: 7/20/2017 7:45:08 AM
Program Version: ICPR4 4.03.01

General

Run Mode: Normal

	Year	Month	Day	Hour [hr]
Start Time:	0	0	0	0.0000
End Time:	0	0	0	1.0000

	Hydrology [sec]	Surface Hydraulics [sec]
Min Calculation Time:	60.0000	0.1000
Max Calculation Time:		60.0000

Output Time Increments

Hydrology

Year	Month	Day	Hour [hr]	Time Increment [min]
0	0	0	0.0000	5.0000

Surface Hydraulics

Year	Month	Day	Hour [hr]	Time Increment [min]
0	0	0	0.0000	15.0000

Restart File

Save Restart: False

Resources & Lookup Tables

Resources

Rainfall Folder: ICPR3

Unit Hydrograph Folder: ICPR3

Lookup Tables

Boundary Stage Set:
Extern Hydrograph Set:
Curve Number Set: ICPR3
Green-Ampt Set: ICPR3
Vertical Layers Set:
Impervious Set: ICPR3

Tolerances & Options

Time Marching: SAOR
Max Iterations: 6
Over-Relax Weight Fact: 0.5 dec
dZ Tolerance: 0.0010 ft
Max dZ: 1.0000 ft
Link Optimizer Tol: 0.0001 ft

IA Recovery Time: 24.0000 hr
Manual Basin Rain Opt: Global
Rainfall Name: Fdot-1

		Rainfall Amount:	2.80 in
Edge Length Option:	Automatic	Storm Duration:	1.0000 hr
		Dflt Dampening (1D):	0.0050 ft
		Min Node Srf Area (1D):	113 ft2
		Energy Switch (1D):	Energy

Comment:

Simulation: 5y-24h

Scenario: Icpr3
Run Date/Time: 7/20/2017 7:45:10 AM
Program Version: ICPR4 4.03.01

General

Run Mode: Normal

	Year	Month	Day	Hour [hr]
Start Time:	0	0	0	0.0000
End Time:	0	0	0	24.0000

	Hydrology [sec]	Surface Hydraulics [sec]
Min Calculation Time:	60.0000	0.1000
Max Calculation Time:		60.0000

Output Time Increments

Hydrology

Year	Month	Day	Hour [hr]	Time Increment [min]
0	0	0	0.0000	5.0000

Surface Hydraulics

Year	Month	Day	Hour [hr]	Time Increment [min]
0	0	0	0.0000	15.0000

Restart File

Save Restart: False

Resources & Lookup Tables

Resources

Rainfall Folder: ICPR3

Lookup Tables

Boundary Stage Set:

		Extern Hydrograph Set:	
Unit Hydrograph Folder:	ICPR3	Curve Number Set:	ICPR3
		Green-Ampt Set:	ICPR3
		Vertical Layers Set:	
		Impervious Set:	ICPR3

Tolerances & Options

Time Marching:	SAOR	IA Recovery Time:	24.0000 hr
Max Iterations:	6		
Over-Relax Weight Fact:	0.5 dec		
dZ Tolerance:	0.0010 ft	Manual Basin Rain Opt:	Global
Max dZ:	1.0000 ft		
Link Optimizer Tol:	0.0001 ft	Rainfall Name:	Fdot-24
		Rainfall Amount:	6.40 in
Edge Length Option:	Automatic	Storm Duration:	24.0000 hr
		Dflt Dampening (1D):	0.0050 ft
		Min Node Srf Area (1D):	113 ft2
		Energy Switch (1D):	Energy

Comment:

Simulation: 5y-2h

Scenario:	Icpr3
Run Date/Time:	7/20/2017 7:45:20 AM
Program Version:	ICPR4 4.03.01

General

Run Mode: Normal

	Year	Month	Day	Hour [hr]
Start Time:	0	0	0	0.0000
End Time:	0	0	0	2.0000

	Hydrology [sec]	Surface Hydraulics [sec]
Min Calculation Time:	60.0000	0.1000
Max Calculation Time:		60.0000

Output Time Increments

Hydrology

Year	Month	Day	Hour [hr]	Time Increment [min]
0	0	0	0.0000	5.0000

Surface Hydraulics

Year	Month	Day	Hour [hr]	Time Increment [min]
0	0	0	0.0000	15.0000

Restart File

Save Restart: False

Resources & Lookup Tables

Resources

Rainfall Folder: ICPR3

Unit Hydrograph Folder: ICPR3

Lookup Tables

Boundary Stage Set:
Extern Hydrograph Set:
Curve Number Set: ICPR3
Green-Ampt Set: ICPR3
Vertical Layers Set:
Impervious Set: ICPR3

Tolerances & Options

Time Marching: SAOR
Max Iterations: 6
Over-Relax Weight Fact: 0.5 dec
dZ Tolerance: 0.0010 ft
Max dZ: 1.0000 ft
Link Optimizer Tol: 0.0001 ft
Edge Length Option: Automatic

IA Recovery Time: 24.0000 hr
Manual Basin Rain Opt: Global
Rainfall Name: Fdot-2
Rainfall Amount: 3.50 in
Storm Duration: 2.0000 hr
Dflt Dampening (1D): 0.0050 ft
Min Node Srf Area (1D): 113 ft2
Energy Switch (1D): Energy

Comment:

Simulation: 5y-4h

Scenario: Icpr3
Run Date/Time: 7/20/2017 7:45:22 AM
Program Version: ICPR4 4.03.01

General

Run Mode: Normal

	Year	Month	Day	Hour [hr]
Start Time:	0	0	0	0.0000
End Time:	0	0	0	4.0000

	Hydrology [sec]	Surface Hydraulics [sec]
Min Calculation Time:	60.0000	0.1000
Max Calculation Time:		60.0000

Output Time Increments

Hydrology

Year	Month	Day	Hour [hr]	Time Increment [min]
0	0	0	0.0000	5.0000

Surface Hydraulics

Year	Month	Day	Hour [hr]	Time Increment [min]
0	0	0	0.0000	15.0000

Restart File

Save Restart: False

Resources & Lookup Tables

Resources

Rainfall Folder: ICPR3

Unit Hydrograph Folder: ICPR3

Lookup Tables

Boundary Stage Set:

Extern Hydrograph Set:

Curve Number Set: ICPR3

Green-Ampt Set: ICPR3

Vertical Layers Set:

Impervious Set: ICPR3

Tolerances & Options

Time Marching: SAOR

Max Iterations: 6

Over-Relax Weight Fact: 0.5 dec

dZ Tolerance: 0.0010 ft

Max dZ: 1.0000 ft

Link Optimizer Tol: 0.0001 ft

Edge Length Option: Automatic

IA Recovery Time: 24.0000 hr

Manual Basin Rain Opt: Global

Rainfall Name: Fdot-4

Rainfall Amount: 4.40 in

Storm Duration: 4.0000 hr

Dflt Dampening (1D):	0.0050 ft
Min Node Srf Area (1D):	113 ft2
Energy Switch (1D):	Energy

Comment:

Simulation: 5y-8h

Scenario:	Icpr3
Run Date/Time:	7/20/2017 7:45:25 AM
Program Version:	ICPR4 4.03.01

General

Run Mode: Normal

	Year	Month	Day	Hour [hr]
Start Time:	0	0	0	0.0000
End Time:	0	0	0	30.0000

	Hydrology [sec]	Surface Hydraulics [sec]
Min Calculation Time:	60.0000	0.1000
Max Calculation Time:		60.0000

Output Time Increments

Hydrology

Year	Month	Day	Hour [hr]	Time Increment [min]
0	0	0	0.0000	5.0000

Surface Hydraulics

Year	Month	Day	Hour [hr]	Time Increment [min]
0	0	0	0.0000	15.0000

Restart File

Save Restart: False

Resources & Lookup Tables

Resources

Rainfall Folder:	ICPR3
Unit Hydrograph	ICPR3

Lookup Tables

Boundary Stage Set:	
Extern Hydrograph Set:	
Curve Number Set:	ICPR3

Folder:			
		Green-Ampt Set:	ICPR3
		Vertical Layers Set:	
		Impervious Set:	ICPR3

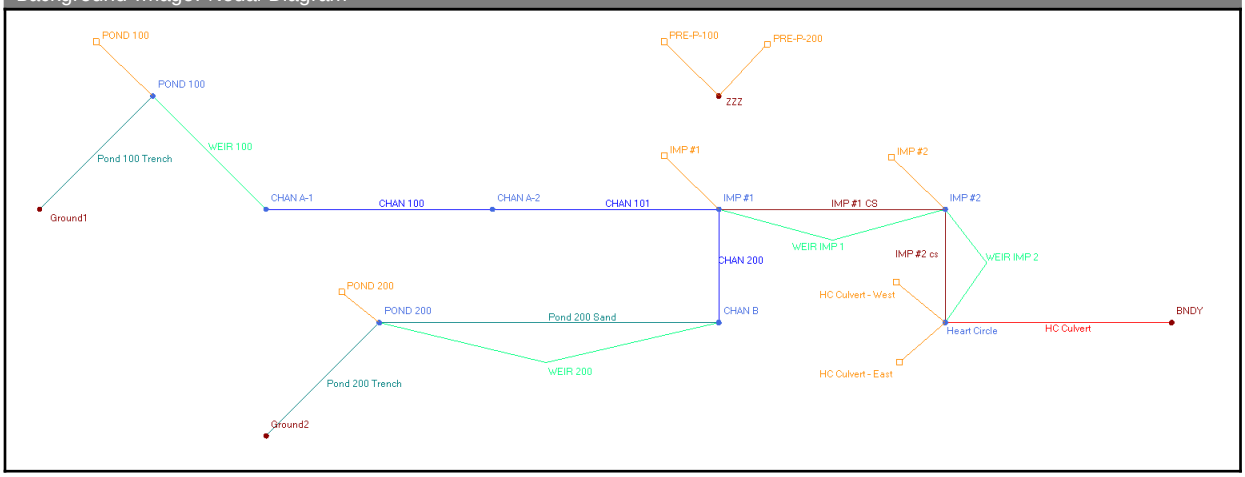
Tolerances & Options

Time Marching:	SAOR	IA Recovery Time:	24.0000 hr
Max Iterations:	6		
Over-Relax Weight Fact:	0.5 dec		
dZ Tolerance:	0.0010 ft	Manual Basin Rain Opt:	Global
Max dZ:	1.0000 ft		
Link Optimizer Tol:	0.0001 ft	Rainfall Name:	Fdot-8
		Rainfall Amount:	5.50 in
Edge Length Option:	Automatic	Storm Duration:	8.0000 hr
		Dflt Dampening (1D):	0.0050 ft
		Min Node Srf Area (1D):	113 ft2
		Energy Switch (1D):	Energy

Comment:

Post Development Report

Background Image: Nodal Diagram



Node: BNDY

Scenario: Post
Type: Time/Stage
Base Flow: 0.00 cfs
Initial Stage: 148.13 ft
Warning Stage: 152.00 ft
Boundary Stage:

Year	Month	Day	Hour	Stage [ft]
0	0	0	0.0000	148.13
0	0	0	999.0000	150.00

Comment:

Node Max Conditions w/ Times [Post]

Node Name	Sim Name	Warning Stage [ft]	Max Stage [ft]	Min/Max Delta Stage [ft]	Max Total Inflow [cfs]	Max Total Outflow [cfs]	Max Surface Area [ft2]	Time to Max Stage [hr]	Time to Min/Max Delta Stage [hr]	Time to Max Total Inflow [hr]	Time to Max Total Outflow [hr]
BNDY	100y-1h	152.00	148.30	0.0000	60.90	0.00	0	90.0003	87.5003	0.8152	0.0000
BNDY	100y-24h	152.00	148.34	0.0000	33.18	0.00	0	114.0042	1.5271	13.5051	0.0000
BNDY	100y-2h	152.00	148.30	0.0000	61.51	0.00	0	90.0100	17.7446	0.9762	0.0000
BNDY	100y-4h	152.00	148.30	0.0000	58.44	0.00	0	90.0086	20.0976	3.1482	0.0000
BNDY	100y-8h	152.00	148.30	0.0000	65.85	0.00	0	90.0094	1.4605	5.1198	0.0000
BNDY	10y-1h	152.00	148.30	0.0000	35.12	0.00	0	90.0159	51.0993	0.8225	0.0000
BNDY	10y-24h	152.00	148.30	0.0000	14.61	0.00	0	90.0096	1.5271	12.0845	0.0000

Node Name	Sim Name	Warning Stage [ft]	Max Stage [ft]	Min/Max Delta Stage [ft]	Max Total Inflow [cfs]	Max Total Outflow [cfs]	Max Surface Area [ft2]	Time to Max Stage [hr]	Time to Min/Max Delta Stage [hr]	Time to Max Total Inflow [hr]	Time to Max Total Outflow [hr]
BNDY	10y-2h	152.00	148.30	0.0000	34.48	0.00	0	90.0027	78.1027	0.9834	0.0000
BNDY	10y-4h	152.00	148.30	0.0000	30.92	0.00	0	90.0100	17.5090	2.6080	0.0000
BNDY	10y-8h	152.00	148.30	0.0000	37.36	0.00	0	90.0059	1.5271	4.0867	0.0000
BNDY	25y-1h	152.00	148.30	0.0000	45.53	0.00	0	90.0037	65.5370	0.8179	0.0000
BNDY	25y-24h	152.00	148.30	0.0000	17.68	0.00	0	90.0070	1.5271	17.7744	0.0000
BNDY	25y-2h	152.00	148.30	0.0000	43.71	0.00	0	90.0076	14.9226	0.9777	0.0000
BNDY	25y-4h	152.00	148.30	0.0000	39.77	0.00	0	90.0036	18.9363	2.6023	0.0000
BNDY	25y-8h	152.00	148.30	0.0000	48.44	0.00	0	90.0040	1.5271	4.0855	0.0000
BNDY	2y-1h	152.00	148.30	0.0000	18.25	0.00	0	90.0084	27.1917	0.8396	0.0000
BNDY	2y-24h	152.00	148.30	0.0000	6.64	0.00	0	90.0037	1.5271	15.0796	0.0000
BNDY	2y-2h	152.00	148.30	0.0000	18.96	0.00	0	90.0154	45.3820	0.9980	0.0000
BNDY	2y-4h	152.00	148.30	0.0000	17.03	0.00	0	90.0029	60.7196	2.6179	0.0000
BNDY	2y-8h	152.00	148.30	0.0000	19.86	0.00	0	90.0002	1.5271	4.0938	0.0000
BNDY	5y-1h	152.00	148.30	0.0000	27.28	0.00	0	90.0089	39.5922	0.8311	0.0000
BNDY	5y-24h	152.00	148.30	0.0000	11.33	0.00	0	90.0073	1.5271	12.0897	0.0000
BNDY	5y-2h	152.00	148.30	0.0000	25.74	0.00	0	90.0131	59.8631	0.9864	0.0000
BNDY	5y-4h	152.00	148.30	0.0000	25.20	0.00	0	90.0127	88.4627	2.6087	0.0000
BNDY	5y-8h	152.00	148.30	0.0000	31.06	0.00	0	90.0007	1.5271	4.0865	0.0000

Node: CHAN A-1

Scenario: Post
Type: Stage/Area
Base Flow: 0.00 cfs
Initial Stage: 203.00 ft
Warning Stage: 208.00 ft

Stage [ft]	Area [ac]	Area [ft2]
203.00	0.1000	4356
208.00	0.1000	4356

Comment:

Node Max Conditions w/ Times [Post]

Node Name	Sim Name	Warning Stage [ft]	Max Stage [ft]	Min/Max Delta Stage [ft]	Max Total Inflow [cfs]	Max Total Outflow [cfs]	Max Surface Area [ft2]	Time to Max Stage [hr]	Time to Min/Max Delta Stage [hr]	Time to Max Total Inflow [hr]	Time to Max Total Outflow [hr]
CHAN A-1	100y-1h	208.00	203.00	0.0000	0.00	0.00	4356	0.0000	0.0000	0.0000	0.0000

Node Name	Sim Name	Warning Stage [ft]	Max Stage [ft]	Min/Max Delta Stage [ft]	Max Total Inflow [cfs]	Max Total Outflow [cfs]	Max Surface Area [ft2]	Time to Max Stage [hr]	Time to Min/Max Delta Stage [hr]	Time to Max Total Inflow [hr]	Time to Max Total Outflow [hr]
CHAN A-1	100y-24h	208.00	203.53	0.0010	16.65	16.64	6047	12.0806	11.2636	12.0625	12.0815
CHAN A-1	100y-2h	208.00	203.68	0.0010	30.75	30.53	6505	1.5862	1.4882	1.5625	1.5863
CHAN A-1	100y-4h	208.00	203.79	0.0010	44.85	44.73	6856	2.6716	2.5273	2.6546	2.6716
CHAN A-1	100y-8h	208.00	203.86	0.0010	54.59	54.52	7058	4.1070	3.9508	4.0935	4.1071
CHAN A-1	10y-1h	208.00	203.00	0.0000	0.00	0.00	4356	0.0000	0.0000	0.0000	0.0000
CHAN A-1	10y-24h	208.00	203.37	0.0010	6.63	6.63	5531	15.0667	13.6810	15.0428	15.0678
CHAN A-1	10y-2h	208.00	203.00	0.0000	0.00	0.00	4356	0.0000	0.0000	0.0000	0.0000
CHAN A-1	10y-4h	208.00	203.46	0.0010	11.49	11.28	5806	3.5422	3.3483	3.4963	3.5423
CHAN A-1	10y-8h	208.00	203.54	0.0010	17.04	16.97	6060	4.8548	4.6553	4.8217	4.8550
CHAN A-1	25y-1h	208.00	203.00	0.0000	0.00	0.00	4356	0.0000	0.0000	0.0000	0.0000
CHAN A-1	25y-24h	208.00	203.42	0.0010	9.09	9.08	5687	12.8788	12.5973	12.8311	12.8790
CHAN A-1	25y-2h	208.00	203.38	0.0010	7.88	7.27	5575	2.2660	2.1046	2.2070	2.2662
CHAN A-1	25y-4h	208.00	203.66	0.0010	28.17	28.10	6436	3.0525	2.8897	3.0311	3.0526
CHAN A-1	25y-8h	208.00	203.70	0.0010	32.62	32.30	6553	4.3230	4.2119	4.2986	4.3231
CHAN A-1	2y-1h	208.00	203.00	0.0000	0.00	0.00	4356	0.0000	0.0000	0.0000	0.0000
CHAN A-1	2y-24h	208.00	203.00	0.0000	0.00	0.00	4356	0.0000	0.0000	0.0000	0.0000
CHAN A-1	2y-2h	208.00	203.00	0.0000	0.00	0.00	4356	0.0000	0.0000	0.0000	0.0000
CHAN A-1	2y-4h	208.00	203.00	0.0000	0.00	0.00	4356	0.0000	0.0000	0.0000	0.0000
CHAN A-1	2y-8h	208.00	203.00	0.0000	0.00	0.00	4356	0.0000	0.0000	0.0000	0.0000
CHAN A-1	5y-1h	208.00	203.00	0.0000	0.00	0.00	4356	0.0000	0.0000	0.0000	0.0000
CHAN A-1	5y-24h	208.00	203.32	0.0010	4.53	4.53	5367	16.0382	15.6228	15.9709	16.0386
CHAN A-1	5y-2h	208.00	203.00	0.0000	0.00	0.00	4356	0.0000	0.0000	0.0000	0.0000
CHAN	5y-4h	208.00	203.00	0.0000	0.00	0.00	4356	0.0000	0.0000	0.0000	0.0000

Node Name	Sim Name	Warning Stage [ft]	Max Stage [ft]	Min/Max Delta Stage [ft]	Max Total Inflow [cfs]	Max Total Outflow [cfs]	Max Surface Area [ft2]	Time to Max Stage [hr]	Time to Min/Max Delta Stage [hr]	Time to Max Total Inflow [hr]	Time to Max Total Outflow [hr]
A-1											
CHAN A-1	5y-8h	208.00	203.42	0.0010	9.28	8.96	5680	5.3547	5.1995	5.2994	5.3549

Node: CHAN A-2

Scenario: Post
Type: Stage/Area
Base Flow: 0.00 cfs
Initial Stage: 176.00 ft
Warning Stage: 179.00 ft

Stage [ft]	Area [ac]	Area [ft2]
176.00	0.1000	4356
179.00	0.3000	13068

Comment:

Node Max Conditions w/ Times [Post]

Node Name	Sim Name	Warning Stage [ft]	Max Stage [ft]	Min/Max Delta Stage [ft]	Max Total Inflow [cfs]	Max Total Outflow [cfs]	Max Surface Area [ft2]	Time to Max Stage [hr]	Time to Min/Max Delta Stage [hr]	Time to Max Total Inflow [hr]	Time to Max Total Outflow [hr]
CHAN A-2	100y-1h	179.00	176.00	0.0000	0.00	0.00	4356	0.0000	0.0000	0.0000	0.0000
CHAN A-2	100y-24h	179.00	178.49	0.0010	16.64	16.50	29735	12.2305	11.3201	12.0815	12.5703
CHAN A-2	100y-2h	179.00	178.54	0.0010	30.53	24.29	23163	1.8902	1.6348	1.5863	1.9588
CHAN A-2	100y-4h	179.00	178.64	0.0010	44.73	40.12	27281	2.8777	2.5830	2.6716	2.9045
CHAN A-2	100y-8h	179.00	178.69	0.0010	54.52	47.43	29520	4.2569	3.9879	4.1071	4.2658
CHAN A-2	10y-1h	179.00	176.00	0.0000	0.00	0.00	4356	0.0000	0.0000	0.0000	0.0000
CHAN A-2	10y-24h	179.00	178.30	0.0010	6.63	6.35	25912	15.2973	13.8519	15.0678	15.2973
CHAN A-2	10y-2h	179.00	176.00	0.0000	0.00	0.00	4356	0.0000	0.0000	0.0000	0.0000
CHAN	10y-4h	179.00	178.19	0.0010	11.28	2.76	23650	4.3336	4.0331	3.5423	4.3352

Node Name	Sim Name	Warning Stage [ft]	Max Stage [ft]	Min/Max Delta Stage [ft]	Max Total Inflow [cfs]	Max Total Outflow [cfs]	Max Surface Area [ft2]	Time to Max Stage [hr]	Time to Min/Max Delta Stage [hr]	Time to Max Total Inflow [hr]	Time to Max Total Outflow [hr]
A-2											
CHAN A-2	10y-8h	179.00	178.41	0.0010	16.97	11.02	27997	5.3710	4.7461	4.8550	5.3720
CHAN A-2	25y-1h	179.00	176.00	0.0000	0.00	0.00	4356	0.0000	0.0000	0.0000	0.0000
CHAN A-2	25y-24h	179.00	178.34	0.0010	9.08	7.78	26593	15.1237	12.7275	12.8790	15.1237
CHAN A-2	25y-2h	179.00	177.54	0.0010	7.27	0.00	9011	90.0076	2.1963	2.2662	0.0000
CHAN A-2	25y-4h	179.00	178.54	0.0010	28.10	21.02	22824	3.3459	3.2215	3.0526	3.4730
CHAN A-2	25y-8h	179.00	178.57	0.0010	32.30	27.54	23906	4.6350	4.2777	4.3231	4.7073
CHAN A-2	2y-1h	179.00	176.00	0.0000	0.00	0.00	4356	0.0000	0.0000	0.0000	0.0000
CHAN A-2	2y-24h	179.00	176.00	0.0000	0.00	0.00	4356	0.0000	0.0000	0.0000	0.0000
CHAN A-2	2y-2h	179.00	176.00	0.0000	0.00	0.00	4356	0.0000	0.0000	0.0000	0.0000
CHAN A-2	2y-4h	179.00	176.00	0.0000	0.00	0.00	4356	0.0000	0.0000	0.0000	0.0000
CHAN A-2	2y-8h	179.00	176.00	0.0000	0.00	0.00	4356	0.0000	0.0000	0.0000	0.0000
CHAN A-2	5y-1h	179.00	176.00	0.0000	0.00	0.00	4356	0.0000	0.0000	0.0000	0.0000
CHAN A-2	5y-24h	179.00	178.22	0.0010	4.53	3.62	24283	19.1271	15.8396	16.0386	19.1311
CHAN A-2	5y-2h	179.00	176.00	0.0000	0.00	0.00	4356	0.0000	0.0000	0.0000	0.0000
CHAN A-2	5y-4h	179.00	176.00	0.0000	0.00	0.00	4356	0.0000	0.0000	0.0000	0.0000
CHAN A-2	5y-8h	179.00	178.24	0.0010	8.96	4.13	24667	6.5870	5.2770	5.3549	6.5915

Node: CHAN B

Scenario: Post
Type: Stage/Area
Base Flow: 0.00 cfs
Initial Stage: 208.50 ft
Warning Stage: 216.00 ft

Stage [ft]	Area [ac]	Area [ft2]
208.50	0.1000	4356
216.00	0.2000	8712

Comment:

Node Max Conditions w/ Times [Post]

Node Name	Sim Name	Warning Stage [ft]	Max Stage [ft]	Min/Max Delta Stage [ft]	Max Total Inflow [cfs]	Max Total Outflow [cfs]	Max Surface Area [ft2]	Time to Max Stage [hr]	Time to Min/Max Delta Stage [hr]	Time to Max Total Inflow [hr]	Time to Max Total Outflow [hr]
CHAN B	100y-1h	216.00	209.04	0.0004	0.05	0.03	4870	20.5347	13.9889	2.1194	20.5947
CHAN B	100y-24h	216.00	209.28	0.0010	3.45	3.30	6970	15.2799	14.8950	15.1073	15.2834
CHAN B	100y-2h	216.00	209.06	0.0002	0.08	0.06	4948	12.8693	9.8855	2.9124	12.8756
CHAN B	100y-4h	216.00	209.07	0.0001	0.12	0.11	5016	10.5206	4.4984	4.6550	10.5231
CHAN B	100y-8h	216.00	209.32	0.0010	6.49	4.77	8755	5.4568	5.1772	5.2294	5.4582
CHAN B	10y-1h	216.00	208.90	0.0002	0.03	0.00	4590	43.2628	11.3103	2.0732	0.0000
CHAN B	10y-24h	216.00	209.07	0.0005	0.10	0.10	5010	24.4275	19.7311	24.1884	24.4294
CHAN B	10y-2h	216.00	209.04	0.0004	0.04	0.02	4843	24.2638	13.6725	2.8454	24.2638
CHAN B	10y-4h	216.00	209.05	0.0004	0.06	0.04	4903	18.3890	14.6358	4.5976	18.4190
CHAN B	10y-8h	216.00	209.06	0.0003	0.08	0.07	4964	15.2775	7.1401	8.4807	15.2817
CHAN B	25y-1h	216.00	209.03	0.0003	0.03	0.01	4785	33.1078	12.7864	2.0960	33.2257
CHAN B	25y-24h	216.00	209.19	0.0010	1.22	1.22	5609	21.0307	20.0538	21.0072	21.0425
CHAN B	25y-2h	216.00	209.05	0.0005	0.05	0.04	4888	18.6933	14.8280	2.8765	18.7866
CHAN B	25y-4h	216.00	209.06	0.0002	0.08	0.07	4951	13.9771	11.0582	4.6284	13.9826
CHAN B	25y-8h	216.00	209.07	0.0003	0.20	0.11	5023	12.2051	6.1468	8.4372	12.2070
CHAN B	2y-1h	216.00	208.63	0.0001	0.01	0.00	4433	25.8984	7.3663	2.0057	0.0000
CHAN B	2y-24h	216.00	209.04	0.0004	0.04	0.03	4866	35.2121	31.0727	22.9845	35.2788
CHAN B	2y-2h	216.00	208.82	0.0002	0.02	0.00	4542	39.5128	10.4753	2.7627	0.0000
CHAN B	2y-4h	216.00	209.01	0.0002	0.03	0.00	4725	50.2324	14.9345	4.5056	50.2433
CHAN B	2y-8h	216.00	209.04	0.0004	0.04	0.02	4848	27.1200	18.8141	8.3901	27.1350
CHAN B	5y-1h	216.00	208.76	0.0001	0.02	0.00	4505	35.4682	8.2732	2.0490	0.0000
CHAN B	5y-24h	216.00	209.06	0.0005	0.07	0.07	4959	25.9787	21.1361	24.1629	25.9810
CHAN B	5y-2h	216.00	209.02	0.0003	0.03	0.00	4736	46.7604	12.6564	2.8066	46.9241
CHAN B	5y-4h	216.00	209.04	0.0004	0.04	0.03	4867	22.5532	15.9233	4.5672	22.6099
CHAN B	5y-8h	216.00	209.05	0.0004	0.07	0.05	4927	17.7800	7.5797	8.4557	17.7887

Node: Ground1

Scenario: Post
Type: Time/Stage
Base Flow: 0.00 cfs
Initial Stage: 180.00 ft
Warning Stage: 182.00 ft

Boundary Stage:

Year	Month	Day	Hour	Stage [ft]
0	0	0	0.0000	180.00
0	0	0	90.0000	182.00

Comment:

Node Max Conditions w/ Times [Post]

Node Name	Sim Name	Warning Stage [ft]	Max Stage [ft]	Min/Max Delta Stage [ft]	Max Total Inflow [cfs]	Max Total Outflow [cfs]	Max Surface Area [ft2]	Time to Max Stage [hr]	Time to Min/Max Delta Stage [hr]	Time to Max Total Inflow [hr]	Time to Max Total Outflow [hr]
Ground1	100y-1h	182.00	182.00	0.0004	0.47	0.00	0	90.0003	87.4503	0.4616	0.0000
Ground1	100y-24h	182.00	182.00	0.0004	0.47	0.00	0	90.0054	1.4605	4.0548	0.0000
Ground1	100y-2h	182.00	182.00	0.0003	0.47	0.00	0	90.0100	17.7596	0.4741	0.0000
Ground1	100y-4h	182.00	182.00	0.0003	0.47	0.00	0	90.0086	20.0826	1.1712	0.0000
Ground1	100y-8h	182.00	182.00	0.0004	0.47	0.00	0	90.0094	1.4605	2.0196	0.0000
Ground1	10y-1h	182.00	182.00	0.0004	0.47	0.00	0	90.0159	50.8326	0.5168	0.0000
Ground1	10y-24h	182.00	182.00	0.0004	0.47	0.00	0	90.0096	1.4605	5.2657	0.0000
Ground1	10y-2h	182.00	182.00	0.0004	0.47	0.00	0	90.0027	77.9860	0.5699	0.0000
Ground1	10y-4h	182.00	182.00	0.0003	0.47	0.00	0	90.0100	17.5090	1.3622	0.0000
Ground1	10y-8h	182.00	182.00	0.0004	0.47	0.00	0	90.0059	1.4605	2.3821	0.0000
Ground1	25y-1h	182.00	182.00	0.0004	0.47	0.00	0	90.0037	65.5203	0.4904	0.0000
Ground1	25y-24h	182.00	182.00	0.0004	0.47	0.00	0	90.0070	1.4605	4.8203	0.0000
Ground1	25y-2h	182.00	182.00	0.0004	0.47	0.00	0	90.0076	14.8438	0.5303	0.0000
Ground1	25y-4h	182.00	182.00	0.0003	0.47	0.00	0	90.0036	18.9363	1.2731	0.0000
Ground1	25y-8h	182.00	182.00	0.0004	0.47	0.00	0	90.0040	1.4605	2.2038	0.0000
Ground1	2y-1h	182.00	182.00	0.0004	0.47	0.00	0	90.0084	26.9417	0.5877	0.0000
Ground1	2y-24h	182.00	182.00	0.0004	0.47	0.00	0	90.0037	1.4605	7.0578	0.0000
Ground1	2y-2h	182.00	182.00	0.0004	0.47	0.00	0	90.0154	45.2320	0.6717	0.0000
Ground1	2y-4h	182.00	182.00	0.0004	0.47	0.00	0	90.0029	60.5196	1.5941	0.0000
Ground1	2y-8h	182.00	182.00	0.0004	0.47	0.00	0	90.0002	1.4605	2.8604	0.0000
Ground1	5y-1h	182.00	182.00	0.0004	0.47	0.00	0	90.0089	39.5922	0.5433	0.0000
Ground1	5y-24h	182.00	182.00	0.0004	0.47	0.00	0	90.0073	1.4605	5.8076	0.0000
Ground1	5y-2h	182.00	182.00	0.0004	0.47	0.00	0	90.0131	59.6631	0.6193	0.0000
Ground1	5y-4h	182.00	182.00	0.0004	0.47	0.00	0	90.0127	88.3960	1.4378	0.0000
Ground1	5y-8h	182.00	182.00	0.0004	0.47	0.00	0	90.0007	1.4605	2.5137	0.0000

Node: Ground2

Scenario: Post
Type: Time/Stage
Base Flow: 0.00 cfs

Initial Stage: 180.00 ft
Warning Stage: 182.00 ft
Boundary Stage:

Year	Month	Day	Hour	Stage [ft]
0	0	0	0.0000	178.00
0	0	0	90.0000	180.00

Comment:

Node Max Conditions w/ Times [Post]

Node Name	Sim Name	Warning Stage [ft]	Max Stage [ft]	Min/Max Delta Stage [ft]	Max Total Inflow [cfs]	Max Total Outflow [cfs]	Max Surface Area [ft2]	Time to Max Stage [hr]	Time to Min/Max Delta Stage [hr]	Time to Max Total Inflow [hr]	Time to Max Total Outflow [hr]
Ground2	100y-1h	182.00	180.00	0.0004	0.23	0.00	0	90.0003	87.4503	0.4774	0.0000
Ground2	100y-24h	182.00	180.00	0.0004	0.23	0.00	0	90.0054	1.4605	3.8212	0.0000
Ground2	100y-2h	182.00	180.00	0.0003	0.23	0.00	0	90.0100	17.7596	0.4834	0.0000
Ground2	100y-4h	182.00	180.00	0.0003	0.23	0.00	0	90.0086	20.0826	1.1525	0.0000
Ground2	100y-8h	182.00	180.00	0.0004	0.23	0.00	0	90.0094	1.4605	1.9655	0.0000
Ground2	10y-1h	182.00	180.00	0.0004	0.23	0.00	0	90.0159	50.8326	0.5310	0.0000
Ground2	10y-24h	182.00	180.00	0.0004	0.23	0.00	0	90.0096	1.4605	4.9308	0.0000
Ground2	10y-2h	182.00	180.00	0.0004	0.23	0.00	0	90.0027	77.9860	0.5748	0.0000
Ground2	10y-4h	182.00	180.00	0.0003	0.23	0.00	0	90.0100	17.5090	1.3416	0.0000
Ground2	10y-8h	182.00	180.00	0.0004	0.23	0.00	0	90.0059	1.4605	2.3130	0.0000
Ground2	25y-1h	182.00	180.00	0.0004	0.23	0.00	0	90.0037	65.5203	0.5055	0.0000
Ground2	25y-24h	182.00	180.00	0.0004	0.23	0.00	0	90.0070	1.4605	4.5117	0.0000
Ground2	25y-2h	182.00	180.00	0.0004	0.23	0.00	0	90.0076	14.8438	0.5369	0.0000
Ground2	25y-4h	182.00	180.00	0.0003	0.23	0.00	0	90.0036	18.9363	1.2545	0.0000
Ground2	25y-8h	182.00	180.00	0.0004	0.23	0.00	0	90.0040	1.4605	2.1391	0.0000
Ground2	2y-1h	182.00	180.00	0.0004	0.23	0.00	0	90.0084	26.9417	0.5989	0.0000
Ground2	2y-24h	182.00	180.00	0.0004	0.23	0.00	0	90.0037	1.4605	6.6303	0.0000
Ground2	2y-2h	182.00	180.00	0.0004	0.23	0.00	0	90.0154	45.2320	0.6721	0.0000
Ground2	2y-4h	182.00	180.00	0.0004	0.23	0.00	0	90.0029	60.5196	1.5602	0.0000
Ground2	2y-8h	182.00	180.00	0.0004	0.23	0.00	0	90.0002	1.4605	2.7562	0.0000
Ground2	5y-1h	182.00	180.00	0.0004	0.23	0.00	0	90.0089	39.5922	0.5566	0.0000
Ground2	5y-24h	182.00	180.00	0.0004	0.23	0.00	0	90.0073	1.4605	5.4815	0.0000
Ground2	5y-2h	182.00	180.00	0.0004	0.23	0.00	0	90.0131	59.6631	0.6220	0.0000
Ground2	5y-4h	182.00	180.00	0.0004	0.23	0.00	0	90.0127	88.3960	1.4137	0.0000
Ground2	5y-8h	182.00	180.00	0.0004	0.23	0.00	0	90.0007	1.4605	2.4365	0.0000

Node: Heart Circle

Scenario: Post

Type: Stage/Area
Base Flow: 0.00 cfs
Initial Stage: 148.00 ft
Warning Stage: 159.00 ft

Stage [ft]	Area [ac]	Area [ft2]
148.00	0.0100	436
149.00	0.0100	436
150.00	0.0100	436
151.00	0.0100	436
152.00	0.0200	871
153.00	0.0400	1742
154.00	0.0800	3485
155.00	0.1100	4792
156.00	0.1400	6098
157.00	0.1700	7405
158.00	0.2100	9148
159.00	0.2700	11761
160.00	0.3000	13068
161.00	0.3000	13068
162.00	0.3000	13068

Comment:

Node Max Conditions w/ Times [Post]

Node Name	Sim Name	Warning Stage [ft]	Max Stage [ft]	Min/Max Delta Stage [ft]	Max Total Inflow [cfs]	Max Total Outflow [cfs]	Max Surface Area [ft2]	Time to Max Stage [hr]	Time to Min/Max Delta Stage [hr]	Time to Max Total Inflow [hr]	Time to Max Total Outflow [hr]
Heart Circle	100y-1h	159.00	152.51	0.0010	61.06	60.90	1536	0.8172	0.5376	0.7999	0.8152
Heart Circle	100y-24h	159.00	151.38	0.0010	33.18	33.18	843	13.5051	3.0937	13.5151	13.5051
Heart Circle	100y-2h	159.00	152.54	0.0010	61.66	61.51	1556	0.9780	0.3637	0.9667	0.9762
Heart Circle	100y-4h	159.00	152.41	0.0010	58.55	58.44	1455	3.1490	3.7829	3.1335	3.1482
Heart Circle	100y-8h	159.00	152.71	0.0010	65.91	65.85	1695	5.1212	8.2640	5.1011	5.1198
Heart Circle	10y-1h	159.00	151.47	0.0010	35.17	35.12	880	0.8244	0.4084	0.8167	0.8225
Heart Circle	10y-24h	159.00	150.49	0.0010	14.61	14.61	658	12.0878	4.3469	12.0833	12.0845
Heart Circle	10y-2h	159.00	151.44	0.0010	34.51	34.48	868	0.9849	2.1398	0.9668	0.9834
Heart	10y-4h	159.00	151.28	0.0010	30.93	30.92	800	2.6082	1.0971	2.6001	2.6080

Node Name	Sim Name	Warning Stage [ft]	Max Stage [ft]	Min/Max Delta Stage [ft]	Max Total Inflow [cfs]	Max Total Outflow [cfs]	Max Surface Area [ft2]	Time to Max Stage [hr]	Time to Min/Max Delta Stage [hr]	Time to Max Total Inflow [hr]	Time to Max Total Outflow [hr]
Circle											
Heart Circle	10y-8h	159.00	151.56	0.0010	37.38	37.36	921	4.0878	2.4520	4.0832	4.0867
Heart Circle	25y-1h	159.00	151.90	0.0010	45.58	45.53	1065	0.8195	0.5915	0.8001	0.8179
Heart Circle	25y-24h	159.00	150.65	0.0010	17.68	17.68	664	17.7744	3.9830	17.7830	17.7744
Heart Circle	25y-2h	159.00	151.82	0.0010	43.78	43.71	1033	0.9809	0.4316	0.9666	0.9777
Heart Circle	25y-4h	159.00	151.66	0.0010	39.78	39.77	964	2.6041	1.1632	2.5999	2.6023
Heart Circle	25y-8h	159.00	152.02	0.0010	48.46	48.44	1120	4.0864	3.1678	4.0821	4.0855
Heart Circle	2y-1h	159.00	150.68	0.0010	18.28	18.25	665	0.8431	0.3996	0.8334	0.8396
Heart Circle	2y-24h	159.00	149.96	0.0010	6.64	6.64	630	15.0796	22.2382	15.0813	15.0796
Heart Circle	2y-2h	159.00	150.72	0.0010	18.97	18.96	666	1.0007	0.6774	0.9837	0.9980
Heart Circle	2y-4h	159.00	150.62	0.0010	17.04	17.03	663	2.6229	1.4010	2.6164	2.6179
Heart Circle	2y-8h	159.00	150.77	0.0010	19.87	19.86	667	4.0950	3.1732	4.0834	4.0938
Heart Circle	5y-1h	159.00	151.12	0.0010	27.30	27.28	727	0.8335	0.4652	0.8166	0.8311
Heart Circle	5y-24h	159.00	150.29	0.0010	11.34	11.33	649	12.0905	5.1268	12.0833	12.0897
Heart Circle	5y-2h	159.00	151.05	0.0010	25.76	25.74	695	0.9891	0.4871	0.9835	0.9864
Heart Circle	5y-4h	159.00	151.03	0.0010	25.21	25.20	684	2.6163	1.6148	2.6013	2.6087
Heart Circle	5y-8h	159.00	151.29	0.0010	31.08	31.06	803	4.0891	2.2540	4.0833	4.0865

Node: IMP #1

Scenario: Post
Type: Stage/Area
Base Flow: 0.00 cfs
Initial Stage: 172.00 ft
Warning Stage: 179.00 ft

Stage [ft]	Area [ac]	Area [ft2]
172.00	0.2000	8712
173.00	0.2200	9583
174.00	0.4100	17860
175.00	0.5100	22216
176.00	0.7000	30492
177.00	0.8400	36590
178.00	1.0300	44867
179.00	1.1900	51836

Comment:

Node Max Conditions w/ Times [Post]

Node Name	Sim Name	Warning Stage [ft]	Max Stage [ft]	Min/Max Delta Stage [ft]	Max Total Inflow [cfs]	Max Total Outflow [cfs]	Max Surface Area [ft2]	Time to Max Stage [hr]	Time to Min/Max Delta Stage [hr]	Time to Max Total Inflow [hr]	Time to Max Total Outflow [hr]
IMP #1	100y-1h	179.00	175.56	0.0010	36.90	7.17	26872	1.2736	1.8437	0.7334	1.2736
IMP #1	100y-24h	179.00	177.02	0.0010	24.88	16.82	53489	16.2592	17.2864	12.1192	13.1377
IMP #1	100y-2h	179.00	176.79	0.0010	37.17	16.82	46715	2.2789	0.6568	0.9000	2.0773
IMP #1	100y-4h	179.00	178.09	0.0010	60.85	20.12	67235	3.7760	8.5622	2.8984	3.7767
IMP #1	100y-8h	179.00	178.32	0.0010	69.81	33.79	78632	5.2027	2.4411	4.2525	5.2027
IMP #1	10y-1h	179.00	174.43	0.0010	20.66	4.05	19744	1.2822	0.6601	0.7666	1.2822
IMP #1	10y-24h	179.00	175.56	0.0010	10.06	7.17	26862	19.1374	21.4352	15.1593	19.1374
IMP #1	10y-2h	179.00	174.98	0.0010	20.33	5.49	22128	1.9333	0.7745	0.9166	1.9333
IMP #1	10y-4h	179.00	175.49	0.0010	15.84	6.96	26285	3.3236	1.6995	2.5333	3.3236
IMP #1	10y-8h	179.00	176.19	0.0010	19.78	9.61	38473	6.1459	2.8074	4.0333	6.1459
IMP #1	25y-1h	179.00	174.92	0.0010	27.19	5.33	21882	1.2772	3.8550	0.7500	1.2772
IMP #1	25y-24h	179.00	176.23	0.0010	12.49	10.01	39078	16.3342	24.4173	15.0158	16.3342
IMP #1	25y-2h	179.00	175.47	0.0010	26.04	6.88	26069	1.9128	4.3004	0.9166	1.9128
IMP #1	25y-4h	179.00	176.67	0.0010	28.17	16.20	45081	3.7734	1.6725	3.3809	3.7734
IMP #1	25y-8h	179.00	177.34	0.0010	39.32	16.85	55030	5.5628	7.1808	4.7042	5.5643
IMP #1	2y-1h	179.00	173.51	0.0010	10.26	1.97	13785	1.2998	2.2795	0.7834	1.2998
IMP #1	2y-24h	179.00	173.52	0.0010	2.82	2.00	13885	15.1640	8.8111	12.0331	15.1640
IMP #1	2y-2h	179.00	174.02	0.0010	10.75	3.06	17943	1.9977	2.6585	0.9332	1.9977
IMP #1	2y-4h	179.00	174.33	0.0010	8.80	3.79	19294	3.3818	6.6041	2.5503	3.3818
IMP #1	2y-8h	179.00	174.43	0.0010	10.59	4.05	19751	5.1721	3.3672	4.0500	5.1721
IMP #1	5y-1h	179.00	174.03	0.0010	15.80	3.09	18003	1.2878	0.7170	0.7667	1.2878
IMP #1	5y-24h	179.00	174.72	0.0010	5.95	4.80	21014	19.8231	24.4045	19.0023	19.8231
IMP #1	5y-2h	179.00	174.46	0.0010	14.92	4.12	19869	1.9644	2.8183	0.9168	1.9644
IMP #1	5y-4h	179.00	175.05	0.0010	12.97	5.68	22625	3.3383	1.9132	2.5498	3.3383
IMP #1	5y-8h	179.00	175.29	0.0010	16.50	6.36	24610	5.1443	2.7410	4.0334	5.1443

Node: IMP #2

Scenario: Post
Type: Stage/Area
Base Flow: 0.00 cfs
Initial Stage: 158.37 ft
Warning Stage: 163.00 ft

Stage [ft]	Area [ac]	Area [ft2]
155.00	0.1700	7405
156.00	0.3200	13939
157.00	0.4600	20038
158.00	0.6100	26572
159.00	0.7000	30492
160.00	0.8300	36155
161.00	0.9500	41382
162.00	1.0900	47480
163.00	1.2100	52708

Comment:

Node Max Conditions w/ Times [Post]

Node Name	Sim Name	Warning Stage [ft]	Max Stage [ft]	Min/Max Delta Stage [ft]	Max Total Inflow [cfs]	Max Total Outflow [cfs]	Max Surface Area [ft2]	Time to Max Stage [hr]	Time to Min/Max Delta Stage [hr]	Time to Max Total Inflow [hr]	Time to Max Total Outflow [hr]
IMP #2	100y-1h	163.00	160.87	0.0010	42.24	6.34	40717	1.8477	11.6553	0.7501	1.8477
IMP #2	100y-24h	163.00	162.24	0.0010	23.63	22.35	48750	13.6427	29.5869	13.1253	13.6427
IMP #2	100y-2h	163.00	162.13	0.0010	42.74	15.46	48150	2.6604	12.6533	0.9167	2.6634
IMP #2	100y-4h	163.00	162.33	0.0010	37.72	29.10	49229	3.2891	15.8108	2.8410	3.2997
IMP #2	100y-8h	163.00	162.47	0.0010	45.41	43.75	49944	5.1998	18.0292	5.0936	5.2020
IMP #2	10y-1h	163.00	159.95	0.0010	24.40	3.18	35881	2.0245	10.0887	0.7666	2.0245
IMP #2	10y-24h	163.00	161.56	0.0010	9.93	9.11	44784	19.8226	30.1584	18.9989	19.8226
IMP #2	10y-2h	163.00	160.63	0.0010	24.03	5.42	39430	2.5192	8.3481	0.9178	2.5192
IMP #2	10y-4h	163.00	161.23	0.0010	21.16	7.74	42780	4.1316	14.6358	2.5667	4.1316
IMP #2	10y-8h	163.00	161.87	0.0010	25.70	10.50	46713	7.3234	15.6220	4.0500	7.3234
IMP #2	25y-1h	163.00	160.34	0.0010	31.61	4.42	37932	1.9261	10.2633	0.7666	1.9261
IMP #2	25y-24h	163.00	162.06	0.0010	13.79	12.21	47768	17.7445	28.1686	16.0494	17.7484
IMP #2	25y-2h	163.00	161.07	0.0010	30.46	7.09	41793	2.4704	9.8325	0.9166	2.4704
IMP #2	25y-4h	163.00	162.13	0.0010	26.98	15.54	48162	4.1964	11.0582	2.5662	4.2016
IMP #2	25y-8h	163.00	162.26	0.0010	32.90	23.32	48825	5.3026	19.4919	4.0342	5.3126
IMP #2	2y-1h	163.00	159.25	0.0009	12.50	1.32	31912	2.2523	6.3934	0.7972	2.2523
IMP #2	2y-24h	163.00	159.98	0.0010	4.63	3.26	36035	17.1698	24.0967	12.0504	17.1608
IMP #2	2y-2h	163.00	159.79	0.0010	13.05	2.71	34966	2.6770	8.2200	0.9335	2.6770
IMP #2	2y-4h	163.00	160.15	0.0010	11.84	3.80	36944	4.2371	9.9727	2.5834	4.2371
IMP #2	2y-8h	163.00	160.40	0.0010	13.89	4.63	38247	6.9589	12.5643	4.0516	6.9638

Node Name	Sim Name	Warning Stage [ft]	Max Stage [ft]	Min/Max Delta Stage [ft]	Max Total Inflow [cfs]	Max Total Outflow [cfs]	Max Surface Area [ft2]	Time to Max Stage [hr]	Time to Min/Max Delta Stage [hr]	Time to Max Total Inflow [hr]	Time to Max Total Outflow [hr]
IMP #2	5y-1h	163.00	159.64	0.0010	18.89	2.29	34120	2.1324	6.8436	0.7833	2.1324
IMP #2	5y-24h	163.00	160.82	0.0010	7.64	6.15	40457	21.2084	28.8691	12.0498	21.2084
IMP #2	5y-2h	163.00	160.17	0.0010	17.89	3.87	37059	2.5901	7.4307	0.9333	2.5901
IMP #2	5y-4h	163.00	160.81	0.0010	17.34	6.09	40383	4.1568	10.7409	2.5666	4.1568
IMP #2	5y-8h	163.00	161.23	0.0010	21.48	7.75	42801	7.2372	13.1293	4.0501	7.2372

Node: POND 100

Scenario: Post
Type: Stage/Area
Base Flow: 0.00 cfs
Initial Stage: 203.00 ft
Warning Stage: 210.00 ft

Stage [ft]	Area [ac]	Area [ft2]
203.00	0.4700	20473
204.00	0.5000	21780
205.00	0.5300	23087
206.00	0.5600	24394
207.00	0.5900	25700
208.00	0.6200	27007
209.00	0.6500	28314
210.00	0.6800	29621

Comment:

Node Max Conditions w/ Times [Post]

Node Name	Sim Name	Warning Stage [ft]	Max Stage [ft]	Min/Max Delta Stage [ft]	Max Total Inflow [cfs]	Max Total Outflow [cfs]	Max Surface Area [ft2]	Time to Max Stage [hr]	Time to Min/Max Delta Stage [hr]	Time to Max Total Inflow [hr]	Time to Max Total Outflow [hr]
POND 100	100y-1h	210.00	208.88	0.0010	61.72	0.47	28159	2.1811	0.6483	0.7834	0.4616
POND 100	100y-24h	210.00	209.14	0.0010	17.15	17.12	28495	12.0625	10.5202	12.0334	12.0625
POND 100	100y-2h	210.00	209.21	0.0010	61.52	31.22	28585	1.5625	50.7876	0.9500	1.5625
POND 100	100y-4h	210.00	209.27	0.0010	46.83	45.32	28662	2.6546	40.7959	2.5334	2.6546
POND	100y-8h	210.00	209.30	0.0010	55.55	55.06	28710	4.0934	89.0688	4.0500	4.0935

Node Name	Sim Name	Warning Stage [ft]	Max Stage [ft]	Min/Max Delta Stage [ft]	Max Total Inflow [cfs]	Max Total Outflow [cfs]	Max Surface Area [ft2]	Time to Max Stage [hr]	Time to Min/Max Delta Stage [hr]	Time to Max Total Inflow [hr]	Time to Max Total Outflow [hr]
100											
POND 100	10y-1h	210.00	206.56	0.0010	36.19	0.47	25130	2.1231	19.2074	0.8001	0.5168
POND 100	10y-24h	210.00	209.08	0.0010	10.63	7.10	28412	15.0428	87.4397	12.0334	15.0428
POND 100	10y-2h	210.00	208.26	0.0010	35.23	0.47	27341	2.9598	26.5305	0.9666	0.5699
POND 100	10y-4h	210.00	209.11	0.0010	28.47	11.96	28455	3.4961	2.0441	2.5667	3.4963
POND 100	10y-8h	210.00	209.14	0.0010	34.43	17.51	28498	4.8217	77.3360	4.0666	4.8217
POND 100	25y-1h	210.00	207.53	0.0010	46.54	0.47	26392	2.1511	0.8130	0.8000	0.4904
POND 100	25y-24h	210.00	209.09	0.0010	12.54	9.56	28435	12.8309	7.0946	12.0334	12.8311
POND 100	25y-2h	210.00	209.08	0.0010	44.24	8.35	28424	2.2068	38.9144	0.9666	2.2070
POND 100	25y-4h	210.00	209.20	0.0010	35.93	28.64	28570	3.0310	52.5696	2.5501	3.0311
POND 100	25y-8h	210.00	209.22	0.0010	43.79	33.09	28596	4.2986	44.7241	4.0500	4.2986
POND 100	2y-1h	210.00	204.89	0.0010	19.23	0.47	22943	2.0374	9.5024	0.8332	0.5877
POND 100	2y-24h	210.00	208.52	0.0010	5.35	0.47	27687	24.2427	10.8882	12.0504	7.0578
POND 100	2y-2h	210.00	206.13	0.0010	19.83	0.47	24568	2.8525	32.5373	0.9834	0.6717
POND 100	2y-4h	210.00	207.04	0.0010	16.43	0.47	25755	4.6208	58.4658	2.5999	1.5941
POND 100	2y-8h	210.00	208.24	0.0010	19.21	0.47	27322	8.5390	3.7042	4.0668	2.8604
POND 100	5y-1h	210.00	205.80	0.0010	28.35	0.47	24136	2.0923	0.8927	0.8166	0.5433
POND 100	5y-24h	210.00	209.06	0.0010	8.53	5.00	28390	15.9705	11.6141	12.0498	15.9709
POND 100	5y-2h	210.00	207.09	0.0010	26.59	0.47	25823	2.9080	21.5905	0.9667	0.6193
POND 100	5y-4h	210.00	208.78	0.0010	23.57	0.47	28027	4.7065	36.9093	2.5833	1.4378
POND 100	5y-8h	210.00	209.09	0.0010	29.03	9.75	28437	5.2994	3.7377	4.0666	5.2994

Node: POND 200

Scenario: Post
Type: Stage/Area
Base Flow: 0.00 cfs
Initial Stage: 209.00 ft
Warning Stage: 215.00 ft

Stage [ft]	Area [ac]	Area [ft2]
209.00	0.4300	18731
210.00	0.4600	20038
211.00	0.5000	21780
212.00	0.5300	23087
213.00	0.5700	24829
214.00	0.6100	26572
215.00	0.6500	28314

Comment:

Node Max Conditions w/ Times [Post]

Node Name	Sim Name	Warning Stage [ft]	Max Stage [ft]	Min/Max Delta Stage [ft]	Max Total Inflow [cfs]	Max Total Outflow [cfs]	Max Surface Area [ft2]	Time to Max Stage [hr]	Time to Min/Max Delta Stage [hr]	Time to Max Total Inflow [hr]	Time to Max Total Outflow [hr]
POND 200	100y-1h	215.00	211.80	0.0006	24.78	0.28	22831	2.1183	14.2714	0.7667	2.1194
POND 200	100y-24h	215.00	214.04	0.0010	5.94	3.68	26635	15.1059	14.6617	12.0170	15.1073
POND 200	100y-2h	215.00	212.92	0.0008	23.93	0.31	24695	2.9124	1.7990	0.9334	2.9124
POND 200	100y-4h	215.00	213.97	0.0008	17.01	0.35	26524	4.6539	3.1642	2.1500	4.6550
POND 200	100y-8h	215.00	214.06	0.0010	19.55	6.72	26669	5.2294	4.8310	4.0334	5.2294
POND 200	10y-1h	215.00	210.80	0.0006	15.67	0.26	21423	2.0717	12.7378	0.7833	2.0732
POND 200	10y-24h	215.00	213.60	0.0010	3.87	0.33	25875	24.1884	18.4487	12.0334	24.1884
POND 200	10y-2h	215.00	211.52	0.0007	14.83	0.27	22462	2.8454	13.6725	0.9499	2.8454
POND 200	10y-4h	215.00	212.24	0.0007	10.76	0.29	23499	4.5960	0.9682	2.5333	4.5976
POND 200	10y-8h	215.00	213.09	0.0010	12.77	0.31	24984	8.4792	6.7757	4.0500	8.4807
POND 200	25y-1h	215.00	211.22	0.0006	19.40	0.26	22062	2.0948	14.0534	0.7833	2.0960
POND	25y-24h	215.00	214.02	0.0010	4.48	1.45	26602	20.9954	16.3758	12.0334	21.0072

Node Name	Sim Name	Warning Stage [ft]	Max Stage [ft]	Min/Max Delta Stage [ft]	Max Total Inflow [cfs]	Max Total Outflow [cfs]	Max Surface Area [ft2]	Time to Max Stage [hr]	Time to Min/Max Delta Stage [hr]	Time to Max Total Inflow [hr]	Time to Max Total Outflow [hr]
200											
POND 200	25y-2h	215.00	212.02	0.0007	18.00	0.28	23129	2.8765	14.8280	0.9499	2.8765
POND 200	25y-4h	215.00	212.97	0.0008	13.21	0.31	24768	4.6273	3.9746	2.1667	4.6284
POND 200	25y-8h	215.00	214.00	0.0010	15.79	0.43	26577	8.4372	5.1800	4.0499	8.4372
POND 200	2y-1h	215.00	210.05	0.0006	9.26	0.24	20124	2.0057	7.4851	0.8000	2.0057
POND 200	2y-24h	215.00	211.42	0.0006	2.14	0.27	22334	22.9789	52.1608	12.0342	22.9845
POND 200	2y-2h	215.00	210.60	0.0006	9.19	0.25	21082	2.7627	11.1272	0.9665	2.7627
POND 200	2y-4h	215.00	210.99	0.0006	6.72	0.26	21755	4.5056	1.1403	2.5664	4.5056
POND 200	2y-8h	215.00	211.47	0.0010	7.73	0.27	22388	8.3901	2.1605	4.0500	8.3901
POND 200	5y-1h	215.00	210.46	0.0006	12.76	0.25	20840	2.0475	11.2705	0.7833	2.0490
POND 200	5y-24h	215.00	212.77	0.0010	3.19	0.30	24435	24.1601	19.3808	12.0330	24.1629
POND 200	5y-2h	215.00	211.02	0.0006	11.72	0.26	21804	2.8051	12.7882	0.9500	2.8066
POND 200	5y-4h	215.00	211.74	0.0008	9.14	0.27	22745	4.5672	1.0388	2.5498	4.5672
POND 200	5y-8h	215.00	212.53	0.0010	11.01	0.30	24015	8.4557	6.4246	4.0499	8.4557

Node: ZZZ

Scenario: Post
Type: Time/Stage
Base Flow: 0.00 cfs
Initial Stage: 0.10 ft
Warning Stage: 0.10 ft
Boundary Stage:

Year	Month	Day	Hour	Stage [ft]
0	0	0	0.0000	0.10
0	0	0	48.0000	0.10

Comment:

Node Max Conditions w/ Times [Post]

Node Name	Sim Name	Warning Stage [ft]	Max Stage [ft]	Min/Max Delta Stage [ft]	Max Total Inflow [cfs]	Max Total Outflow [cfs]	Max Surface Area [ft2]	Time to Max Stage [hr]	Time to Min/Max Delta Stage [hr]	Time to Max Total Inflow [hr]	Time to Max Total Outflow [hr]
ZZZ	100y-1h	0.10	0.10	0.0000	57.05	0.00	0	0.0000	0.0000	0.8166	0.0000
ZZZ	100y-24h	0.10	0.10	0.0000	19.48	0.00	0	0.0000	0.0000	12.0334	0.0000
ZZZ	100y-2h	0.10	0.10	0.0000	59.16	0.00	0	0.0000	0.0000	0.9667	0.0000
ZZZ	100y-4h	0.10	0.10	0.0000	50.94	0.00	0	0.0000	0.0000	2.5667	0.0000
ZZZ	100y-8h	0.10	0.10	0.0000	61.86	0.00	0	0.0000	0.0000	4.0666	0.0000
ZZZ	10y-1h	0.10	0.10	0.0000	29.41	0.00	0	0.0000	0.0000	0.8333	0.0000
ZZZ	10y-24h	0.10	0.10	0.0000	11.07	0.00	0	0.0000	0.0000	12.0498	0.0000
ZZZ	10y-2h	0.10	0.10	0.0000	29.58	0.00	0	0.0000	0.0000	0.9834	0.0000
ZZZ	10y-4h	0.10	0.10	0.0000	28.15	0.00	0	0.0000	0.0000	2.5999	0.0000
ZZZ	10y-8h	0.10	0.10	0.0000	35.08	0.00	0	0.0000	0.0000	4.0666	0.0000
ZZZ	25y-1h	0.10	0.10	0.0000	40.31	0.00	0	0.0000	0.0000	0.8167	0.0000
ZZZ	25y-24h	0.10	0.10	0.0000	13.50	0.00	0	0.0000	0.0000	12.0496	0.0000
ZZZ	25y-2h	0.10	0.10	0.0000	39.43	0.00	0	0.0000	0.0000	0.9833	0.0000
ZZZ	25y-4h	0.10	0.10	0.0000	37.26	0.00	0	0.0000	0.0000	2.5833	0.0000
ZZZ	25y-8h	0.10	0.10	0.0000	46.79	0.00	0	0.0000	0.0000	4.0666	0.0000
ZZZ	2y-1h	0.10	0.10	0.0000	12.80	0.00	0	0.0000	0.0000	0.8667	0.0000
ZZZ	2y-24h	0.10	0.10	0.0000	4.71	0.00	0	0.0000	0.0000	12.0674	0.0000
ZZZ	2y-2h	0.10	0.10	0.0000	13.94	0.00	0	0.0000	0.0000	1.0335	0.0000
ZZZ	2y-4h	0.10	0.10	0.0000	14.15	0.00	0	0.0000	0.0000	2.6168	0.0000
ZZZ	2y-8h	0.10	0.10	0.0000	16.96	0.00	0	0.0000	0.0000	4.0834	0.0000
ZZZ	5y-1h	0.10	0.10	0.0000	21.48	0.00	0	0.0000	0.0000	0.8500	0.0000
ZZZ	5y-24h	0.10	0.10	0.0000	8.47	0.00	0	0.0000	0.0000	12.0506	0.0000
ZZZ	5y-2h	0.10	0.10	0.0000	20.58	0.00	0	0.0000	0.0000	1.0002	0.0000
ZZZ	5y-4h	0.10	0.10	0.0000	22.33	0.00	0	0.0000	0.0000	2.6002	0.0000
ZZZ	5y-8h	0.10	0.10	0.0000	28.48	0.00	0	0.0000	0.0000	4.0833	0.0000

Manual Basin: HC Culvert - East

Scenario: Post
Node: Heart Circle
Hydrograph Method: NRCS Unit Hydrograph
Infiltration Method: Curve Number
Time of Concentration: 19.2000 min
Max Allowable Q: 0.00 cfs
Time Shift: 0.0000 hr
Unit Hydrograph: UH323
Peaking Factor: 323.0

Area [ac]	Land Cover Zone	Soil Zone	Rainfall Name
14.7200	HC Culvert - East	HC Culvert - East	

Comment:

Manual Basin Runoff Summary [Post]

Basin Name	Sim Name	Max Flow [cfs]	Time to Max Flow [hrs]	Total Rainfall [in]	Total Runoff [in]	Area [ac]	Equivalent Curve Number	% Imperv	% DCIA
HC Culvert - East	100y-1h	48.09	0.8000	4.40	2.13	14.7200	77.0	0.00	0.00
HC Culvert - East	100y-24h	13.71	12.0333	10.90	8.01	14.7200	77.0	0.00	0.00
HC Culvert - East	100y-2h	48.13	0.9500	5.80	3.31	14.7200	77.0	0.00	0.00
HC Culvert - East	100y-4h	37.25	2.5500	7.20	4.56	14.7200	77.0	0.00	0.00
HC Culvert - East	100y-8h	44.25	4.0500	8.90	6.12	14.7200	77.0	0.00	0.00
HC Culvert - East	10y-1h	27.87	0.8167	3.20	1.21	14.7200	77.0	0.00	0.00
HC Culvert - East	10y-24h	8.43	12.0500	7.50	4.83	14.7200	77.0	0.00	0.00
HC Culvert - East	10y-2h	27.23	0.9667	4.10	1.89	14.7200	77.0	0.00	0.00
HC Culvert - East	10y-4h	22.44	2.5667	5.00	2.63	14.7200	77.0	0.00	0.00
HC Culvert - East	10y-8h	27.20	4.0667	6.20	3.66	14.7200	77.0	0.00	0.00
HC Culvert - East	25y-1h	36.04	0.8000	3.70	1.58	14.7200	77.0	0.00	0.00
HC Culvert - East	25y-24h	9.98	12.0333	8.50	5.75	14.7200	77.0	0.00	0.00
HC Culvert - East	25y-2h	34.39	0.9667	4.70	2.38	14.7200	77.0	0.00	0.00
HC Culvert - East	25y-4h	28.45	2.5667	5.90	3.40	14.7200	77.0	0.00	0.00
HC Culvert - East	25y-8h	34.74	4.0500	7.40	4.74	14.7200	77.0	0.00	0.00
HC Culvert - East	2y-1h	14.57	0.8333	2.30	0.62	14.7200	77.0	0.00	0.00
HC Culvert - East	2y-24h	4.18	12.0500	4.70	2.38	14.7200	77.0	0.00	0.00
HC Culvert - East	2y-2h	15.09	0.9833	3.00	1.07	14.7200	77.0	0.00	0.00
HC Culvert - East	2y-4h	12.79	2.6000	3.50	1.43	14.7200	N/A	0.00	0.00
HC Culvert - East	2y-8h	14.97	4.0833	4.20	1.97	14.7200	77.0	0.00	0.00
HC Culvert - East	5y-1h	21.70	0.8167	2.80	0.94	14.7200	77.0	0.00	0.00
HC Culvert - East	5y-24h	6.73	12.0500	6.40	3.84	14.7200	77.0	0.00	0.00
HC Culvert - East	5y-2h	20.41	0.9833	3.50	1.43	14.7200	N/A	0.00	0.00

Basin Name	Sim Name	Max Flow [cfs]	Time to Max Flow [hrs]	Total Rainfall [in]	Total Runoff [in]	Area [ac]	Equivalent Curve Number	% Imperv	% DCIA
HC Culvert - East	5y-4h	18.51	2.5833	4.40	2.13	14.7200	77.0	0.00	0.00
HC Culvert - East	5y-8h	22.85	4.0667	5.50	3.05	14.7200	77.0	0.00	0.00

Manual Basin Mass Balance Summary [Post]

Basin Name	Sim Name	Total Rainfall	Total Irrigation	Total Runoff	Total ET	Total Initial Abst	Total Recharge	Change Soil Storage
HC Culvert - East [in]	100y-1h	4.40	0.00	2.13	0.00	0.00	0.00	2.27
HC Culvert - East [ft3]	100y-1h	235108	0	114067	0	0	0	121041
HC Culvert - East [ac-ft]	100y-1h	5.40	0.00	2.62	0.00	0.00	0.00	2.78
HC Culvert - East [in]	100y-24h	10.90	0.00	8.01	0.00	0.00	0.00	2.89
HC Culvert - East [ft3]	100y-24h	582426	0	427786	0	0	0	154641
HC Culvert - East [ac-ft]	100y-24h	13.37	0.00	9.82	0.00	0.00	0.00	3.55
HC Culvert - East [in]	100y-2h	5.80	0.00	3.31	0.00	0.00	0.00	2.49
HC Culvert - East [ft3]	100y-2h	309915	0	177020	0	0	0	132895
HC Culvert - East [ac-ft]	100y-2h	7.11	0.00	4.06	0.00	0.00	0.00	3.05
HC Culvert - East [in]	100y-4h	7.20	0.00	4.56	0.00	0.00	0.00	2.64
HC Culvert - East [ft3]	100y-4h	384722	0	243486	0	0	0	141236
HC Culvert - East [ac-ft]	100y-4h	8.83	0.00	5.59	0.00	0.00	0.00	3.24
HC Culvert - East [in]	100y-8h	8.90	0.00	6.12	0.00	0.00	0.00	2.78
HC Culvert - East [ft3]	100y-8h	475559	0	327035	0	0	0	148524
HC Culvert - East [ac-ft]	100y-8h	10.92	0.00	7.51	0.00	0.00	0.00	3.41
HC Culvert - East [in]	10y-1h	3.20	0.00	1.21	0.00	0.00	0.00	1.99
HC Culvert - East [ft3]	10y-1h	170988	0	64905	0	0	0	106083
HC Culvert - East [ac-ft]	10y-1h	3.93	0.00	1.49	0.00	0.00	0.00	2.44

Basin Name	Sim Name	Total Rainfall	Total Irrigation	Total Runoff	Total ET	Total Initial Abst	Total Recharge	Change Soil Storage
HC Culvert - East [in]	10y-24h	7.50	0.00	4.83	0.00	0.00	0.00	2.67
HC Culvert - East [ft3]	10y-24h	400752	0	258042	0	0	0	142710
HC Culvert - East [ac-ft]	10y-24h	9.20	0.00	5.92	0.00	0.00	0.00	3.28
HC Culvert - East [in]	10y-2h	4.10	0.00	1.89	0.00	0.00	0.00	2.21
HC Culvert - East [ft3]	10y-2h	219078	0	101253	0	0	0	117825
HC Culvert - East [ac-ft]	10y-2h	5.03	0.00	2.32	0.00	0.00	0.00	2.70
HC Culvert - East [in]	10y-4h	5.00	0.00	2.63	0.00	0.00	0.00	2.37
HC Culvert - East [ft3]	10y-4h	267168	0	140489	0	0	0	126679
HC Culvert - East [ac-ft]	10y-4h	6.13	0.00	3.23	0.00	0.00	0.00	2.91
HC Culvert - East [in]	10y-8h	6.20	0.00	3.66	0.00	0.00	0.00	2.54
HC Culvert - East [ft3]	10y-8h	331288	0	195727	0	0	0	135561
HC Culvert - East [ac-ft]	10y-8h	7.61	0.00	4.49	0.00	0.00	0.00	3.11
HC Culvert - East [in]	25y-1h	3.70	0.00	1.58	0.00	0.00	0.00	2.12
HC Culvert - East [ft3]	25y-1h	197704	0	84665	0	0	0	113039
HC Culvert - East [ac-ft]	25y-1h	4.54	0.00	1.94	0.00	0.00	0.00	2.60
HC Culvert - East [in]	25y-24h	8.50	0.00	5.75	0.00	0.00	0.00	2.75
HC Culvert - East [ft3]	25y-24h	454186	0	307165	0	0	0	147020
HC Culvert - East [ac-ft]	25y-24h	10.43	0.00	7.05	0.00	0.00	0.00	3.38
HC Culvert - East [in]	25y-2h	4.70	0.00	2.38	0.00	0.00	0.00	2.32
HC Culvert - East [ft3]	25y-2h	251138	0	127157	0	0	0	123981
HC Culvert - East [ac-ft]	25y-2h	5.77	0.00	2.92	0.00	0.00	0.00	2.85
HC Culvert - East [in]	25y-4h	5.90	0.00	3.40	0.00	0.00	0.00	2.50
HC Culvert - East [ft3]	25y-4h	315258	0	181672	0	0	0	133586
HC Culvert - East [ac-ft]	25y-4h	7.24	0.00	4.17	0.00	0.00	0.00	3.07

Basin Name	Sim Name	Total Rainfall	Total Irrigation	Total Runoff	Total ET	Total Initial Abst	Total Recharge	Change Soil Storage
HC Culvert - East [in]	25y-8h	7.40	0.00	4.74	0.00	0.00	0.00	2.66
HC Culvert - East [ft3]	25y-8h	395409	0	253180	0	0	0	142229
HC Culvert - East [ac-ft]	25y-8h	9.08	0.00	5.81	0.00	0.00	0.00	3.27
HC Culvert - East [in]	2y-1h	2.30	0.00	0.62	0.00	0.00	0.00	1.68
HC Culvert - East [ft3]	2y-1h	122897	0	33108	0	0	0	89789
HC Culvert - East [ac-ft]	2y-1h	2.82	0.00	0.76	0.00	0.00	0.00	2.06
HC Culvert - East [in]	2y-24h	4.70	0.00	2.38	0.00	0.00	0.00	2.32
HC Culvert - East [ft3]	2y-24h	251138	0	127157	0	0	0	123981
HC Culvert - East [ac-ft]	2y-24h	5.77	0.00	2.92	0.00	0.00	0.00	2.85
HC Culvert - East [in]	2y-2h	3.00	0.00	1.07	0.00	0.00	0.00	1.93
HC Culvert - East [ft3]	2y-2h	160301	0	57365	0	0	0	102935
HC Culvert - East [ac-ft]	2y-2h	3.68	0.00	1.32	0.00	0.00	0.00	2.36
HC Culvert - East [in]	2y-4h	3.50	0.00	1.43	0.00	0.00	0.00	2.07
HC Culvert - East [ft3]	2y-4h	187018	0	76618	0	0	0	110399
HC Culvert - East [ac-ft]	2y-4h	4.29	0.00	1.76	0.00	0.00	0.00	2.53
HC Culvert - East [in]	2y-8h	4.20	0.00	1.97	0.00	0.00	0.00	2.23
HC Culvert - East [ft3]	2y-8h	224421	0	105491	0	0	0	118930
HC Culvert - East [ac-ft]	2y-8h	5.15	0.00	2.42	0.00	0.00	0.00	2.73
HC Culvert - East [in]	5y-1h	2.80	0.00	0.94	0.00	0.00	0.00	1.86
HC Culvert - East [ft3]	5y-1h	149614	0	50070	0	0	0	99544
HC Culvert - East [ac-ft]	5y-1h	3.43	0.00	1.15	0.00	0.00	0.00	2.29
HC Culvert - East [in]	5y-24h	6.40	0.00	3.84	0.00	0.00	0.00	2.56
HC Culvert - East [ft3]	5y-24h	341975	0	205173	0	0	0	136802
HC Culvert - East [ac-ft]	5y-24h	7.85	0.00	4.71	0.00	0.00	0.00	3.14

Basin Name	Sim Name	Total Rainfall	Total Irrigation	Total Runoff	Total ET	Total Initial Abst	Total Recharge	Change Soil Storage
HC Culvert - East [in]	5y-2h	3.50	0.00	1.43	0.00	0.00	0.00	2.07
HC Culvert - East [ft3]	5y-2h	187018	0	76618	0	0	0	110399
HC Culvert - East [ac-ft]	5y-2h	4.29	0.00	1.76	0.00	0.00	0.00	2.53
HC Culvert - East [in]	5y-4h	4.40	0.00	2.13	0.00	0.00	0.00	2.27
HC Culvert - East [ft3]	5y-4h	235108	0	114067	0	0	0	121041
HC Culvert - East [ac-ft]	5y-4h	5.40	0.00	2.62	0.00	0.00	0.00	2.78
HC Culvert - East [in]	5y-8h	5.50	0.00	3.05	0.00	0.00	0.00	2.45
HC Culvert - East [ft3]	5y-8h	293885	0	163171	0	0	0	130714
HC Culvert - East [ac-ft]	5y-8h	6.75	0.00	3.75	0.00	0.00	0.00	3.00

Manual Basin: HC Culvert - West

Scenario: Post
Node: Heart Circle
Hydrograph Method: NRCS Unit Hydrograph
Infiltration Method: Curve Number
Time of Concentration: 16.3200 min
Max Allowable Q: 0.00 cfs
Time Shift: 0.0000 hr
Unit Hydrograph: UH323
Peaking Factor: 323.0

Area [ac]	Land Cover Zone	Soil Zone	Rainfall Name
2.9400	HC Culvert - West	HC Culvert - West	

Comment:

Manual Basin Runoff Summary [Post]

Basin Name	Sim Name	Max Flow [cfs]	Time to Max Flow [hrs]	Total Rainfall [in]	Total Runoff [in]	Area [ac]	Equivalent Curve Number	% Imperv	% DCIA
HC Culvert - West	100y-1h	10.74	0.7500	4.40	2.22	2.9400	78.0	0.00	0.00
HC Culvert - West	100y-24h	2.80	12.0167	10.90	8.14	2.9400	78.0	0.00	0.00
HC Culvert	100y-2h	10.65	0.9167	5.80	3.41	2.9400	78.0	0.00	0.00

Basin Name	Sim Name	Max Flow [cfs]	Time to Max Flow [hrs]	Total Rainfall [in]	Total Runoff [in]	Area [ac]	Equivalent Curve Number	% Imperv	% DCIA
- West									
HC Culvert - West	100y-4h	7.67	2.5167	7.20	4.67	2.9400	78.0	0.00	0.00
HC Culvert - West	100y-8h	9.22	4.0333	8.90	6.24	2.9400	78.0	0.00	0.00
HC Culvert - West	10y-1h	6.30	0.7667	3.20	1.28	2.9400	78.0	0.00	0.00
HC Culvert - West	10y-24h	1.73	12.0333	7.50	4.94	2.9400	78.0	0.00	0.00
HC Culvert - West	10y-2h	6.11	0.9333	4.10	1.97	2.9400	78.0	0.00	0.00
HC Culvert - West	10y-4h	4.69	2.5500	5.00	2.72	2.9400	78.0	0.00	0.00
HC Culvert - West	10y-8h	5.74	4.0333	6.20	3.77	2.9400	78.0	0.00	0.00
HC Culvert - West	25y-1h	8.10	0.7667	3.70	1.66	2.9400	78.0	0.00	0.00
HC Culvert - West	25y-24h	2.05	12.0167	8.50	5.87	2.9400	78.0	0.00	0.00
HC Culvert - West	25y-2h	7.67	0.9333	4.70	2.47	2.9400	78.0	0.00	0.00
HC Culvert - West	25y-4h	5.90	2.5333	5.90	3.50	2.9400	78.0	0.00	0.00
HC Culvert - West	25y-8h	7.28	4.0333	7.40	4.85	2.9400	78.0	0.00	0.00
HC Culvert - West	2y-1h	3.35	0.8000	2.30	0.66	2.9400	78.0	0.00	0.00
HC Culvert - West	2y-24h	0.88	12.0333	4.70	2.47	2.9400	78.0	0.00	0.00
HC Culvert - West	2y-2h	3.45	0.9500	3.00	1.13	2.9400	78.0	0.00	0.00
HC Culvert - West	2y-4h	2.72	2.5667	3.50	1.50	2.9400	78.0	0.00	0.00
HC Culvert - West	2y-8h	3.22	4.0500	4.20	2.05	2.9400	78.0	0.00	0.00
HC Culvert - West	5y-1h	4.94	0.7833	2.80	0.99	2.9400	78.0	0.00	0.00
HC Culvert - West	5y-24h	1.39	12.0333	6.40	3.94	2.9400	78.0	0.00	0.00
HC Culvert - West	5y-2h	4.62	0.9333	3.50	1.50	2.9400	78.0	0.00	0.00
HC Culvert - West	5y-4h	3.89	2.5500	4.40	2.22	2.9400	78.0	0.00	0.00
HC Culvert - West	5y-8h	4.84	4.0500	5.50	3.15	2.9400	78.0	0.00	0.00

Manual Basin Mass Balance Summary [Post]

Basin Name	Sim Name	Total Rainfall	Total Irrigation	Total Runoff	Total ET	Total Initial Abst	Total Recharge	Change Soil Storage
HC Culvert - West [in]	100y-1h	4.40	0.00	2.22	0.00	0.00	0.00	2.18
HC Culvert - West [ft3]	100y-1h	46958	0	23649	0	0	0	23308
HC Culvert - West [ac-ft]	100y-1h	1.08	0.00	0.54	0.00	0.00	0.00	0.54
HC Culvert - West [in]	100y-24h	10.90	0.00	8.14	0.00	0.00	0.00	2.76
HC Culvert - West [ft3]	100y-24h	116327	0	86873	0	0	0	29454
HC Culvert - West [ac-ft]	100y-24h	2.67	0.00	1.99	0.00	0.00	0.00	0.68
HC Culvert - West [in]	100y-2h	5.80	0.00	3.41	0.00	0.00	0.00	2.39
HC Culvert - West [ft3]	100y-2h	61899	0	36405	0	0	0	25493
HC Culvert - West [ac-ft]	100y-2h	1.42	0.00	0.84	0.00	0.00	0.00	0.59
HC Culvert - West [in]	100y-4h	7.20	0.00	4.67	0.00	0.00	0.00	2.53
HC Culvert - West [ft3]	100y-4h	76840	0	49819	0	0	0	27020
HC Culvert - West [ac-ft]	100y-4h	1.76	0.00	1.14	0.00	0.00	0.00	0.62
HC Culvert - West [in]	100y-8h	8.90	0.00	6.24	0.00	0.00	0.00	2.66
HC Culvert - West [ft3]	100y-8h	94983	0	66636	0	0	0	28347
HC Culvert - West [ac-ft]	100y-8h	2.18	0.00	1.53	0.00	0.00	0.00	0.65
HC Culvert - West [in]	10y-1h	3.20	0.00	1.28	0.00	0.00	0.00	1.92
HC Culvert - West [ft3]	10y-1h	34151	0	13623	0	0	0	20528
HC Culvert - West [ac-ft]	10y-1h	0.78	0.00	0.31	0.00	0.00	0.00	0.47
HC Culvert - West [in]	10y-24h	7.50	0.00	4.94	0.00	0.00	0.00	2.56
HC Culvert - West [ft3]	10y-24h	80042	0	52752	0	0	0	27289
HC Culvert -	10y-24h	1.84	0.00	1.21	0.00	0.00	0.00	0.63

Basin Name	Sim Name	Total Rainfall	Total Irrigation	Total Runoff	Total ET	Total Initial Abst	Total Recharge	Change Soil Storage
West [ac-ft]								
HC Culvert - West [in]	10y-2h	4.10	0.00	1.97	0.00	0.00	0.00	2.13
HC Culvert - West [ft3]	10y-2h	43756	0	21043	0	0	0	22713
HC Culvert - West [ac-ft]	10y-2h	1.00	0.00	0.48	0.00	0.00	0.00	0.52
HC Culvert - West [in]	10y-4h	5.00	0.00	2.72	0.00	0.00	0.00	2.28
HC Culvert - West [ft3]	10y-4h	53361	0	29011	0	0	0	24350
HC Culvert - West [ac-ft]	10y-4h	1.23	0.00	0.67	0.00	0.00	0.00	0.56
HC Culvert - West [in]	10y-8h	6.20	0.00	3.77	0.00	0.00	0.00	2.43
HC Culvert - West [ft3]	10y-8h	66168	0	40185	0	0	0	25982
HC Culvert - West [ac-ft]	10y-8h	1.52	0.00	0.92	0.00	0.00	0.00	0.60
HC Culvert - West [in]	25y-1h	3.70	0.00	1.66	0.00	0.00	0.00	2.04
HC Culvert - West [ft3]	25y-1h	39487	0	17663	0	0	0	21824
HC Culvert - West [ac-ft]	25y-1h	0.91	0.00	0.41	0.00	0.00	0.00	0.50
HC Culvert - West [in]	25y-24h	8.50	0.00	5.87	0.00	0.00	0.00	2.63
HC Culvert - West [ft3]	25y-24h	90714	0	62640	0	0	0	28074
HC Culvert - West [ac-ft]	25y-24h	2.08	0.00	1.44	0.00	0.00	0.00	0.64
HC Culvert - West [in]	25y-2h	4.70	0.00	2.47	0.00	0.00	0.00	2.23
HC Culvert - West [ft3]	25y-2h	50159	0	26308	0	0	0	23852
HC Culvert - West [ac-ft]	25y-2h	1.15	0.00	0.60	0.00	0.00	0.00	0.55
HC Culvert - West [in]	25y-4h	5.90	0.00	3.50	0.00	0.00	0.00	2.40
HC Culvert - West [ft3]	25y-4h	62966	0	37346	0	0	0	25620

Basin Name	Sim Name	Total Rainfall	Total Irrigation	Total Runoff	Total ET	Total Initial Abst	Total Recharge	Change Soil Storage
HC Culvert - West [ac-ft]	25y-4h	1.45	0.00	0.86	0.00	0.00	0.00	0.59
HC Culvert - West [in]	25y-8h	7.40	0.00	4.85	0.00	0.00	0.00	2.55
HC Culvert - West [ft3]	25y-8h	78974	0	51773	0	0	0	27202
HC Culvert - West [ac-ft]	25y-8h	1.81	0.00	1.19	0.00	0.00	0.00	0.62
HC Culvert - West [in]	2y-1h	2.30	0.00	0.66	0.00	0.00	0.00	1.64
HC Culvert - West [ft3]	2y-1h	24546	0	7075	0	0	0	17471
HC Culvert - West [ac-ft]	2y-1h	0.56	0.00	0.16	0.00	0.00	0.00	0.40
HC Culvert - West [in]	2y-24h	4.70	0.00	2.47	0.00	0.00	0.00	2.23
HC Culvert - West [ft3]	2y-24h	50159	0	26308	0	0	0	23852
HC Culvert - West [ac-ft]	2y-24h	1.15	0.00	0.60	0.00	0.00	0.00	0.55
HC Culvert - West [in]	2y-2h	3.00	0.00	1.13	0.00	0.00	0.00	1.87
HC Culvert - West [ft3]	2y-2h	32017	0	12077	0	0	0	19940
HC Culvert - West [ac-ft]	2y-2h	0.74	0.00	0.28	0.00	0.00	0.00	0.46
HC Culvert - West [in]	2y-4h	3.50	0.00	1.50	0.00	0.00	0.00	2.00
HC Culvert - West [ft3]	2y-4h	37353	0	16020	0	0	0	21333
HC Culvert - West [ac-ft]	2y-4h	0.86	0.00	0.37	0.00	0.00	0.00	0.49
HC Culvert - West [in]	2y-8h	4.20	0.00	2.05	0.00	0.00	0.00	2.15
HC Culvert - West [ft3]	2y-8h	44823	0	21906	0	0	0	22917
HC Culvert - West [ac-ft]	2y-8h	1.03	0.00	0.50	0.00	0.00	0.00	0.53
HC Culvert - West [in]	5y-1h	2.80	0.00	0.99	0.00	0.00	0.00	1.81
HC Culvert -	5y-1h	29882	0	10578	0	0	0	19305

Basin Name	Sim Name	Total Rainfall	Total Irrigation	Total Runoff	Total ET	Total Initial Abst	Total Recharge	Change Soil Storage
West [ft3]								
HC Culvert - West [ac-ft]	5y-1h	0.69	0.00	0.24	0.00	0.00	0.00	0.44
HC Culvert - West [in]	5y-24h	6.40	0.00	3.94	0.00	0.00	0.00	2.46
HC Culvert - West [ft3]	5y-24h	68302	0	42092	0	0	0	26210
HC Culvert - West [ac-ft]	5y-24h	1.57	0.00	0.97	0.00	0.00	0.00	0.60
HC Culvert - West [in]	5y-2h	3.50	0.00	1.50	0.00	0.00	0.00	2.00
HC Culvert - West [ft3]	5y-2h	37353	0	16020	0	0	0	21333
HC Culvert - West [ac-ft]	5y-2h	0.86	0.00	0.37	0.00	0.00	0.00	0.49
HC Culvert - West [in]	5y-4h	4.40	0.00	2.22	0.00	0.00	0.00	2.18
HC Culvert - West [ft3]	5y-4h	46958	0	23649	0	0	0	23308
HC Culvert - West [ac-ft]	5y-4h	1.08	0.00	0.54	0.00	0.00	0.00	0.54
HC Culvert - West [in]	5y-8h	5.50	0.00	3.15	0.00	0.00	0.00	2.35
HC Culvert - West [ft3]	5y-8h	58697	0	33605	0	0	0	25093
HC Culvert - West [ac-ft]	5y-8h	1.35	0.00	0.77	0.00	0.00	0.00	0.58

Manual Basin: IMP #1

Scenario: Post
Node: IMP #1
Hydrograph Method: NRCS Unit Hydrograph
Infiltration Method: Curve Number
Time of Concentration: 14.0000 min
Max Allowable Q: 0.00 cfs
Time Shift: 0.0000 hr
Unit Hydrograph: Uh323
Peaking Factor: 323.0

Area [ac]	Land Cover Zone	Soil Zone	Rainfall Name
10.8900	IMP #1	IMP #1	

Comment:

Manual Basin Runoff Summary [Post]

Basin Name	Sim Name	Max Flow [cfs]	Time to Max Flow [hrs]	Total Rainfall [in]	Total Runoff [in]	Area [ac]	Equivalent Curve Number	% Imperv	% DCIA
IMP #1	100y-1h	36.90	0.7333	4.40	1.90	10.8900	74.0	0.00	0.00
IMP #1	100y-24h	9.86	12.0167	10.90	7.60	10.8900	74.0	0.00	0.00
IMP #1	100y-2h	37.17	0.9000	5.80	3.02	10.8900	74.0	0.00	0.00
IMP #1	100y-4h	26.72	2.5167	7.20	4.23	10.8900	74.0	0.00	0.00
IMP #1	100y-8h	32.72	4.0167	8.90	5.75	10.8900	74.0	0.00	0.00
IMP #1	10y-1h	20.66	0.7667	3.20	1.04	10.8900	74.0	0.00	0.00
IMP #1	10y-24h	5.93	12.0167	7.50	4.49	10.8900	74.0	0.00	0.00
IMP #1	10y-2h	20.33	0.9167	4.10	1.67	10.8900	74.0	0.00	0.00
IMP #1	10y-4h	15.84	2.5333	5.00	2.37	10.8900	74.0	0.00	0.00
IMP #1	10y-8h	19.78	4.0333	6.20	3.36	10.8900	74.0	0.00	0.00
IMP #1	25y-1h	27.19	0.7500	3.70	1.38	10.8900	74.0	0.00	0.00
IMP #1	25y-24h	7.08	12.0167	8.50	5.39	10.8900	74.0	0.00	0.00
IMP #1	25y-2h	26.04	0.9167	4.70	2.13	10.8900	74.0	0.00	0.00
IMP #1	25y-4h	20.25	2.5333	5.90	3.11	10.8900	74.0	0.00	0.00
IMP #1	25y-8h	25.50	4.0333	7.40	4.40	10.8900	74.0	0.00	0.00
IMP #1	2y-1h	10.26	0.7833	2.30	0.50	10.8900	74.0	0.00	0.00
IMP #1	2y-24h	2.82	12.0333	4.70	2.13	10.8900	74.0	0.00	0.00
IMP #1	2y-2h	10.75	0.9333	3.00	0.91	10.8900	74.0	0.00	0.00
IMP #1	2y-4h	8.80	2.5500	3.50	1.24	10.8900	74.0	0.00	0.00
IMP #1	2y-8h	10.59	4.0500	4.20	1.75	10.8900	N/A	0.00	0.00
IMP #1	5y-1h	15.80	0.7667	2.80	0.79	10.8900	74.0	0.00	0.00
IMP #1	5y-24h	4.68	12.0167	6.40	3.53	10.8900	74.0	0.00	0.00
IMP #1	5y-2h	14.92	0.9167	3.50	1.24	10.8900	74.0	0.00	0.00
IMP #1	5y-4h	12.97	2.5500	4.40	1.90	10.8900	74.0	0.00	0.00
IMP #1	5y-8h	16.50	4.0333	5.50	2.77	10.8900	74.0	0.00	0.00

Manual Basin Mass Balance Summary [Post]

Basin Name	Sim Name	Total Rainfall	Total Irrigation	Total Runoff	Total ET	Total Initial Abst	Total Recharge	Change Soil Storage
IMP #1 [in]	100y-1h	4.40	0.00	1.90	0.00	0.00	0.00	2.50
IMP #1 [ft3]	100y-1h	173935	0	75085	0	0	0	98850
IMP #1 [ac-ft]	100y-1h	3.99	0.00	1.72	0.00	0.00	0.00	2.27
IMP #1 [in]	100y-24h	10.90	0.00	7.60	0.00	0.00	0.00	3.30
IMP #1 [ft3]	100y-24h	430885	0	300382	0	0	0	130503
IMP #1	100y-24h	9.89	0.00	6.90	0.00	0.00	0.00	3.00

Basin Name	Sim Name	Total Rainfall	Total Irrigation	Total Runoff	Total ET	Total Initial Abst	Total Recharge	Change Soil Storage
[ac-ft]								
IMP #1 [in]	100y-2h	5.80	0.00	3.02	0.00	0.00	0.00	2.78
IMP #1 [ft3]	100y-2h	229278	0	119509	0	0	0	109769
IMP #1 [ac-ft]	100y-2h	5.26	0.00	2.74	0.00	0.00	0.00	2.52
IMP #1 [in]	100y-4h	7.20	0.00	4.23	0.00	0.00	0.00	2.97
IMP #1 [ft3]	100y-4h	284621	0	167018	0	0	0	117603
IMP #1 [ac-ft]	100y-4h	6.53	0.00	3.83	0.00	0.00	0.00	2.70
IMP #1 [in]	100y-8h	8.90	0.00	5.75	0.00	0.00	0.00	3.15
IMP #1 [ft3]	100y-8h	351823	0	227259	0	0	0	124564
IMP #1 [ac-ft]	100y-8h	8.08	0.00	5.22	0.00	0.00	0.00	2.86
IMP #1 [in]	10y-1h	3.20	0.00	1.04	0.00	0.00	0.00	2.16
IMP #1 [ft3]	10y-1h	126498	0	41094	0	0	0	85405
IMP #1 [ac-ft]	10y-1h	2.90	0.00	0.94	0.00	0.00	0.00	1.96
IMP #1 [in]	10y-24h	7.50	0.00	4.49	0.00	0.00	0.00	3.01
IMP #1 [ft3]	10y-24h	296480	0	177479	0	0	0	119002
IMP #1 [ac-ft]	10y-24h	6.81	0.00	4.07	0.00	0.00	0.00	2.73
IMP #1 [in]	10y-2h	4.10	0.00	1.67	0.00	0.00	0.00	2.43
IMP #1 [ft3]	10y-2h	162076	0	66146	0	0	0	95930
IMP #1 [ac-ft]	10y-2h	3.72	0.00	1.52	0.00	0.00	0.00	2.20
IMP #1 [in]	10y-4h	5.00	0.00	2.37	0.00	0.00	0.00	2.63
IMP #1 [ft3]	10y-4h	197654	0	93640	0	0	0	104014
IMP #1 [ac-ft]	10y-4h	4.54	0.00	2.15	0.00	0.00	0.00	2.39
IMP #1 [in]	10y-8h	6.20	0.00	3.36	0.00	0.00	0.00	2.84
IMP #1 [ft3]	10y-8h	245090	0	132832	0	0	0	112259
IMP #1 [ac-ft]	10y-8h	5.63	0.00	3.05	0.00	0.00	0.00	2.58
IMP #1 [in]	25y-1h	3.70	0.00	1.38	0.00	0.00	0.00	2.32
IMP #1 [ft3]	25y-1h	146264	0	54650	0	0	0	91613
IMP #1 [ac-ft]	25y-1h	3.36	0.00	1.25	0.00	0.00	0.00	2.10
IMP #1 [in]	25y-24h	8.50	0.00	5.39	0.00	0.00	0.00	3.11
IMP #1	25y-24h	336011	0	212893	0	0	0	123118

Basin Name	Sim Name	Total Rainfall	Total Irrigation	Total Runoff	Total ET	Total Initial Abst	Total Recharge	Change Soil Storage
[ft3]								
IMP #1 [ac-ft]	25y-24h	7.71	0.00	4.89	0.00	0.00	0.00	2.83
IMP #1 [in]	25y-2h	4.70	0.00	2.13	0.00	0.00	0.00	2.57
IMP #1 [ft3]	25y-2h	185794	0	84258	0	0	0	101536
IMP #1 [ac-ft]	25y-2h	4.27	0.00	1.93	0.00	0.00	0.00	2.33
IMP #1 [in]	25y-4h	5.90	0.00	3.11	0.00	0.00	0.00	2.79
IMP #1 [ft3]	25y-4h	233231	0	122818	0	0	0	110413
IMP #1 [ac-ft]	25y-4h	5.35	0.00	2.82	0.00	0.00	0.00	2.53
IMP #1 [in]	25y-8h	7.40	0.00	4.40	0.00	0.00	0.00	3.00
IMP #1 [ft3]	25y-8h	292527	0	173982	0	0	0	118545
IMP #1 [ac-ft]	25y-8h	6.72	0.00	3.99	0.00	0.00	0.00	2.72
IMP #1 [in]	2y-1h	2.30	0.00	0.50	0.00	0.00	0.00	1.80
IMP #1 [ft3]	2y-1h	90921	0	19772	0	0	0	71149
IMP #1 [ac-ft]	2y-1h	2.09	0.00	0.45	0.00	0.00	0.00	1.63
IMP #1 [in]	2y-24h	4.70	0.00	2.13	0.00	0.00	0.00	2.57
IMP #1 [ft3]	2y-24h	185794	0	84258	0	0	0	101536
IMP #1 [ac-ft]	2y-24h	4.27	0.00	1.93	0.00	0.00	0.00	2.33
IMP #1 [in]	2y-2h	3.00	0.00	0.91	0.00	0.00	0.00	2.09
IMP #1 [ft3]	2y-2h	118592	0	35972	0	0	0	82620
IMP #1 [ac-ft]	2y-2h	2.72	0.00	0.83	0.00	0.00	0.00	1.90
IMP #1 [in]	2y-4h	3.50	0.00	1.24	0.00	0.00	0.00	2.26
IMP #1 [ft3]	2y-4h	138357	0	49109	0	0	0	89249
IMP #1 [ac-ft]	2y-4h	3.18	0.00	1.13	0.00	0.00	0.00	2.05
IMP #1 [in]	2y-8h	4.20	0.00	1.75	0.00	0.00	0.00	2.45
IMP #1 [ft3]	2y-8h	166029	0	69098	0	0	0	96931
IMP #1 [ac-ft]	2y-8h	3.81	0.00	1.59	0.00	0.00	0.00	2.23
IMP #1 [in]	5y-1h	2.80	0.00	0.79	0.00	0.00	0.00	2.01
IMP #1 [ft3]	5y-1h	110686	0	31050	0	0	0	79636
IMP #1 [ac-ft]	5y-1h	2.54	0.00	0.71	0.00	0.00	0.00	1.83

Basin Name	Sim Name	Total Rainfall	Total Irrigation	Total Runoff	Total ET	Total Initial Abst	Total Recharge	Change Soil Storage
IMP #1 [in]	5y-24h	6.40	0.00	3.53	0.00	0.00	0.00	2.87
IMP #1 [ft3]	5y-24h	252996	0	139575	0	0	0	113422
IMP #1 [ac-ft]	5y-24h	5.81	0.00	3.20	0.00	0.00	0.00	2.60
IMP #1 [in]	5y-2h	3.50	0.00	1.24	0.00	0.00	0.00	2.26
IMP #1 [ft3]	5y-2h	138357	0	49109	0	0	0	89249
IMP #1 [ac-ft]	5y-2h	3.18	0.00	1.13	0.00	0.00	0.00	2.05
IMP #1 [in]	5y-4h	4.40	0.00	1.90	0.00	0.00	0.00	2.50
IMP #1 [ft3]	5y-4h	173935	0	75085	0	0	0	98850
IMP #1 [ac-ft]	5y-4h	3.99	0.00	1.72	0.00	0.00	0.00	2.27
IMP #1 [in]	5y-8h	5.50	0.00	2.77	0.00	0.00	0.00	2.73
IMP #1 [ft3]	5y-8h	217419	0	109677	0	0	0	107742
IMP #1 [ac-ft]	5y-8h	4.99	0.00	2.52	0.00	0.00	0.00	2.47

Manual Basin: IMP #2

Scenario: Post
Node: IMP #2
Hydrograph Method: NRCS Unit Hydrograph
Infiltration Method: Curve Number
Time of Concentration: 14.0000 min
Max Allowable Q: 0.00 cfs
Time Shift: 0.0000 hr
Unit Hydrograph: Uh323
Peaking Factor: 323.0

Area [ac]	Land Cover Zone	Soil Zone	Rainfall Name
10.2700	IMP #2	IMP #2	

Comment:

Manual Basin Runoff Summary [Post]

Basin Name	Sim Name	Max Flow [cfs]	Time to Max Flow [hrs]	Total Rainfall [in]	Total Runoff [in]	Area [ac]	Equivalent Curve Number	% Imperv	% DCIA
IMP #2	100y-1h	38.72	0.7333	4.40	2.13	10.2700	77.0	0.00	0.00
IMP #2	100y-24h	9.69	12.0167	10.90	8.00	10.2700	77.0	0.00	0.00
IMP #2	100y-2h	38.44	0.9000	5.80	3.31	10.2700	77.0	0.00	0.00

Basin Name	Sim Name	Max Flow [cfs]	Time to Max Flow [hrs]	Total Rainfall [in]	Total Runoff [in]	Area [ac]	Equivalent Curve Number	% Imperv	% DCIA
IMP #2	100y-4h	26.80	2.1000	7.20	4.55	10.2700	77.0	0.00	0.00
IMP #2	100y-8h	32.33	4.0167	8.90	6.12	10.2700	77.0	0.00	0.00
IMP #2	10y-1h	22.49	0.7500	3.20	1.21	10.2700	77.0	0.00	0.00
IMP #2	10y-24h	5.97	12.0167	7.50	4.83	10.2700	77.0	0.00	0.00
IMP #2	10y-2h	21.84	0.9000	4.10	1.89	10.2700	77.0	0.00	0.00
IMP #2	10y-4h	16.16	2.5333	5.00	2.63	10.2700	77.0	0.00	0.00
IMP #2	10y-8h	20.03	4.0333	6.20	3.66	10.2700	77.0	0.00	0.00
IMP #2	25y-1h	29.03	0.7333	3.70	1.58	10.2700	77.0	0.00	0.00
IMP #2	25y-24h	7.06	12.0167	8.50	5.75	10.2700	77.0	0.00	0.00
IMP #2	25y-2h	27.55	0.9000	4.70	2.38	10.2700	77.0	0.00	0.00
IMP #2	25y-4h	20.38	2.5167	5.90	3.40	10.2700	77.0	0.00	0.00
IMP #2	25y-8h	25.48	4.0167	7.40	4.74	10.2700	77.0	0.00	0.00
IMP #2	2y-1h	11.79	0.7667	2.30	0.62	10.2700	77.0	0.00	0.00
IMP #2	2y-24h	2.97	12.0333	4.70	2.38	10.2700	77.0	0.00	0.00
IMP #2	2y-2h	12.16	0.9167	3.00	1.07	10.2700	77.0	0.00	0.00
IMP #2	2y-4h	9.33	2.5500	3.50	1.43	10.2700	N/A	0.00	0.00
IMP #2	2y-8h	11.16	4.0333	4.20	1.97	10.2700	77.0	0.00	0.00
IMP #2	5y-1h	17.52	0.7500	2.80	0.94	10.2700	77.0	0.00	0.00
IMP #2	5y-24h	4.78	12.0167	6.40	3.84	10.2700	77.0	0.00	0.00
IMP #2	5y-2h	16.42	0.9167	3.50	1.43	10.2700	N/A	0.00	0.00
IMP #2	5y-4h	13.39	2.5333	4.40	2.13	10.2700	77.0	0.00	0.00
IMP #2	5y-8h	16.88	4.0333	5.50	3.05	10.2700	77.0	0.00	0.00

Manual Basin Mass Balance Summary [Post]

Basin Name	Sim Name	Total Rainfall	Total Irrigation	Total Runoff	Total ET	Total Initial Abst	Total Recharge	Change Soil Storage
IMP #2 [in]	100y-1h	4.40	0.00	2.13	0.00	0.00	0.00	2.27
IMP #2 [ft3]	100y-1h	164032	0	79547	0	0	0	84485
IMP #2 [ac-ft]	100y-1h	3.77	0.00	1.83	0.00	0.00	0.00	1.94
IMP #2 [in]	100y-24h	10.90	0.00	8.00	0.00	0.00	0.00	2.90
IMP #2 [ft3]	100y-24h	406353	0	298325	0	0	0	108028
IMP #2 [ac-ft]	100y-24h	9.33	0.00	6.85	0.00	0.00	0.00	2.48
IMP #2 [in]	100y-2h	5.80	0.00	3.31	0.00	0.00	0.00	2.49
IMP #2 [ft3]	100y-2h	216225	0	123449	0	0	0	92776
IMP #2 [ac-ft]	100y-2h	4.96	0.00	2.83	0.00	0.00	0.00	2.13
IMP #2 [in]	100y-4h	7.20	0.00	4.55	0.00	0.00	0.00	2.65
IMP #2 [ft3]	100y-4h	268417	0	169800	0	0	0	98617

Basin Name	Sim Name	Total Rainfall	Total Irrigation	Total Runoff	Total ET	Total Initial Abst	Total Recharge	Change Soil Storage
IMP #2 [ac-ft]	100y-4h	6.16	0.00	3.90	0.00	0.00	0.00	2.26
IMP #2 [in]	100y-8h	8.90	0.00	6.12	0.00	0.00	0.00	2.78
IMP #2 [ft3]	100y-8h	331793	0	228065	0	0	0	103728
IMP #2 [ac-ft]	100y-8h	7.62	0.00	5.24	0.00	0.00	0.00	2.38
IMP #2 [in]	10y-1h	3.20	0.00	1.21	0.00	0.00	0.00	1.99
IMP #2 [ft3]	10y-1h	119296	0	45263	0	0	0	74034
IMP #2 [ac-ft]	10y-1h	2.74	0.00	1.04	0.00	0.00	0.00	1.70
IMP #2 [in]	10y-24h	7.50	0.00	4.83	0.00	0.00	0.00	2.67
IMP #2 [ft3]	10y-24h	279601	0	179951	0	0	0	99649
IMP #2 [ac-ft]	10y-24h	6.42	0.00	4.13	0.00	0.00	0.00	2.29
IMP #2 [in]	10y-2h	4.10	0.00	1.89	0.00	0.00	0.00	2.21
IMP #2 [ft3]	10y-2h	152848	0	70611	0	0	0	82238
IMP #2 [ac-ft]	10y-2h	3.51	0.00	1.62	0.00	0.00	0.00	1.89
IMP #2 [in]	10y-4h	5.00	0.00	2.63	0.00	0.00	0.00	2.37
IMP #2 [ft3]	10y-4h	186401	0	97973	0	0	0	88428
IMP #2 [ac-ft]	10y-4h	4.28	0.00	2.25	0.00	0.00	0.00	2.03
IMP #2 [in]	10y-8h	6.20	0.00	3.66	0.00	0.00	0.00	2.54
IMP #2 [ft3]	10y-8h	231137	0	136494	0	0	0	94642
IMP #2 [ac-ft]	10y-8h	5.31	0.00	3.13	0.00	0.00	0.00	2.17
IMP #2 [in]	25y-1h	3.70	0.00	1.58	0.00	0.00	0.00	2.12
IMP #2 [ft3]	25y-1h	137936	0	59043	0	0	0	78893
IMP #2 [ac-ft]	25y-1h	3.17	0.00	1.36	0.00	0.00	0.00	1.81
IMP #2 [in]	25y-24h	8.50	0.00	5.75	0.00	0.00	0.00	2.75
IMP #2 [ft3]	25y-24h	316881	0	214208	0	0	0	102672
IMP #2 [ac-ft]	25y-24h	7.27	0.00	4.92	0.00	0.00	0.00	2.36
IMP #2 [in]	25y-2h	4.70	0.00	2.38	0.00	0.00	0.00	2.32
IMP #2 [ft3]	25y-2h	175216	0	88676	0	0	0	86541
IMP #2 [ac-ft]	25y-2h	4.02	0.00	2.04	0.00	0.00	0.00	1.99
IMP #2 [in]	25y-4h	5.90	0.00	3.40	0.00	0.00	0.00	2.50

Basin Name	Sim Name	Total Rainfall	Total Irrigation	Total Runoff	Total ET	Total Initial Abst	Total Recharge	Change Soil Storage
IMP #2 [ft3]	25y-4h	219953	0	126693	0	0	0	93260
IMP #2 [ac-ft]	25y-4h	5.05	0.00	2.91	0.00	0.00	0.00	2.14
IMP #2 [in]	25y-8h	7.40	0.00	4.74	0.00	0.00	0.00	2.66
IMP #2 [ft3]	25y-8h	275873	0	176560	0	0	0	99312
IMP #2 [ac-ft]	25y-8h	6.33	0.00	4.05	0.00	0.00	0.00	2.28
IMP #2 [in]	2y-1h	2.30	0.00	0.62	0.00	0.00	0.00	1.68
IMP #2 [ft3]	2y-1h	85744	0	23089	0	0	0	62656
IMP #2 [ac-ft]	2y-1h	1.97	0.00	0.53	0.00	0.00	0.00	1.44
IMP #2 [in]	2y-24h	4.70	0.00	2.38	0.00	0.00	0.00	2.32
IMP #2 [ft3]	2y-24h	175216	0	88676	0	0	0	86541
IMP #2 [ac-ft]	2y-24h	4.02	0.00	2.04	0.00	0.00	0.00	1.99
IMP #2 [in]	2y-2h	3.00	0.00	1.07	0.00	0.00	0.00	1.93
IMP #2 [ft3]	2y-2h	111840	0	40005	0	0	0	71835
IMP #2 [ac-ft]	2y-2h	2.57	0.00	0.92	0.00	0.00	0.00	1.65
IMP #2 [in]	2y-4h	3.50	0.00	1.43	0.00	0.00	0.00	2.07
IMP #2 [ft3]	2y-4h	130480	0	53431	0	0	0	77049
IMP #2 [ac-ft]	2y-4h	3.00	0.00	1.23	0.00	0.00	0.00	1.77
IMP #2 [in]	2y-8h	4.20	0.00	1.97	0.00	0.00	0.00	2.23
IMP #2 [ft3]	2y-8h	156576	0	73567	0	0	0	83010
IMP #2 [ac-ft]	2y-8h	3.59	0.00	1.69	0.00	0.00	0.00	1.91
IMP #2 [in]	5y-1h	2.80	0.00	0.94	0.00	0.00	0.00	1.86
IMP #2 [ft3]	5y-1h	104384	0	34918	0	0	0	69467
IMP #2 [ac-ft]	5y-1h	2.40	0.00	0.80	0.00	0.00	0.00	1.59
IMP #2 [in]	5y-24h	6.40	0.00	3.84	0.00	0.00	0.00	2.56
IMP #2 [ft3]	5y-24h	238593	0	143082	0	0	0	95511
IMP #2 [ac-ft]	5y-24h	5.48	0.00	3.28	0.00	0.00	0.00	2.19
IMP #2 [in]	5y-2h	3.50	0.00	1.43	0.00	0.00	0.00	2.07
IMP #2 [ft3]	5y-2h	130480	0	53431	0	0	0	77049
IMP #2	5y-2h	3.00	0.00	1.23	0.00	0.00	0.00	1.77

Basin Name	Sim Name	Total Rainfall	Total Irrigation	Total Runoff	Total ET	Total Initial Abst	Total Recharge	Change Soil Storage
[ac-ft]								
IMP #2 [in]	5y-4h	4.40	0.00	2.13	0.00	0.00	0.00	2.27
IMP #2 [ft3]	5y-4h	164032	0	79547	0	0	0	84485
IMP #2 [ac-ft]	5y-4h	3.77	0.00	1.83	0.00	0.00	0.00	1.94
IMP #2 [in]	5y-8h	5.50	0.00	3.05	0.00	0.00	0.00	2.45
IMP #2 [ft3]	5y-8h	205041	0	113790	0	0	0	91250
IMP #2 [ac-ft]	5y-8h	4.71	0.00	2.61	0.00	0.00	0.00	2.09

Manual Basin: POND 100

Scenario: Post
Node: POND 100
Hydrograph Method: NRCS Unit Hydrograph
Infiltration Method: Curve Number
Time of Concentration: 19.0000 min
Max Allowable Q: 0.00 cfs
Time Shift: 0.0000 hr
Unit Hydrograph: Uh323
Peaking Factor: 323.0

Area [ac]	Land Cover Zone	Soil Zone	Rainfall Name
18.1600	POND 100	POND 100	

Comment:

Manual Basin Runoff Summary [Post]

Basin Name	Sim Name	Max Flow [cfs]	Time to Max Flow [hrs]	Total Rainfall [in]	Total Runoff [in]	Area [ac]	Equivalent Curve Number	% Imperv	% DCIA
POND 100	100y-1h	61.72	0.7833	4.40	2.22	18.1600	78.0	0.00	0.00
POND 100	100y-24h	17.15	12.0333	10.90	8.14	18.1600	78.0	0.00	0.00
POND 100	100y-2h	61.52	0.9500	5.80	3.41	18.1600	78.0	0.00	0.00
POND 100	100y-4h	46.83	2.5333	7.20	4.67	18.1600	78.0	0.00	0.00
POND 100	100y-8h	55.55	4.0500	8.90	6.24	18.1600	78.0	0.00	0.00
POND 100	10y-1h	36.19	0.8000	3.20	1.28	18.1600	78.0	0.00	0.00
POND 100	10y-24h	10.63	12.0333	7.50	4.94	18.1600	78.0	0.00	0.00
POND 100	10y-2h	35.23	0.9667	4.10	1.97	18.1600	78.0	0.00	0.00
POND 100	10y-4h	28.47	2.5667	5.00	2.72	18.1600	78.0	0.00	0.00
POND 100	10y-8h	34.43	4.0667	6.20	3.77	18.1600	78.0	0.00	0.00
POND 100	25y-1h	46.54	0.8000	3.70	1.66	18.1600	78.0	0.00	0.00
POND 100	25y-24h	12.54	12.0333	8.50	5.87	18.1600	78.0	0.00	0.00

Basin Name	Sim Name	Max Flow [cfs]	Time to Max Flow [hrs]	Total Rainfall [in]	Total Runoff [in]	Area [ac]	Equivalent Curve Number	% Imperv	% DCIA
POND 100	25y-2h	44.24	0.9667	4.70	2.47	18.1600	78.0	0.00	0.00
POND 100	25y-4h	35.93	2.5500	5.90	3.50	18.1600	78.0	0.00	0.00
POND 100	25y-8h	43.79	4.0500	7.40	4.85	18.1600	78.0	0.00	0.00
POND 100	2y-1h	19.23	0.8333	2.30	0.66	18.1600	78.0	0.00	0.00
POND 100	2y-24h	5.35	12.0500	4.70	2.47	18.1600	78.0	0.00	0.00
POND 100	2y-2h	19.83	0.9833	3.00	1.13	18.1600	78.0	0.00	0.00
POND 100	2y-4h	16.43	2.6000	3.50	1.50	18.1600	78.0	0.00	0.00
POND 100	2y-8h	19.21	4.0667	4.20	2.05	18.1600	78.0	0.00	0.00
POND 100	5y-1h	28.35	0.8167	2.80	0.99	18.1600	78.0	0.00	0.00
POND 100	5y-24h	8.53	12.0500	6.40	3.94	18.1600	78.0	0.00	0.00
POND 100	5y-2h	26.59	0.9667	3.50	1.50	18.1600	78.0	0.00	0.00
POND 100	5y-4h	23.57	2.5833	4.40	2.22	18.1600	78.0	0.00	0.00
POND 100	5y-8h	29.03	4.0667	5.50	3.15	18.1600	78.0	0.00	0.00

Manual Basin Mass Balance Summary [Post]

Basin Name	Sim Name	Total Rainfall	Total Irrigation	Total Runoff	Total ET	Total Initial Abst	Total Recharge	Change Soil Storage
POND 100 [in]	100y-1h	4.40	0.00	2.22	0.00	0.00	0.00	2.18
POND 100 [ft3]	100y-1h	290052	0	146096	0	0	0	143955
POND 100 [ac-ft]	100y-1h	6.66	0.00	3.35	0.00	0.00	0.00	3.30
POND 100 [in]	100y-24h	10.90	0.00	8.14	0.00	0.00	0.00	2.76
POND 100 [ft3]	100y-24h	718537	0	536665	0	0	0	181871
POND 100 [ac-ft]	100y-24h	16.50	0.00	12.32	0.00	0.00	0.00	4.18
POND 100 [in]	100y-2h	5.80	0.00	3.41	0.00	0.00	0.00	2.39
POND 100 [ft3]	100y-2h	382341	0	224898	0	0	0	157443
POND 100 [ac-ft]	100y-2h	8.78	0.00	5.16	0.00	0.00	0.00	3.61
POND 100 [in]	100y-4h	7.20	0.00	4.67	0.00	0.00	0.00	2.53
POND 100 [ft3]	100y-4h	474630	0	307764	0	0	0	166866
POND 100 [ac-ft]	100y-4h	10.90	0.00	7.07	0.00	0.00	0.00	3.83
POND 100 [in]	100y-8h	8.90	0.00	6.24	0.00	0.00	0.00	2.66
POND 100	100y-8h	586695	0	411647	0	0	0	175048

Basin Name	Sim Name	Total Rainfall	Total Irrigation	Total Runoff	Total ET	Total Initial Abst	Total Recharge	Change Soil Storage
[ft3]								
POND 100 [ac-ft]	100y-8h	13.47	0.00	9.45	0.00	0.00	0.00	4.02
POND 100 [in]	10y-1h	3.20	0.00	1.28	0.00	0.00	0.00	1.92
POND 100 [ft3]	10y-1h	210947	0	84158	0	0	0	126789
POND 100 [ac-ft]	10y-1h	4.84	0.00	1.93	0.00	0.00	0.00	2.91
POND 100 [in]	10y-24h	7.50	0.00	4.94	0.00	0.00	0.00	2.56
POND 100 [ft3]	10y-24h	494406	0	325882	0	0	0	168524
POND 100 [ac-ft]	10y-24h	11.35	0.00	7.48	0.00	0.00	0.00	3.87
POND 100 [in]	10y-2h	4.10	0.00	1.97	0.00	0.00	0.00	2.13
POND 100 [ft3]	10y-2h	270275	0	129997	0	0	0	140279
POND 100 [ac-ft]	10y-2h	6.20	0.00	2.98	0.00	0.00	0.00	3.22
POND 100 [in]	10y-4h	5.00	0.00	2.72	0.00	0.00	0.00	2.28
POND 100 [ft3]	10y-4h	329604	0	179220	0	0	0	150384
POND 100 [ac-ft]	10y-4h	7.57	0.00	4.11	0.00	0.00	0.00	3.45
POND 100 [in]	10y-8h	6.20	0.00	3.77	0.00	0.00	0.00	2.43
POND 100 [ft3]	10y-8h	408709	0	248247	0	0	0	160462
POND 100 [ac-ft]	10y-8h	9.38	0.00	5.70	0.00	0.00	0.00	3.68
POND 100 [in]	25y-1h	3.70	0.00	1.66	0.00	0.00	0.00	2.04
POND 100 [ft3]	25y-1h	243907	0	109115	0	0	0	134792
POND 100 [ac-ft]	25y-1h	5.60	0.00	2.50	0.00	0.00	0.00	3.09
POND 100 [in]	25y-24h	8.50	0.00	5.87	0.00	0.00	0.00	2.63
POND 100 [ft3]	25y-24h	560327	0	386963	0	0	0	173364
POND 100 [ac-ft]	25y-24h	12.86	0.00	8.88	0.00	0.00	0.00	3.98
POND 100 [in]	25y-2h	4.70	0.00	2.47	0.00	0.00	0.00	2.23
POND 100	25y-2h	309828	0	162517	0	0	0	147311

Basin Name	Sim Name	Total Rainfall	Total Irrigation	Total Runoff	Total ET	Total Initial Abst	Total Recharge	Change Soil Storage
[ft3]								
POND 100 [ac-ft]	25y-2h	7.11	0.00	3.73	0.00	0.00	0.00	3.38
POND 100 [in]	25y-4h	5.90	0.00	3.50	0.00	0.00	0.00	2.40
POND 100 [ft3]	25y-4h	388933	0	230707	0	0	0	158226
POND 100 [ac-ft]	25y-4h	8.93	0.00	5.30	0.00	0.00	0.00	3.63
POND 100 [in]	25y-8h	7.40	0.00	4.85	0.00	0.00	0.00	2.55
POND 100 [ft3]	25y-8h	487814	0	319831	0	0	0	167983
POND 100 [ac-ft]	25y-8h	11.20	0.00	7.34	0.00	0.00	0.00	3.86
POND 100 [in]	2y-1h	2.30	0.00	0.66	0.00	0.00	0.00	1.64
POND 100 [ft3]	2y-1h	151618	0	43709	0	0	0	107909
POND 100 [ac-ft]	2y-1h	3.48	0.00	1.00	0.00	0.00	0.00	2.48
POND 100 [in]	2y-24h	4.70	0.00	2.47	0.00	0.00	0.00	2.23
POND 100 [ft3]	2y-24h	309828	0	162517	0	0	0	147311
POND 100 [ac-ft]	2y-24h	7.11	0.00	3.73	0.00	0.00	0.00	3.38
POND 100 [in]	2y-2h	3.00	0.00	1.13	0.00	0.00	0.00	1.87
POND 100 [ft3]	2y-2h	197762	0	74606	0	0	0	123156
POND 100 [ac-ft]	2y-2h	4.54	0.00	1.71	0.00	0.00	0.00	2.83
POND 100 [in]	2y-4h	3.50	0.00	1.50	0.00	0.00	0.00	2.00
POND 100 [ft3]	2y-4h	230723	0	98963	0	0	0	131759
POND 100 [ac-ft]	2y-4h	5.30	0.00	2.27	0.00	0.00	0.00	3.02
POND 100 [in]	2y-8h	4.20	0.00	2.05	0.00	0.00	0.00	2.15
POND 100 [ft3]	2y-8h	276867	0	135325	0	0	0	141543
POND 100 [ac-ft]	2y-8h	6.36	0.00	3.11	0.00	0.00	0.00	3.25
POND 100 [in]	5y-1h	2.80	0.00	0.99	0.00	0.00	0.00	1.81
POND 100	5y-1h	184578	0	65344	0	0	0	119234

Basin Name	Sim Name	Total Rainfall	Total Irrigation	Total Runoff	Total ET	Total Initial Abst	Total Recharge	Change Soil Storage
[ft3]								
POND 100 [ac-ft]	5y-1h	4.24	0.00	1.50	0.00	0.00	0.00	2.74
POND 100 [in]	5y-24h	6.40	0.00	3.94	0.00	0.00	0.00	2.46
POND 100 [ft3]	5y-24h	421893	0	260029	0	0	0	161864
POND 100 [ac-ft]	5y-24h	9.69	0.00	5.97	0.00	0.00	0.00	3.72
POND 100 [in]	5y-2h	3.50	0.00	1.50	0.00	0.00	0.00	2.00
POND 100 [ft3]	5y-2h	230723	0	98963	0	0	0	131759
POND 100 [ac-ft]	5y-2h	5.30	0.00	2.27	0.00	0.00	0.00	3.02
POND 100 [in]	5y-4h	4.40	0.00	2.22	0.00	0.00	0.00	2.18
POND 100 [ft3]	5y-4h	290052	0	146096	0	0	0	143955
POND 100 [ac-ft]	5y-4h	6.66	0.00	3.35	0.00	0.00	0.00	3.30
POND 100 [in]	5y-8h	5.50	0.00	3.15	0.00	0.00	0.00	2.35
POND 100 [ft3]	5y-8h	362564	0	207595	0	0	0	154970
POND 100 [ac-ft]	5y-8h	8.32	0.00	4.77	0.00	0.00	0.00	3.56

Manual Basin: POND 200

Scenario:	Post
Node:	POND 200
Hydrograph Method:	NRCS Unit Hydrograph
Infiltration Method:	Curve Number
Time of Concentration:	19.0000 min
Max Allowable Q:	0.00 cfs
Time Shift:	0.0000 hr
Unit Hydrograph:	Uh323
Peaking Factor:	323.0

Area [ac]	Land Cover Zone	Soil Zone	Rainfall Name
5.8400	POND 200	POND 200	

Comment:

Manual Basin Runoff Summary [Post]

Basin Name	Sim Name	Max Flow [cfs]	Time to Max Flow [hrs]	Total Rainfall [in]	Total Runoff [in]	Area [ac]	Equivalent Curve Number	% Imperv	% DCIA
POND 200	100y-1h	24.78	0.7667	4.40	2.83	5.8400	85.0	0.00	0.00
POND 200	100y-24h	5.94	12.0167	10.90	9.06	5.8400	85.0	0.00	0.00
POND 200	100y-2h	23.93	0.9333	5.80	4.12	5.8400	85.0	0.00	0.00
POND 200	100y-4h	17.01	2.1500	7.20	5.46	5.8400	85.0	0.00	0.00
POND 200	100y-8h	19.55	4.0333	8.90	7.10	5.8400	85.0	0.00	0.00
POND 200	10y-1h	15.67	0.7833	3.20	1.76	5.8400	85.0	0.00	0.00
POND 200	10y-24h	3.87	12.0333	7.50	5.75	5.8400	85.0	0.00	0.00
POND 200	10y-2h	14.83	0.9500	4.10	2.55	5.8400	85.0	0.00	0.00
POND 200	10y-4h	10.76	2.5333	5.00	3.38	5.8400	85.0	0.00	0.00
POND 200	10y-8h	12.77	4.0500	6.20	4.50	5.8400	85.0	0.00	0.00
POND 200	25y-1h	19.40	0.7833	3.70	2.20	5.8400	85.0	0.00	0.00
POND 200	25y-24h	4.48	12.0333	8.50	6.71	5.8400	85.0	0.00	0.00
POND 200	25y-2h	18.00	0.9500	4.70	3.10	5.8400	85.0	0.00	0.00
POND 200	25y-4h	13.21	2.1667	5.90	4.22	5.8400	85.0	0.00	0.00
POND 200	25y-8h	15.79	4.0500	7.40	5.65	5.8400	85.0	0.00	0.00
POND 200	2y-1h	9.26	0.8000	2.30	1.02	5.8400	85.0	0.00	0.00
POND 200	2y-24h	2.14	12.0333	4.70	3.10	5.8400	85.0	0.00	0.00
POND 200	2y-2h	9.19	0.9667	3.00	1.59	5.8400	85.0	0.00	0.00
POND 200	2y-4h	6.72	2.5667	3.50	2.02	5.8400	85.0	0.00	0.00
POND 200	2y-8h	7.73	4.0500	4.20	2.64	5.8400	85.0	0.00	0.00
POND 200	5y-1h	12.76	0.7833	2.80	1.43	5.8400	85.0	0.00	0.00
POND 200	5y-24h	3.19	12.0333	6.40	4.69	5.8400	85.0	0.00	0.00
POND 200	5y-2h	11.72	0.9500	3.50	2.02	5.8400	85.0	0.00	0.00
POND 200	5y-4h	9.14	2.5500	4.40	2.83	5.8400	85.0	0.00	0.00
POND 200	5y-8h	11.01	4.0500	5.50	3.84	5.8400	85.0	0.00	0.00

Manual Basin Mass Balance Summary [Post]

Basin Name	Sim Name	Total Rainfall	Total Irrigation	Total Runoff	Total ET	Total Initial Abst	Total Recharge	Change Soil Storage
POND 200 [in]	100y-1h	4.40	0.00	2.83	0.00	0.00	0.00	1.57
POND 200 [ft3]	100y-1h	93276	0	59898	0	0	0	33378
POND 200 [ac-ft]	100y-1h	2.14	0.00	1.38	0.00	0.00	0.00	0.77
POND 200 [in]	100y-24h	10.90	0.00	9.06	0.00	0.00	0.00	1.84
POND 200 [ft3]	100y-24h	231071	0	192037	0	0	0	39035
POND 200 [ac-ft]	100y-24h	5.30	0.00	4.41	0.00	0.00	0.00	0.90
POND 200 [in]	100y-2h	5.80	0.00	4.12	0.00	0.00	0.00	1.68

Basin Name	Sim Name	Total Rainfall	Total Irrigation	Total Runoff	Total ET	Total Initial Abst	Total Recharge	Change Soil Storage
POND 200 [ft3]	100y-2h	122955	0	87443	0	0	0	35513
POND 200 [ac-ft]	100y-2h	2.82	0.00	2.01	0.00	0.00	0.00	0.82
POND 200 [in]	100y-4h	7.20	0.00	5.46	0.00	0.00	0.00	1.74
POND 200 [ft3]	100y-4h	152634	0	115706	0	0	0	36928
POND 200 [ac-ft]	100y-4h	3.50	0.00	2.66	0.00	0.00	0.00	0.85
POND 200 [in]	100y-8h	8.90	0.00	7.10	0.00	0.00	0.00	1.80
POND 200 [ft3]	100y-8h	188673	0	150571	0	0	0	38102
POND 200 [ac-ft]	100y-8h	4.33	0.00	3.46	0.00	0.00	0.00	0.87
POND 200 [in]	10y-1h	3.20	0.00	1.76	0.00	0.00	0.00	1.44
POND 200 [ft3]	10y-1h	67837	0	37357	0	0	0	30481
POND 200 [ac-ft]	10y-1h	1.56	0.00	0.86	0.00	0.00	0.00	0.70
POND 200 [in]	10y-24h	7.50	0.00	5.75	0.00	0.00	0.00	1.75
POND 200 [ft3]	10y-24h	158994	0	121824	0	0	0	37170
POND 200 [ac-ft]	10y-24h	3.65	0.00	2.80	0.00	0.00	0.00	0.85
POND 200 [in]	10y-2h	4.10	0.00	2.55	0.00	0.00	0.00	1.55
POND 200 [ft3]	10y-2h	86917	0	54142	0	0	0	32775
POND 200 [ac-ft]	10y-2h	2.00	0.00	1.24	0.00	0.00	0.00	0.75
POND 200 [in]	10y-4h	5.00	0.00	3.38	0.00	0.00	0.00	1.62
POND 200 [ft3]	10y-4h	105996	0	71585	0	0	0	34411
POND 200 [ac-ft]	10y-4h	2.43	0.00	1.64	0.00	0.00	0.00	0.79
POND 200 [in]	10y-8h	6.20	0.00	4.50	0.00	0.00	0.00	1.70
POND 200 [ft3]	10y-8h	131435	0	95462	0	0	0	35973
POND 200 [ac-ft]	10y-8h	3.02	0.00	2.19	0.00	0.00	0.00	0.83
POND 200 [in]	25y-1h	3.70	0.00	2.20	0.00	0.00	0.00	1.50

Basin Name	Sim Name	Total Rainfall	Total Irrigation	Total Runoff	Total ET	Total Initial Abst	Total Recharge	Change Soil Storage
POND 200 [ft3]	25y-1h	78437	0	46580	0	0	0	31857
POND 200 [ac-ft]	25y-1h	1.80	0.00	1.07	0.00	0.00	0.00	0.73
POND 200 [in]	25y-24h	8.50	0.00	6.71	0.00	0.00	0.00	1.79
POND 200 [ft3]	25y-24h	180193	0	142329	0	0	0	37865
POND 200 [ac-ft]	25y-24h	4.14	0.00	3.27	0.00	0.00	0.00	0.87
POND 200 [in]	25y-2h	4.70	0.00	3.10	0.00	0.00	0.00	1.60
POND 200 [ft3]	25y-2h	99636	0	65715	0	0	0	33921
POND 200 [ac-ft]	25y-2h	2.29	0.00	1.51	0.00	0.00	0.00	0.78
POND 200 [in]	25y-4h	5.90	0.00	4.22	0.00	0.00	0.00	1.68
POND 200 [ft3]	25y-4h	125075	0	89443	0	0	0	35633
POND 200 [ac-ft]	25y-4h	2.87	0.00	2.05	0.00	0.00	0.00	0.82
POND 200 [in]	25y-8h	7.40	0.00	5.65	0.00	0.00	0.00	1.75
POND 200 [ft3]	25y-8h	156874	0	119783	0	0	0	37091
POND 200 [ac-ft]	25y-8h	3.60	0.00	2.75	0.00	0.00	0.00	0.85
POND 200 [in]	2y-1h	2.30	0.00	1.02	0.00	0.00	0.00	1.28
POND 200 [ft3]	2y-1h	48758	0	21708	0	0	0	27050
POND 200 [ac-ft]	2y-1h	1.12	0.00	0.50	0.00	0.00	0.00	0.62
POND 200 [in]	2y-24h	4.70	0.00	3.10	0.00	0.00	0.00	1.60
POND 200 [ft3]	2y-24h	99636	0	65715	0	0	0	33921
POND 200 [ac-ft]	2y-24h	2.29	0.00	1.51	0.00	0.00	0.00	0.78
POND 200 [in]	2y-2h	3.00	0.00	1.59	0.00	0.00	0.00	1.41
POND 200 [ft3]	2y-2h	63598	0	33756	0	0	0	29841
POND 200 [ac-ft]	2y-2h	1.46	0.00	0.77	0.00	0.00	0.00	0.69
POND 200 [in]	2y-4h	3.50	0.00	2.02	0.00	0.00	0.00	1.48

Basin Name	Sim Name	Total Rainfall	Total Irrigation	Total Runoff	Total ET	Total Initial Abst	Total Recharge	Change Soil Storage
POND 200 [ft3]	2y-4h	74197	0	42856	0	0	0	31341
POND 200 [ac-ft]	2y-4h	1.70	0.00	0.98	0.00	0.00	0.00	0.72
POND 200 [in]	2y-8h	4.20	0.00	2.64	0.00	0.00	0.00	1.56
POND 200 [ft3]	2y-8h	89037	0	56053	0	0	0	32984
POND 200 [ac-ft]	2y-8h	2.04	0.00	1.29	0.00	0.00	0.00	0.76
POND 200 [in]	5y-1h	2.80	0.00	1.43	0.00	0.00	0.00	1.37
POND 200 [ft3]	5y-1h	59358	0	30218	0	0	0	29140
POND 200 [ac-ft]	5y-1h	1.36	0.00	0.69	0.00	0.00	0.00	0.67
POND 200 [in]	5y-24h	6.40	0.00	4.69	0.00	0.00	0.00	1.71
POND 200 [ft3]	5y-24h	135675	0	99490	0	0	0	36185
POND 200 [ac-ft]	5y-24h	3.11	0.00	2.28	0.00	0.00	0.00	0.83
POND 200 [in]	5y-2h	3.50	0.00	2.02	0.00	0.00	0.00	1.48
POND 200 [ft3]	5y-2h	74197	0	42856	0	0	0	31341
POND 200 [ac-ft]	5y-2h	1.70	0.00	0.98	0.00	0.00	0.00	0.72
POND 200 [in]	5y-4h	4.40	0.00	2.83	0.00	0.00	0.00	1.57
POND 200 [ft3]	5y-4h	93276	0	59898	0	0	0	33378
POND 200 [ac-ft]	5y-4h	2.14	0.00	1.38	0.00	0.00	0.00	0.77
POND 200 [in]	5y-8h	5.50	0.00	3.84	0.00	0.00	0.00	1.66
POND 200 [ft3]	5y-8h	116596	0	81465	0	0	0	35131
POND 200 [ac-ft]	5y-8h	2.68	0.00	1.87	0.00	0.00	0.00	0.81

Manual Basin: PRE-P-100

Scenario: Post
Node: ZZZ
Hydrograph Method: NRCS Unit Hydrograph

Infiltration Method: Curve Number
Time of Concentration: 19.0000 min
Max Allowable Q: 0.00 cfs
Time Shift: 0.0000 hr
Unit Hydrograph: Uh323
Peaking Factor: 323.0

Area [ac]	Land Cover Zone	Soil Zone	Rainfall Name
18.1600	PRE-P-100	PRE-P-100	

Comment:

Manual Basin Runoff Summary [Post]

Basin Name	Sim Name	Max Flow [cfs]	Time to Max Flow [hrs]	Total Rainfall [in]	Total Runoff [in]	Area [ac]	Equivalent Curve Number	% Imperv	% DCIA
PRE-P-100	100y-1h	42.20	0.8167	4.40	1.47	18.1600	68.0	0.00	0.00
PRE-P-100	100y-24h	14.65	12.0500	10.90	6.78	18.1600	68.0	0.00	0.00
PRE-P-100	100y-2h	43.81	0.9667	5.80	2.47	18.1600	68.0	0.00	0.00
PRE-P-100	100y-4h	38.19	2.5833	7.20	3.58	18.1600	68.0	0.00	0.00
PRE-P-100	100y-8h	46.32	4.0667	8.90	5.01	18.1600	68.0	0.00	0.00
PRE-P-100	10y-1h	21.64	0.8500	3.20	0.73	18.1600	68.0	0.00	0.00
PRE-P-100	10y-24h	8.30	12.0500	7.50	3.83	18.1600	68.0	0.00	0.00
PRE-P-100	10y-2h	21.82	1.0000	4.10	1.27	18.1600	68.0	0.00	0.00
PRE-P-100	10y-4h	21.03	2.6000	5.00	1.88	18.1600	68.0	0.00	0.00
PRE-P-100	10y-8h	26.17	4.0833	6.20	2.78	18.1600	68.0	0.00	0.00
PRE-P-100	25y-1h	29.75	0.8333	3.70	1.02	18.1600	68.0	0.00	0.00
PRE-P-100	25y-24h	10.14	12.0500	8.50	4.67	18.1600	68.0	0.00	0.00
PRE-P-100	25y-2h	29.15	0.9833	4.70	1.67	18.1600	68.0	0.00	0.00
PRE-P-100	25y-4h	27.88	2.5833	5.90	2.55	18.1600	68.0	0.00	0.00
PRE-P-100	25y-8h	34.97	4.0667	7.40	3.75	18.1600	68.0	0.00	0.00
PRE-P-100	2y-1h	9.35	0.8667	2.30	0.31	18.1600	68.0	0.00	0.00
PRE-P-100	2y-24h	3.51	12.0667	4.70	1.67	18.1600	68.0	0.00	0.00
PRE-P-100	2y-2h	10.23	1.0500	3.00	0.63	18.1600	68.0	0.00	0.00
PRE-P-100	2y-4h	10.51	2.6333	3.50	0.90	18.1600	68.0	0.00	0.00
PRE-P-100	2y-8h	12.58	4.1000	4.20	1.34	18.1600	68.0	0.00	0.00
PRE-P-100	5y-1h	15.78	0.8500	2.80	0.53	18.1600	68.0	0.00	0.00
PRE-P-100	5y-24h	6.34	12.0667	6.40	2.94	18.1600	68.0	0.00	0.00
PRE-P-100	5y-2h	15.15	1.0167	3.50	0.90	18.1600	68.0	0.00	0.00
PRE-P-100	5y-4h	16.65	2.6167	4.40	1.47	18.1600	68.0	0.00	0.00
PRE-P-100	5y-8h	21.22	4.0833	5.50	2.25	18.1600	68.0	0.00	0.00

Manual Basin Mass Balance Summary [Post]

Basin Name	Sim Name	Total Rainfall	Total Irrigation	Total Runoff	Total ET	Total Initial Abst	Total Recharge	Change Soil Storage
PRE-P-100	100y-1h	4.40	0.00	1.47	0.00	0.00	0.00	2.93

Basin Name	Sim Name	Total Rainfall	Total Irrigation	Total Runoff	Total ET	Total Initial Abst	Total Recharge	Change Soil Storage
[in]								
PRE-P-100 [ft3]	100y-1h	290052	0	96841	0	0	0	193210
PRE-P-100 [ac-ft]	100y-1h	6.66	0.00	2.22	0.00	0.00	0.00	4.44
PRE-P-100 [in]	100y-24h	10.90	0.00	6.78	0.00	0.00	0.00	4.12
PRE-P-100 [ft3]	100y-24h	718537	0	446979	0	0	0	271557
PRE-P-100 [ac-ft]	100y-24h	16.50	0.00	10.26	0.00	0.00	0.00	6.23
PRE-P-100 [in]	100y-2h	5.80	0.00	2.47	0.00	0.00	0.00	3.33
PRE-P-100 [ft3]	100y-2h	382341	0	163131	0	0	0	219210
PRE-P-100 [ac-ft]	100y-2h	8.78	0.00	3.74	0.00	0.00	0.00	5.03
PRE-P-100 [in]	100y-4h	7.20	0.00	3.58	0.00	0.00	0.00	3.62
PRE-P-100 [ft3]	100y-4h	474630	0	236120	0	0	0	238510
PRE-P-100 [ac-ft]	100y-4h	10.90	0.00	5.42	0.00	0.00	0.00	5.48
PRE-P-100 [in]	100y-8h	8.90	0.00	5.01	0.00	0.00	0.00	3.89
PRE-P-100 [ft3]	100y-8h	586695	0	330558	0	0	0	256137
PRE-P-100 [ac-ft]	100y-8h	13.47	0.00	7.59	0.00	0.00	0.00	5.88
PRE-P-100 [in]	10y-1h	3.20	0.00	0.73	0.00	0.00	0.00	2.47
PRE-P-100 [ft3]	10y-1h	210947	0	48418	0	0	0	162529
PRE-P-100 [ac-ft]	10y-1h	4.84	0.00	1.11	0.00	0.00	0.00	3.73
PRE-P-100 [in]	10y-24h	7.50	0.00	3.83	0.00	0.00	0.00	3.67
PRE-P-100 [ft3]	10y-24h	494406	0	252393	0	0	0	242013
PRE-P-100 [ac-ft]	10y-24h	11.35	0.00	5.79	0.00	0.00	0.00	5.56
PRE-P-100 [in]	10y-2h	4.10	0.00	1.27	0.00	0.00	0.00	2.83
PRE-P-100 [ft3]	10y-2h	270275	0	83852	0	0	0	186423
PRE-P-100 [ac-ft]	10y-2h	6.20	0.00	1.92	0.00	0.00	0.00	4.28
PRE-P-100	10y-4h	5.00	0.00	1.88	0.00	0.00	0.00	3.12

Basin Name	Sim Name	Total Rainfall	Total Irrigation	Total Runoff	Total ET	Total Initial Abst	Total Recharge	Change Soil Storage
[in]								
PRE-P-100 [ft3]	10y-4h	329604	0	124225	0	0	0	205379
PRE-P-100 [ac-ft]	10y-4h	7.57	0.00	2.85	0.00	0.00	0.00	4.71
PRE-P-100 [in]	10y-8h	6.20	0.00	2.78	0.00	0.00	0.00	3.42
PRE-P-100 [ft3]	10y-8h	408709	0	183425	0	0	0	225284
PRE-P-100 [ac-ft]	10y-8h	9.38	0.00	4.21	0.00	0.00	0.00	5.17
PRE-P-100 [in]	25y-1h	3.70	0.00	1.02	0.00	0.00	0.00	2.68
PRE-P-100 [ft3]	25y-1h	243907	0	67388	0	0	0	176519
PRE-P-100 [ac-ft]	25y-1h	5.60	0.00	1.55	0.00	0.00	0.00	4.05
PRE-P-100 [in]	25y-24h	8.50	0.00	4.67	0.00	0.00	0.00	3.83
PRE-P-100 [ft3]	25y-24h	560327	0	307890	0	0	0	252437
PRE-P-100 [ac-ft]	25y-24h	12.86	0.00	7.07	0.00	0.00	0.00	5.80
PRE-P-100 [in]	25y-2h	4.70	0.00	1.67	0.00	0.00	0.00	3.03
PRE-P-100 [ft3]	25y-2h	309828	0	110316	0	0	0	199512
PRE-P-100 [ac-ft]	25y-2h	7.11	0.00	2.53	0.00	0.00	0.00	4.58
PRE-P-100 [in]	25y-4h	5.90	0.00	2.55	0.00	0.00	0.00	3.35
PRE-P-100 [ft3]	25y-4h	388933	0	168156	0	0	0	220776
PRE-P-100 [ac-ft]	25y-4h	8.93	0.00	3.86	0.00	0.00	0.00	5.07
PRE-P-100 [in]	25y-8h	7.40	0.00	3.75	0.00	0.00	0.00	3.65
PRE-P-100 [ft3]	25y-8h	487814	0	246947	0	0	0	240867
PRE-P-100 [ac-ft]	25y-8h	11.20	0.00	5.67	0.00	0.00	0.00	5.53
PRE-P-100 [in]	2y-1h	2.30	0.00	0.31	0.00	0.00	0.00	1.99
PRE-P-100 [ft3]	2y-1h	151618	0	20122	0	0	0	131496
PRE-P-100 [ac-ft]	2y-1h	3.48	0.00	0.46	0.00	0.00	0.00	3.02
PRE-P-100	2y-24h	4.70	0.00	1.67	0.00	0.00	0.00	3.03

Basin Name	Sim Name	Total Rainfall	Total Irrigation	Total Runoff	Total ET	Total Initial Abst	Total Recharge	Change Soil Storage
[in]								
PRE-P-100 [ft3]	2y-24h	309828	0	110316	0	0	0	199512
PRE-P-100 [ac-ft]	2y-24h	7.11	0.00	2.53	0.00	0.00	0.00	4.58
PRE-P-100 [in]	2y-2h	3.00	0.00	0.63	0.00	0.00	0.00	2.37
PRE-P-100 [ft3]	2y-2h	197762	0	41413	0	0	0	156350
PRE-P-100 [ac-ft]	2y-2h	4.54	0.00	0.95	0.00	0.00	0.00	3.59
PRE-P-100 [in]	2y-4h	3.50	0.00	0.90	0.00	0.00	0.00	2.60
PRE-P-100 [ft3]	2y-4h	230723	0	59567	0	0	0	171156
PRE-P-100 [ac-ft]	2y-4h	5.30	0.00	1.37	0.00	0.00	0.00	3.93
PRE-P-100 [in]	2y-8h	4.20	0.00	1.34	0.00	0.00	0.00	2.86
PRE-P-100 [ft3]	2y-8h	276867	0	88124	0	0	0	188743
PRE-P-100 [ac-ft]	2y-8h	6.36	0.00	2.02	0.00	0.00	0.00	4.33
PRE-P-100 [in]	5y-1h	2.80	0.00	0.53	0.00	0.00	0.00	2.27
PRE-P-100 [ft3]	5y-1h	184578	0	34786	0	0	0	149792
PRE-P-100 [ac-ft]	5y-1h	4.24	0.00	0.80	0.00	0.00	0.00	3.44
PRE-P-100 [in]	5y-24h	6.40	0.00	2.94	0.00	0.00	0.00	3.46
PRE-P-100 [ft3]	5y-24h	421893	0	193753	0	0	0	228140
PRE-P-100 [ac-ft]	5y-24h	9.69	0.00	4.45	0.00	0.00	0.00	5.24
PRE-P-100 [in]	5y-2h	3.50	0.00	0.90	0.00	0.00	0.00	2.60
PRE-P-100 [ft3]	5y-2h	230723	0	59567	0	0	0	171156
PRE-P-100 [ac-ft]	5y-2h	5.30	0.00	1.37	0.00	0.00	0.00	3.93
PRE-P-100 [in]	5y-4h	4.40	0.00	1.47	0.00	0.00	0.00	2.93
PRE-P-100 [ft3]	5y-4h	290052	0	96841	0	0	0	193210
PRE-P-100 [ac-ft]	5y-4h	6.66	0.00	2.22	0.00	0.00	0.00	4.44
PRE-P-100	5y-8h	5.50	0.00	2.25	0.00	0.00	0.00	3.25

Basin Name	Sim Name	Total Rainfall	Total Irrigation	Total Runoff	Total ET	Total Initial Abst	Total Recharge	Change Soil Storage
[in]								
PRE-P-100 [ft3]	5y-8h	362564	0	148258	0	0	0	214306
PRE-P-100 [ac-ft]	5y-8h	8.32	0.00	3.40	0.00	0.00	0.00	4.92

Manual Basin: PRE-P-200

Scenario: Post
Node: ZZZ
Hydrograph Method: NRCS Unit Hydrograph
Infiltration Method: Curve Number
Time of Concentration: 17.0000 min
Max Allowable Q: 0.00 cfs
Time Shift: 0.0000 hr
Unit Hydrograph: Uh323
Peaking Factor: 323.0

Area [ac]	Land Cover Zone	Soil Zone	Rainfall Name
5.8400	PRE-P-200	PRE-P-200	

Comment:

Manual Basin Runoff Summary [Post]

Basin Name	Sim Name	Max Flow [cfs]	Time to Max Flow [hrs]	Total Rainfall [in]	Total Runoff [in]	Area [ac]	Equivalent Curve Number	% Imperv	% DCIA
PRE-P-200	100y-1h	14.94	0.7833	4.40	1.54	5.8400	69.0	0.00	0.00
PRE-P-200	100y-24h	4.83	12.0333	10.90	6.92	5.8400	69.0	0.00	0.00
PRE-P-200	100y-2h	15.42	0.9500	5.80	2.56	5.8400	69.0	0.00	0.00
PRE-P-200	100y-4h	12.76	2.5500	7.20	3.69	5.8400	69.0	0.00	0.00
PRE-P-200	100y-8h	15.56	4.0500	8.90	5.14	5.8400	69.0	0.00	0.00
PRE-P-200	10y-1h	7.80	0.8167	3.20	0.78	5.8400	69.0	0.00	0.00
PRE-P-200	10y-24h	2.77	12.0333	7.50	3.94	5.8400	69.0	0.00	0.00
PRE-P-200	10y-2h	7.81	0.9667	4.10	1.34	5.8400	69.0	0.00	0.00
PRE-P-200	10y-4h	7.14	2.5833	5.00	1.96	5.8400	69.0	0.00	0.00
PRE-P-200	10y-8h	8.92	4.0667	6.20	2.88	5.8400	69.0	0.00	0.00
PRE-P-200	25y-1h	10.63	0.8000	3.70	1.08	5.8400	69.0	0.00	0.00
PRE-P-200	25y-24h	3.37	12.0333	8.50	4.79	5.8400	69.0	0.00	0.00
PRE-P-200	25y-2h	10.35	0.9500	4.70	1.75	5.8400	69.0	0.00	0.00
PRE-P-200	25y-4h	9.39	2.5667	5.90	2.64	5.8400	69.0	0.00	0.00
PRE-P-200	25y-8h	11.83	4.0500	7.40	3.85	5.8400	69.0	0.00	0.00
PRE-P-200	2y-1h	3.47	0.8500	2.30	0.33	5.8400	69.0	0.00	0.00
PRE-P-200	2y-24h	1.20	12.0500	4.70	1.75	5.8400	69.0	0.00	0.00
PRE-P-200	2y-2h	3.73	1.0000	3.00	0.67	5.8400	69.0	0.00	0.00

Basin Name	Sim Name	Max Flow [cfs]	Time to Max Flow [hrs]	Total Rainfall [in]	Total Runoff [in]	Area [ac]	Equivalent Curve Number	% Imperv	% DCIA
PRE-P-200	2y-4h	3.65	2.6000	3.50	0.96	5.8400	69.0	0.00	0.00
PRE-P-200	2y-8h	4.39	4.0833	4.20	1.40	5.8400	69.0	0.00	0.00
PRE-P-200	5y-1h	5.73	0.8333	2.80	0.57	5.8400	69.0	0.00	0.00
PRE-P-200	5y-24h	2.13	12.0500	6.40	3.04	5.8400	69.0	0.00	0.00
PRE-P-200	5y-2h	5.47	0.9667	3.50	0.96	5.8400	69.0	0.00	0.00
PRE-P-200	5y-4h	5.69	2.5833	4.40	1.54	5.8400	69.0	0.00	0.00
PRE-P-200	5y-8h	7.28	4.0667	5.50	2.33	5.8400	69.0	0.00	0.00

Manual Basin Mass Balance Summary [Post]

Basin Name	Sim Name	Total Rainfall	Total Irrigation	Total Runoff	Total ET	Total Initial Abst	Total Recharge	Change Soil Storage
PRE-P-200 [in]	100y-1h	4.40	0.00	1.54	0.00	0.00	0.00	2.86
PRE-P-200 [ft3]	100y-1h	93276	0	32599	0	0	0	60678
PRE-P-200 [ac-ft]	100y-1h	2.14	0.00	0.75	0.00	0.00	0.00	1.39
PRE-P-200 [in]	100y-24h	10.90	0.00	6.92	0.00	0.00	0.00	3.98
PRE-P-200 [ft3]	100y-24h	231071	0	146693	0	0	0	84378
PRE-P-200 [ac-ft]	100y-24h	5.30	0.00	3.37	0.00	0.00	0.00	1.94
PRE-P-200 [in]	100y-2h	5.80	0.00	2.56	0.00	0.00	0.00	3.24
PRE-P-200 [ft3]	100y-2h	122955	0	54358	0	0	0	68597
PRE-P-200 [ac-ft]	100y-2h	2.82	0.00	1.25	0.00	0.00	0.00	1.57
PRE-P-200 [in]	100y-4h	7.20	0.00	3.69	0.00	0.00	0.00	3.51
PRE-P-200 [ft3]	100y-4h	152634	0	78193	0	0	0	74441
PRE-P-200 [ac-ft]	100y-4h	3.50	0.00	1.80	0.00	0.00	0.00	1.71
PRE-P-200 [in]	100y-8h	8.90	0.00	5.14	0.00	0.00	0.00	3.76
PRE-P-200 [ft3]	100y-8h	188673	0	108920	0	0	0	79753
PRE-P-200 [ac-ft]	100y-8h	4.33	0.00	2.50	0.00	0.00	0.00	1.83
PRE-P-200 [in]	10y-1h	3.20	0.00	0.78	0.00	0.00	0.00	2.42
PRE-P-200	10y-1h	67837	0	16571	0	0	0	51267

Basin Name	Sim Name	Total Rainfall	Total Irrigation	Total Runoff	Total ET	Total Initial Abst	Total Recharge	Change Soil Storage
[ft3]								
PRE-P-200 [ac-ft]	10y-1h	1.56	0.00	0.38	0.00	0.00	0.00	1.18
PRE-P-200 [in]	10y-24h	7.50	0.00	3.94	0.00	0.00	0.00	3.56
PRE-P-200 [ft3]	10y-24h	158994	0	83495	0	0	0	75499
PRE-P-200 [ac-ft]	10y-24h	3.65	0.00	1.92	0.00	0.00	0.00	1.73
PRE-P-200 [in]	10y-2h	4.10	0.00	1.34	0.00	0.00	0.00	2.76
PRE-P-200 [ft3]	10y-2h	86917	0	28314	0	0	0	58602
PRE-P-200 [ac-ft]	10y-2h	2.00	0.00	0.65	0.00	0.00	0.00	1.35
PRE-P-200 [in]	10y-4h	5.00	0.00	1.96	0.00	0.00	0.00	3.04
PRE-P-200 [ft3]	10y-4h	105996	0	41605	0	0	0	64391
PRE-P-200 [ac-ft]	10y-4h	2.43	0.00	0.96	0.00	0.00	0.00	1.48
PRE-P-200 [in]	10y-8h	6.20	0.00	2.88	0.00	0.00	0.00	3.32
PRE-P-200 [ft3]	10y-8h	131435	0	60996	0	0	0	70439
PRE-P-200 [ac-ft]	10y-8h	3.02	0.00	1.40	0.00	0.00	0.00	1.62
PRE-P-200 [in]	25y-1h	3.70	0.00	1.08	0.00	0.00	0.00	2.62
PRE-P-200 [ft3]	25y-1h	78437	0	22870	0	0	0	55567
PRE-P-200 [ac-ft]	25y-1h	1.80	0.00	0.53	0.00	0.00	0.00	1.28
PRE-P-200 [in]	25y-24h	8.50	0.00	4.79	0.00	0.00	0.00	3.71
PRE-P-200 [ft3]	25y-24h	180193	0	101553	0	0	0	78640
PRE-P-200 [ac-ft]	25y-24h	4.14	0.00	2.33	0.00	0.00	0.00	1.81
PRE-P-200 [in]	25y-2h	4.70	0.00	1.75	0.00	0.00	0.00	2.95
PRE-P-200 [ft3]	25y-2h	99636	0	37034	0	0	0	62602
PRE-P-200 [ac-ft]	25y-2h	2.29	0.00	0.85	0.00	0.00	0.00	1.44
PRE-P-200 [in]	25y-4h	5.90	0.00	2.64	0.00	0.00	0.00	3.26
PRE-P-200	25y-4h	125075	0	56003	0	0	0	69072

Basin Name	Sim Name	Total Rainfall	Total Irrigation	Total Runoff	Total ET	Total Initial Abst	Total Recharge	Change Soil Storage
[ft3]								
PRE-P-200 [ac-ft]	25y-4h	2.87	0.00	1.29	0.00	0.00	0.00	1.59
PRE-P-200 [in]	25y-8h	7.40	0.00	3.85	0.00	0.00	0.00	3.55
PRE-P-200 [ft3]	25y-8h	156874	0	81721	0	0	0	75153
PRE-P-200 [ac-ft]	25y-8h	3.60	0.00	1.88	0.00	0.00	0.00	1.73
PRE-P-200 [in]	2y-1h	2.30	0.00	0.33	0.00	0.00	0.00	1.97
PRE-P-200 [ft3]	2y-1h	48758	0	7083	0	0	0	41675
PRE-P-200 [ac-ft]	2y-1h	1.12	0.00	0.16	0.00	0.00	0.00	0.96
PRE-P-200 [in]	2y-24h	4.70	0.00	1.75	0.00	0.00	0.00	2.95
PRE-P-200 [ft3]	2y-24h	99636	0	37034	0	0	0	62602
PRE-P-200 [ac-ft]	2y-24h	2.29	0.00	0.85	0.00	0.00	0.00	1.44
PRE-P-200 [in]	2y-2h	3.00	0.00	0.67	0.00	0.00	0.00	2.33
PRE-P-200 [ft3]	2y-2h	63598	0	14235	0	0	0	49363
PRE-P-200 [ac-ft]	2y-2h	1.46	0.00	0.33	0.00	0.00	0.00	1.13
PRE-P-200 [in]	2y-4h	3.50	0.00	0.96	0.00	0.00	0.00	2.54
PRE-P-200 [ft3]	2y-4h	74197	0	20277	0	0	0	53920
PRE-P-200 [ac-ft]	2y-4h	1.70	0.00	0.47	0.00	0.00	0.00	1.24
PRE-P-200 [in]	2y-8h	4.20	0.00	1.40	0.00	0.00	0.00	2.80
PRE-P-200 [ft3]	2y-8h	89037	0	29725	0	0	0	59312
PRE-P-200 [ac-ft]	2y-8h	2.04	0.00	0.68	0.00	0.00	0.00	1.36
PRE-P-200 [in]	5y-1h	2.80	0.00	0.57	0.00	0.00	0.00	2.23
PRE-P-200 [ft3]	5y-1h	59358	0	12019	0	0	0	47339
PRE-P-200 [ac-ft]	5y-1h	1.36	0.00	0.28	0.00	0.00	0.00	1.09
PRE-P-200 [in]	5y-24h	6.40	0.00	3.04	0.00	0.00	0.00	3.36
PRE-P-200	5y-24h	135675	0	64370	0	0	0	71305

Basin Name	Sim Name	Total Rainfall	Total Irrigation	Total Runoff	Total ET	Total Initial Abst	Total Recharge	Change Soil Storage
[ft3]								
PRE-P-200 [ac-ft]	5y-24h	3.11	0.00	1.48	0.00	0.00	0.00	1.64
PRE-P-200 [in]	5y-2h	3.50	0.00	0.96	0.00	0.00	0.00	2.54
PRE-P-200 [ft3]	5y-2h	74197	0	20277	0	0	0	53920
PRE-P-200 [ac-ft]	5y-2h	1.70	0.00	0.47	0.00	0.00	0.00	1.24
PRE-P-200 [in]	5y-4h	4.40	0.00	1.54	0.00	0.00	0.00	2.86
PRE-P-200 [ft3]	5y-4h	93276	0	32599	0	0	0	60678
PRE-P-200 [ac-ft]	5y-4h	2.14	0.00	0.75	0.00	0.00	0.00	1.39
PRE-P-200 [in]	5y-8h	5.50	0.00	2.33	0.00	0.00	0.00	3.17
PRE-P-200 [ft3]	5y-8h	116596	0	49488	0	0	0	67107
PRE-P-200 [ac-ft]	5y-8h	2.68	0.00	1.14	0.00	0.00	0.00	1.54

Channel Link: CHAN 100		Upstream		Downstream	
Scenario:	Post	Invert:	203.00 ft	Invert:	178.00 ft
From Node:	CHAN A-1	Manning's N:	0.0350	Manning's N:	0.0350
To Node:	CHAN A-2	Geometry: Trapezoidal		Geometry: Trapezoidal	
Link Count:	1	Max Depth:	9999.00 ft	Max Depth:	9999.00 ft
Flow Direction:	Both	Extrapolation:	Normal	Extrapolation:	Normal
Dampening:	0.0000 ft	Bottom Width:	0.00 ft	Bottom Width:	0.00 ft
Length:	170.00 ft	Left Slope:	20.000 (h:v)	Left Slope:	20.000 (h:v)
Contraction Coef:	0.10	Right Slope:	20.000 (h:v)	Right Slope:	20.000 (h:v)
Expansion Coef:	0.30	Bottom Clip			
Entr Loss Coef:	0.00	Default:	0.00 ft	Default:	0.00 ft
Exit Loss Coef:	0.00	Op Table:		Op Table:	
Bend Loss Coef:	0.00	Ref Node:		Ref Node:	
Bend Location:	0.00 ft	Manning's N:	0.0350	Manning's N:	0.0350
Energy Switch:	Energy	Top Clip			
		Default:	0.00 ft	Default:	0.00 ft
		Op Table:		Op Table:	
		Ref Node:		Ref Node:	
		Manning's N:	0.0350	Manning's N:	0.0350

Comment:

Link Min/Max Conditions with Times [Post]

Link Name	Sim Name	Max Flow [cfs]	Min Flow [cfs]	Min/Max Delta Flow [cfs]	Max Us Velocity [fps]	Max Ds Velocity [fps]	Time to Max Flow [hrs]	Time to Min Flow [hrs]	Time to Min/Max Delta Flow [hrs]	Time to Max Us Velocity [hrs]	Time to Max Ds Velocity [hrs]
CHAN 100	100y-1h	0.00	0.00	0.00	0.00	0.00	0.0000	0.0000	0.0000	0.0000	0.0000
CHAN 100	100y-24h	16.64	0.00	0.06	2.93	5.49	12.0815	0.0000	11.3096	12.0849	12.1151
CHAN 100	100y-2h	30.53	0.00	0.09	3.31	6.38	1.5863	0.0000	1.4891	1.5866	1.5863
CHAN 100	100y-4h	44.73	0.00	0.10	3.57	7.02	2.6716	0.0000	2.5617	2.6718	2.6774
CHAN 100	100y-8h	54.52	0.00	0.11	3.71	7.37	4.1071	0.0000	3.9730	4.1077	4.1276
CHAN 100	10y-1h	0.00	0.00	0.00	0.00	0.00	0.0000	0.0000	0.0000	0.0000	0.0000
CHAN 100	10y-24h	6.63	0.00	0.04	2.44	4.36	15.0678	0.0000	13.7552	15.0742	15.1752
CHAN 100	10y-2h	0.00	0.00	0.00	0.00	0.00	0.0000	0.0000	0.0000	0.0000	0.0000
CHAN 100	10y-4h	11.28	0.00	0.05	2.71	4.97	3.5423	0.0000	3.4281	3.5430	3.5423
CHAN 100	10y-8h	16.97	0.00	0.06	2.94	5.51	4.8550	0.0000	4.7106	4.8554	4.8943
CHAN 100	25y-1h	0.00	0.00	0.00	0.00	0.00	0.0000	0.0000	0.0000	0.0000	0.0000
CHAN 100	25y-24h	9.08	0.00	0.04	2.59	4.71	12.8790	0.0000	12.6515	12.8799	13.0019
CHAN 100	25y-2h	7.27	0.00	0.04	2.48	4.46	2.2662	0.0000	2.1822	2.2671	2.2662
CHAN 100	25y-4h	28.10	0.00	0.08	3.25	6.25	3.0526	0.0000	2.9190	3.0530	3.0692
CHAN 100	25y-8h	32.30	0.00	0.10	3.34	6.47	4.3231	0.0000	4.2380	4.3234	4.3370
CHAN 100	2y-1h	0.00	0.00	0.00	0.00	0.00	0.0000	0.0000	0.0000	0.0000	0.0000
CHAN 100	2y-24h	0.00	0.00	0.00	0.00	0.00	0.0000	0.0000	0.0000	0.0000	0.0000
CHAN 100	2y-2h	0.00	0.00	0.00	0.00	0.00	0.0000	0.0000	0.0000	0.0000	0.0000
CHAN 100	2y-4h	0.00	0.00	0.00	0.00	0.00	0.0000	0.0000	0.0000	0.0000	0.0000
CHAN 100	2y-8h	0.00	0.00	0.00	0.00	0.00	0.0000	0.0000	0.0000	0.0000	0.0000
CHAN 100	5y-1h	0.00	0.00	0.00	0.00	0.00	0.0000	0.0000	0.0000	0.0000	0.0000
CHAN 100	5y-24h	4.53	0.00	0.03	2.26	3.96	16.0386	0.0000	15.6916	16.0408	16.0386

Link Name	Sim Name	Max Flow [cfs]	Min Flow [cfs]	Min/Max Delta Flow [cfs]	Max Us Velocity [fps]	Max Ds Velocity [fps]	Time to Max Flow [hrs]	Time to Min Flow [hrs]	Time to Min/Max Delta Flow [hrs]	Time to Max Us Velocity [hrs]	Time to Max Ds Velocity [hrs]
CHAN 100	5y-2h	0.00	0.00	0.00	0.00	0.00	0.0000	0.0000	0.0000	0.0000	0.0000
CHAN 100	5y-4h	0.00	0.00	0.00	0.00	0.00	0.0000	0.0000	0.0000	0.0000	0.0000
CHAN 100	5y-8h	8.96	0.00	0.04	2.59	4.70	5.3549	0.0000	5.2457	5.3556	5.3706

Channel Link: CHAN 101		Upstream		Downstream	
Scenario:	Post	Invert:	178.00 ft	Invert:	176.00 ft
From Node:	CHAN A-2	Manning's N:	0.0350	Manning's N:	0.0350
To Node:	IMP #1	Geometry: Trapezoidal		Geometry: Trapezoidal	
Link Count:	1	Max Depth:	9999.00 ft	Max Depth:	9999.00 ft
Flow Direction:	Both	Extrapolation:	Normal	Extrapolation:	Normal
Dampening:	0.0000 ft	Bottom Width:	20.00 ft	Bottom Width:	20.00 ft
Length:	480.00 ft	Left Slope:	20.000 (h:v)	Left Slope:	20.000 (h:v)
Contraction Coef:	0.10	Right Slope:	20.000 (h:v)	Right Slope:	20.000 (h:v)
Expansion Coef:	0.30	Bottom Clip			
Entr Loss Coef:	0.00	Default:	0.00 ft	Default:	0.00 ft
Exit Loss Coef:	0.00	Op Table:		Op Table:	
Bend Loss Coef:	0.00	Ref Node:		Ref Node:	
Bend Location:	0.00 ft	Manning's N:	0.0350	Manning's N:	0.0350
Energy Switch:	Energy	Top Clip			
		Default:	0.00 ft	Default:	0.00 ft
		Op Table:		Op Table:	
		Ref Node:		Ref Node:	
		Manning's N:	0.0350	Manning's N:	0.0350

Comment:

Link Min/Max Conditions with Times [Post]

Link Name	Sim Name	Max Flow [cfs]	Min Flow [cfs]	Min/Max Delta Flow [cfs]	Max Us Velocity [fps]	Max Ds Velocity [fps]	Time to Max Flow [hrs]	Time to Min Flow [hrs]	Time to Min/Max Delta Flow [hrs]	Time to Max Us Velocity [hrs]	Time to Max Ds Velocity [hrs]
CHAN 101	100y-1h	0.00	0.00	0.00	0.00	0.00	0.0000	0.0000	0.0000	0.0000	0.0000
CHAN 101	100y-24h	16.50	0.00	0.05	1.47	2.59	12.5703	0.0000	11.8143	12.6777	12.0594
CHAN 101	100y-2h	24.29	0.00	0.09	1.65	1.82	1.9588	0.0000	1.8056	2.0229	1.8115

Link Name	Sim Name	Max Flow [cfs]	Min Flow [cfs]	Min/Max Delta Flow [cfs]	Max Us Velocity [fps]	Max Ds Velocity [fps]	Time to Max Flow [hrs]	Time to Min Flow [hrs]	Time to Min/Max Delta Flow [hrs]	Time to Max Us Velocity [hrs]	Time to Max Ds Velocity [hrs]
CHAN 101	100y-4h	40.12	0.00	0.12	1.94	1.53	2.9045	0.0000	2.7810	2.9197	2.8104
CHAN 101	100y-8h	47.43	0.00	0.13	2.02	1.48	4.2658	0.0000	4.1686	4.2730	4.1920
CHAN 101	10y-1h	0.00	0.00	0.00	0.00	0.00	0.0000	0.0000	0.0000	0.0000	0.0000
CHAN 101	10y-24h	6.35	0.00	0.04	0.81	1.95	15.2973	0.0000	14.7157	15.3006	15.2984
CHAN 101	10y-2h	0.00	0.00	0.00	0.00	0.00	0.0000	0.0000	0.0000	0.0000	0.0000
CHAN 101	10y-4h	2.76	0.00	0.03	0.61	1.64	4.3352	0.0000	4.1094	4.3385	4.3385
CHAN 101	10y-8h	11.02	0.00	0.07	0.96	2.33	5.3720	0.0000	5.1804	5.3730	5.3730
CHAN 101	25y-1h	0.00	0.00	0.00	0.00	0.00	0.0000	0.0000	0.0000	0.0000	0.0000
CHAN 101	25y-24h	7.78	0.00	0.05	0.91	2.15	15.1237	0.0000	13.4013	16.3442	15.4135
CHAN 101	25y-2h	0.00	0.00	0.00	0.00	0.00	0.0000	0.0000	0.0000	0.0000	0.0000
CHAN 101	25y-4h	21.02	0.00	0.08	1.56	2.67	3.4730	0.0000	3.2266	3.5522	3.3042
CHAN 101	25y-8h	27.54	0.00	0.09	1.73	2.09	4.7073	0.0000	4.5301	4.7683	4.5301
CHAN 101	2y-1h	0.00	0.00	0.00	0.00	0.00	0.0000	0.0000	0.0000	0.0000	0.0000
CHAN 101	2y-24h	0.00	0.00	0.00	0.00	0.00	0.0000	0.0000	0.0000	0.0000	0.0000
CHAN 101	2y-2h	0.00	0.00	0.00	0.00	0.00	0.0000	0.0000	0.0000	0.0000	0.0000
CHAN 101	2y-4h	0.00	0.00	0.00	0.00	0.00	0.0000	0.0000	0.0000	0.0000	0.0000
CHAN 101	2y-8h	0.00	0.00	0.00	0.00	0.00	0.0000	0.0000	0.0000	0.0000	0.0000
CHAN 101	5y-1h	0.00	0.00	0.00	0.00	0.00	0.0000	0.0000	0.0000	0.0000	0.0000
CHAN 101	5y-24h	3.62	0.00	0.03	0.67	1.80	19.1311	0.0000	17.1232	19.1390	19.4165
CHAN 101	5y-2h	0.00	0.00	0.00	0.00	0.00	0.0000	0.0000	0.0000	0.0000	0.0000
CHAN 101	5y-4h	0.00	0.00	0.00	0.00	0.00	0.0000	0.0000	0.0000	0.0000	0.0000
CHAN 101	5y-8h	4.13	0.00	0.03	0.70	1.80	6.5915	0.0000	6.2698	6.6003	7.4823

Channel Link: CHAN 200		Upstream		Downstream	
Scenario:	Post	Invert:	209.00 ft	Invert:	176.00 ft
From Node:	CHAN B	Manning's N:	0.0350	Manning's N:	0.0350
To Node:	IMP #1	Geometry: Trapezoidal		Geometry: Trapezoidal	
Link Count:	1	Max Depth:	9999.00 ft	Max Depth:	9999.00 ft
Flow Direction:	Both	Extrapolation:	Normal	Extrapolation:	Normal
Dampening:	0.0000 ft	Bottom Width:	0.00 ft	Bottom Width:	0.00 ft
Length:	240.00 ft	Left Slope:	20.000 (h:v)	Left Slope:	20.000 (h:v)
Contraction Coef:	0.10	Right Slope:	20.000 (h:v)	Right Slope:	20.000 (h:v)
Expansion Coef:	0.30	Bottom Clip			
Entr Loss Coef:	0.00	Default:	0.00 ft	Default:	0.00 ft
Exit Loss Coef:	0.00	Op Table:		Op Table:	
Bend Loss Coef:	0.00	Ref Node:		Ref Node:	
Bend Location:	0.00 ft	Manning's N:	0.0350	Manning's N:	0.0350
Energy Switch:	Energy	Top Clip			
		Default:	0.00 ft	Default:	0.00 ft
		Op Table:		Op Table:	
		Ref Node:		Ref Node:	
		Manning's N:	0.0350	Manning's N:	0.0350

Comment:

Link Min/Max Conditions with Times [Post]

Link Name	Sim Name	Max Flow [cfs]	Min Flow [cfs]	Min/Max Delta Flow [cfs]	Max Us Velocity [fps]	Max Ds Velocity [fps]	Time to Max Flow [hrs]	Time to Min Flow [hrs]	Time to Min/Max Delta Flow [hrs]	Time to Max Us Velocity [hrs]	Time to Max Ds Velocity [hrs]
CHAN 200	100y-1h	0.03	0.00	0.00	0.00	0.00	20.5947	0.0000	18.6964	0.0000	0.0000
CHAN 200	100y-24h	3.30	0.00	0.02	2.12	2.73	15.2834	0.0000	15.0497	15.2975	21.9519
CHAN 200	100y-2h	0.06	0.00	0.00	0.96	0.00	12.8756	0.0000	10.7045	12.9011	0.0000
CHAN 200	100y-4h	0.11	0.00	0.00	1.07	1.54	10.5231	0.0000	8.5781	10.5331	11.3451
CHAN 200	100y-8h	4.77	0.00	0.03	2.28	1.60	5.4582	0.0000	5.3114	5.4612	9.8717
CHAN 200	10y-1h	0.00	0.00	0.00	0.00	0.00	0.0000	0.0000	0.0000	0.0000	0.0000
CHAN 200	10y-24h	0.10	0.00	0.00	1.06	1.52	24.4294	0.0000	21.1133	24.4395	26.0679
CHAN 200	10y-2h	0.02	0.00	0.00	0.00	0.00	24.2638	0.0000	32.4528	0.0000	0.0000
CHAN 200	10y-4h	0.04	0.00	0.00	0.00	0.00	18.4190	0.0000	15.6762	0.0000	0.0000
CHAN 200	10y-8h	0.07	0.00	0.00	0.99	1.40	15.2817	0.0000	13.1471	15.2901	17.2675

Link Name	Sim Name	Max Flow [cfs]	Min Flow [cfs]	Min/Max Delta Flow [cfs]	Max Us Velocity [fps]	Max Ds Velocity [fps]	Time to Max Flow [hrs]	Time to Min Flow [hrs]	Time to Min/Max Delta Flow [hrs]	Time to Max Us Velocity [hrs]	Time to Max Ds Velocity [hrs]
CHAN 200	25y-1h	0.01	0.00	0.00	0.00	0.00	33.2257	0.0000	29.8189	0.0000	0.0000
CHAN 200	25y-24h	1.22	0.00	0.01	1.74	2.79	21.0425	0.0000	20.1935	21.0895	21.1762
CHAN 200	25y-2h	0.04	0.00	0.00	0.00	0.00	18.7866	0.0000	16.1166	0.0000	0.0000
CHAN 200	25y-4h	0.07	0.00	0.00	0.97	0.00	13.9826	0.0000	11.7583	14.0047	0.0000
CHAN 200	25y-8h	0.11	0.00	0.00	1.08	1.56	12.2070	0.0000	10.4381	12.2175	12.6817
CHAN 200	2y-1h	0.00	0.00	0.00	0.00	0.00	0.0000	0.0000	0.0000	0.0000	0.0000
CHAN 200	2y-24h	0.03	0.00	0.00	0.00	0.00	35.2788	0.0000	32.3521	0.0000	0.0000
CHAN 200	2y-2h	0.00	0.00	0.00	0.00	0.00	0.0000	0.0000	0.0000	0.0000	0.0000
CHAN 200	2y-4h	0.00	0.00	0.00	0.00	0.00	50.2433	0.0000	49.8913	0.0000	0.0000
CHAN 200	2y-8h	0.02	0.00	0.00	0.00	0.00	27.1350	0.0000	25.8150	0.0000	0.0000
CHAN 200	5y-1h	0.00	0.00	0.00	0.00	0.00	0.0000	0.0000	0.0000	0.0000	0.0000
CHAN 200	5y-24h	0.07	0.00	0.00	0.98	1.39	25.9810	0.0000	23.8067	25.9904	25.9810
CHAN 200	5y-2h	0.00	0.00	0.00	0.00	0.00	46.9241	0.0000	43.9955	0.0000	0.0000
CHAN 200	5y-4h	0.03	0.00	0.00	0.00	0.00	22.6099	0.0000	19.7632	0.0000	0.0000
CHAN 200	5y-8h	0.05	0.00	0.00	0.93	0.00	17.7887	0.0000	15.5131	17.8235	0.0000

Pipe Link: HC Culvert		Upstream		Downstream	
Scenario:	Post	Invert:	148.96 ft	Invert:	148.13 ft
From Node:	Heart Circle	Manning's N:	0.0130	Manning's N:	0.0130
To Node:	BNDY	Geometry: Circular		Geometry: Circular	
Link Count:	1	Max Depth:	4.00 ft	Max Depth:	4.00 ft
Flow Direction:	Both	Bottom Clip			
Dampening:	0.0000 ft	Default:	0.00 ft	Default:	0.00 ft
Length:	62.00 ft	Op Table:		Op Table:	
FHWA Code:	1	Ref Node:		Ref Node:	
Entr Loss Coef:	0.00	Manning's N:	0.0000	Manning's N:	0.0000
Exit Loss Coef:	1.00	Top Clip			

Bend Loss Coef:	0.00	Default:	0.00 ft	Default:	0.00 ft
Bend Location:	0.00 ft	Op Table:		Op Table:	
Energy Switch:	Energy	Ref Node:		Ref Node:	
		Manning's N:	0.0000	Manning's N:	0.0000

Comment:

Link Min/Max Conditions with Times [Post]

Link Name	Sim Name	Max Flow [cfs]	Min Flow [cfs]	Min/Max Delta Flow [cfs]	Max Us Velocity [fps]	Max Ds Velocity [fps]	Time to Max Flow [hrs]	Time to Min Flow [hrs]	Time to Min/Max Delta Flow [hrs]	Time to Max Us Velocity [hrs]	Time to Max Ds Velocity [hrs]
HC Culvert	100y-1h	60.90	0.00	0.05	5.16	12.20	0.8152	0.0000	30.1580	0.8198	0.8215
HC Culvert	100y-24h	33.18	0.00	0.03	4.17	10.32	13.5051	0.0000	13.0423	13.5372	13.5440
HC Culvert	100y-2h	61.51	0.00	0.03	5.19	12.24	0.9762	0.0000	0.7506	0.9811	0.9829
HC Culvert	100y-4h	58.44	0.00	-0.04	5.07	12.07	3.1482	0.0000	3.2510	3.1519	3.1528
HC Culvert	100y-8h	65.85	0.00	-0.04	5.38	12.46	5.1198	0.0000	5.3848	5.1272	5.1182
HC Culvert	10y-1h	35.12	0.00	0.03	4.24	10.49	0.8225	0.0000	0.6208	0.8289	0.8315
HC Culvert	10y-24h	14.61	0.00	0.02	3.31	8.15	12.0845	0.0000	62.3369	12.1035	12.1016
HC Culvert	10y-2h	34.48	0.00	0.03	4.22	10.43	0.9834	0.0000	0.7148	0.9877	0.9913
HC Culvert	10y-4h	30.92	0.00	0.02	4.08	10.12	2.6080	0.0000	35.2907	2.6157	2.6174
HC Culvert	10y-8h	37.36	0.00	-0.03	4.32	10.67	4.0867	0.0000	5.1969	4.0926	4.0946
HC Culvert	25y-1h	45.53	0.00	0.03	4.60	11.28	0.8179	0.0000	0.5927	0.8232	0.8256
HC Culvert	25y-24h	17.68	0.00	0.02	3.49	8.61	17.7744	0.0000	67.1845	17.8073	17.8190
HC Culvert	25y-2h	43.71	0.00	0.03	4.54	11.15	0.9777	0.0000	0.7066	0.9863	0.9863
HC Culvert	25y-4h	39.77	0.00	-0.03	4.40	10.86	2.6023	0.0000	3.2628	2.6102	2.6085
HC Culvert	25y-8h	48.44	0.00	0.03	4.70	11.47	4.0855	0.0000	5.0137	4.0914	4.0904
HC Culvert	2y-1h	18.25	0.00	-0.02	3.52	8.69	0.8396	0.0000	1.0283	0.8502	0.8520
HC Culvert	2y-24h	6.64	0.00	0.02	2.69	6.45	15.0796	0.0000	47.3955	15.1180	15.1180
HC	2y-2h	18.96	0.00	0.02	3.56	8.79	0.9980	0.0000	0.8095	1.0055	1.0063

Link Name	Sim Name	Max Flow [cfs]	Min Flow [cfs]	Min/Max Delta Flow [cfs]	Max Us Velocity [fps]	Max Ds Velocity [fps]	Time to Max Flow [hrs]	Time to Min Flow [hrs]	Time to Min/Max Delta Flow [hrs]	Time to Max Us Velocity [hrs]	Time to Max Ds Velocity [hrs]
Culvert											
HC Culvert	2y-4h	17.03	0.00	0.05	3.46	8.52	2.6179	0.0000	28.8627	2.6348	2.6348
HC Culvert	2y-8h	19.86	0.00	0.02	3.60	8.91	4.0938	0.0000	33.2030	4.1024	4.1034
HC Culvert	5y-1h	27.28	0.00	0.03	3.94	9.76	0.8311	0.0000	0.6671	0.8378	0.8378
HC Culvert	5y-24h	11.33	0.00	0.02	3.10	7.56	12.0897	0.0000	56.0656	12.1033	12.1000
HC Culvert	5y-2h	25.74	0.00	0.03	3.87	9.60	0.9864	0.0000	0.7797	0.9962	0.9962
HC Culvert	5y-4h	25.20	0.00	0.02	3.85	9.54	2.6087	0.0000	31.9032	2.6225	2.6225
HC Culvert	5y-8h	31.06	0.00	0.02	4.09	10.13	4.0865	0.0000	40.4492	4.0963	4.0973

Drop Structure Link: IMP #1 CS		Upstream Pipe		Downstream Pipe	
Scenario:	Post	Invert:	168.00 ft	Invert:	160.00 ft
From Node:	IMP #1	Manning's N:	0.0120	Manning's N:	0.0120
To Node:	IMP #2	Geometry: Circular		Geometry: Circular	
Link Count:	1	Max Depth:	1.00 ft	Max Depth:	1.00 ft
Flow Direction:	Both	Bottom Clip			
Solution:	Combine	Default:	0.00 ft	Default:	0.00 ft
Increments:	10	Op Table:		Op Table:	
Pipe Count:	1	Ref Node:		Ref Node:	
Dampening:	0.0000 ft	Manning's N:	0.0120	Manning's N:	0.0120
Length:	60.00 ft	Top Clip			
FHWA Code:	1	Default:	0.00 ft	Default:	0.00 ft
Entr Loss Coef:	0.50	Op Table:		Op Table:	
Exit Loss Coef:	0.39	Ref Node:		Ref Node:	
Bend Loss Coef:	0.00	Manning's N:	0.0120	Manning's N:	0.0120
Bend Location:	0.00 ft				
Energy Switch:	Energy				

Pipe Comment:

Weir Component		Bottom Clip	
Weir:	1	Default:	0.00 ft
Weir Count:	1	Op Table:	
Dampening:	0.0000 ft	Ref Node:	
Weir Type:	Horizontal	Top Clip	
Geometry Type:	Rectangular	Default:	0.00 ft
Invert:	176.00 ft		

Control Elevation:	176.00 ft		
Max Depth:	3.00 ft	Op Table:	
Max Width:	2.00 ft	Ref Node:	
Fillet:	0.00 ft	Discharge Coefficients	
		Weir Default:	3.200
		Weir Table:	
		Orifice Default:	0.600
		Orifice Table:	

Weir Comment:

Weir Component			
Weir:	2	Bottom Clip	
Weir Count:	1	Default:	0.00 ft
Dampening:	0.0000 ft	Op Table:	
Weir Type:	Sharp Crested Vertical	Ref Node:	
Geometry Type:	Rectangular	Top Clip	
Invert:	172.00 ft	Default:	0.00 ft
Control Elevation:	172.00 ft	Op Table:	
Max Depth:	833.25 ft	Ref Node:	
Max Width:	0.33 ft	Discharge Coefficients	
Fillet:	0.00 ft	Weir Default:	3.200
		Weir Table:	
		Orifice Default:	0.600
		Orifice Table:	

Weir Comment:

Drop Structure Comment:

Link Min/Max Conditions with Times [Post]

Link Name	Sim Name	Max Flow [cfs]	Min Flow [cfs]	Min/Max Delta Flow [cfs]	Max Us Velocity [fps]	Max Ds Velocity [fps]	Time to Max Flow [hrs]	Time to Min Flow [hrs]	Time to Min/Max Delta Flow [hrs]	Time to Max Us Velocity [hrs]	Time to Max Ds Velocity [hrs]
IMP #1 CS - Pipe	100y-1h	7.17	0.00	0.00	0.00	0.00	1.2739	0.0000	1.8447	0.0000	0.0000
IMP #1 CS - Weir: 1	100y-1h	0.00	0.00	0.00	0.00	0.00	0.0000	0.0000	0.0000	0.0000	0.0000
IMP #1 CS - Weir: 2	100y-1h	7.17	0.00	0.00	6.04	6.04	1.2736	0.0000	1.8437	1.2736	1.2736
IMP #1 CS - Pipe	100y-24 h	16.82	0.00	0.03	0.00	0.00	13.1387	0.0000	12.4986	0.0000	0.0000
IMP #1	100y-24	14.04	0.00	0.03	2.34	2.34	13.1377	0.0000	12.4895	13.1387	13.1387

Link Name	Sim Name	Max Flow [cfs]	Min Flow [cfs]	Min/Max Delta Flow [cfs]	Max Us Velocity [fps]	Max Ds Velocity [fps]	Time to Max Flow [hrs]	Time to Min Flow [hrs]	Time to Min/Max Delta Flow [hrs]	Time to Max Us Velocity [hrs]	Time to Max Ds Velocity [hrs]
CS - Weir: 1	h										
IMP #1 CS - Weir: 2	100y-24 h	8.14	0.00	-0.03	6.11	6.11	12.1982	0.0000	12.4632	22.9048	22.9048
IMP #1 CS - Pipe	100y-2h	16.81	0.00	0.03	0.00	0.00	2.0781	0.0000	1.8346	0.0000	0.0000
IMP #1 CS - Weir: 1	100y-2h	14.04	0.00	0.03	2.34	2.34	2.0773	0.0000	1.8402	2.0773	2.0773
IMP #1 CS - Weir: 2	100y-2h	8.14	0.00	0.03	6.11	6.11	1.3959	0.0000	2.9603	1.2799	1.2799
IMP #1 CS - Pipe	100y-4h	17.89	0.00	-0.03	0.00	0.00	3.7767	0.0000	5.9093	0.0000	0.0000
IMP #1 CS - Weir: 1	100y-4h	14.42	0.00	-0.03	2.40	2.40	3.7767	0.0000	5.8991	3.7767	3.7767
IMP #1 CS - Weir: 2	100y-4h	8.14	0.00	0.03	6.11	6.11	2.4923	0.0000	5.9206	2.4164	2.4164
IMP #1 CS - Pipe	100y-8h	18.20	0.00	-0.03	0.00	0.00	5.2118	0.0000	9.4802	0.0000	0.0000
IMP #1 CS - Weir: 1	100y-8h	14.58	0.00	-0.03	2.43	2.43	5.1959	0.0000	9.5176	5.1959	5.1959
IMP #1 CS - Weir: 2	100y-8h	8.14	0.00	0.03	6.11	6.11	3.9044	0.0000	9.5210	3.8442	3.8442
IMP #1 CS - Pipe	10y-1h	4.05	0.00	0.00	0.00	0.00	1.2827	0.0000	2.0401	0.0000	0.0000
IMP #1 CS - Weir: 1	10y-1h	0.00	0.00	0.00	0.00	0.00	0.0000	0.0000	0.0000	0.0000	0.0000
IMP #1 CS - Weir: 2	10y-1h	4.05	0.00	0.00	4.99	4.99	1.2822	0.0000	2.0545	1.2822	1.2822
IMP #1 CS - Pipe	10y-24h	7.17	0.00	0.00	0.00	0.00	19.1424	0.0000	19.9095	0.0000	0.0000
IMP #1	10y-24h	0.00	0.00	0.00	0.00	0.00	0.0000	0.0000	0.0000	0.0000	0.0000

Link Name	Sim Name	Max Flow [cfs]	Min Flow [cfs]	Min/Max Delta Flow [cfs]	Max Us Velocity [fps]	Max Ds Velocity [fps]	Time to Max Flow [hrs]	Time to Min Flow [hrs]	Time to Min/Max Delta Flow [hrs]	Time to Max Us Velocity [hrs]	Time to Max Ds Velocity [hrs]
CS - Weir: 1											
IMP #1 CS - Weir: 2	10y-24h	7.17	0.00	0.00	6.04	6.04	19.1374	0.0000	19.9644	19.1374	19.1374
IMP #1 CS - Pipe	10y-2h	5.49	0.00	0.00	0.00	0.00	1.9344	0.0000	2.5218	0.0000	0.0000
IMP #1 CS - Weir: 1	10y-2h	0.00	0.00	0.00	0.00	0.00	0.0000	0.0000	0.0000	0.0000	0.0000
IMP #1 CS - Weir: 2	10y-2h	5.49	0.00	0.00	5.52	5.52	1.9333	0.0000	2.5205	1.9333	1.9333
IMP #1 CS - Pipe	10y-4h	6.96	0.00	0.00	0.00	0.00	3.3240	0.0000	4.5804	0.0000	0.0000
IMP #1 CS - Weir: 1	10y-4h	0.00	0.00	0.00	0.00	0.00	0.0000	0.0000	0.0000	0.0000	0.0000
IMP #1 CS - Weir: 2	10y-4h	6.96	0.00	0.00	5.98	5.98	3.3236	0.0000	4.4348	3.3232	3.3232
IMP #1 CS - Pipe	10y-8h	9.61	0.00	0.01	0.00	0.00	6.1489	0.0000	5.5883	0.0000	0.0000
IMP #1 CS - Weir: 1	10y-8h	2.56	0.00	0.02	1.38	1.38	6.1459	0.0000	5.6543	6.1459	6.1459
IMP #1 CS - Weir: 2	10y-8h	8.14	0.00	-0.01	6.11	6.11	5.4316	0.0000	5.6543	8.0130	8.0130
IMP #1 CS - Pipe	25y-1h	5.33	0.00	0.00	0.00	0.00	1.2777	0.0000	2.0270	0.0000	0.0000
IMP #1 CS - Weir: 1	25y-1h	0.00	0.00	0.00	0.00	0.00	0.0000	0.0000	0.0000	0.0000	0.0000
IMP #1 CS - Weir: 2	25y-1h	5.33	0.00	0.00	5.47	5.47	1.2772	0.0000	2.0139	1.2772	1.2772
IMP #1 CS - Pipe	25y-24h	10.01	0.00	0.01	0.00	0.00	16.3373	0.0000	15.2081	0.0000	0.0000
IMP #1	25y-24h	3.60	0.00	0.01	1.54	1.54	16.3342	0.0000	15.2847	16.3342	16.3342

Link Name	Sim Name	Max Flow [cfs]	Min Flow [cfs]	Min/Max Delta Flow [cfs]	Max Us Velocity [fps]	Max Ds Velocity [fps]	Time to Max Flow [hrs]	Time to Min Flow [hrs]	Time to Min/Max Delta Flow [hrs]	Time to Max Us Velocity [hrs]	Time to Max Ds Velocity [hrs]
CS - Weir: 1											
IMP #1 CS - Weir: 2	25y-24h	8.14	0.00	0.01	6.11	6.11	19.8868	0.0000	16.7682	14.7279	14.7279
IMP #1 CS - Pipe	25y-2h	6.88	0.00	0.00	0.00	0.00	1.9132	0.0000	2.8642	0.0000	0.0000
IMP #1 CS - Weir: 1	25y-2h	0.00	0.00	0.00	0.00	0.00	0.0000	0.0000	0.0000	0.0000	0.0000
IMP #1 CS - Weir: 2	25y-2h	6.88	0.00	0.00	5.96	5.96	1.9128	0.0000	2.8526	1.9123	1.9123
IMP #1 CS - Pipe	25y-4h	16.20	0.00	0.04	0.00	0.00	3.7745	0.0000	3.3809	0.0000	0.0000
IMP #1 CS - Weir: 1	25y-4h	13.33	0.00	0.03	2.04	2.04	3.7734	0.0000	3.3742	4.3472	4.3472
IMP #1 CS - Weir: 2	25y-4h	8.14	0.00	-0.03	6.11	6.11	3.0561	0.0000	3.3507	2.8729	2.8729
IMP #1 CS - Pipe	25y-8h	16.85	0.00	0.03	0.00	0.00	5.5677	0.0000	4.5750	0.0000	0.0000
IMP #1 CS - Weir: 1	25y-8h	14.04	0.00	0.03	2.34	2.34	7.2515	0.0000	4.5827	7.2515	7.2515
IMP #1 CS - Weir: 2	25y-8h	8.14	0.00	-0.03	6.11	6.11	4.2232	0.0000	4.5598	4.1161	4.1161
IMP #1 CS - Pipe	2y-1h	1.97	0.00	0.00	0.00	0.00	1.3005	0.0000	2.0097	0.0000	0.0000
IMP #1 CS - Weir: 1	2y-1h	0.00	0.00	0.00	0.00	0.00	0.0000	0.0000	0.0000	0.0000	0.0000
IMP #1 CS - Weir: 2	2y-1h	1.97	0.00	0.00	3.93	3.93	1.2998	0.0000	1.9889	1.2998	1.2998
IMP #1 CS - Pipe	2y-24h	2.00	0.00	0.00	0.00	0.00	15.1657	0.0000	21.5987	0.0000	0.0000
IMP #1	2y-24h	0.00	0.00	0.00	0.00	0.00	0.0000	0.0000	0.0000	0.0000	0.0000

Link Name	Sim Name	Max Flow [cfs]	Min Flow [cfs]	Min/Max Delta Flow [cfs]	Max Us Velocity [fps]	Max Ds Velocity [fps]	Time to Max Flow [hrs]	Time to Min Flow [hrs]	Time to Min/Max Delta Flow [hrs]	Time to Max Us Velocity [hrs]	Time to Max Ds Velocity [hrs]
CS - Weir: 1											
IMP #1 CS - Weir: 2	2y-24h	2.00	0.00	0.00	3.94	3.94	15.1640	0.0000	21.6588	15.1640	15.1640
IMP #1 CS - Pipe	2y-2h	3.06	0.00	0.00	0.00	0.00	1.9986	0.0000	2.6300	0.0000	0.0000
IMP #1 CS - Weir: 1	2y-2h	0.00	0.00	0.00	0.00	0.00	0.0000	0.0000	0.0000	0.0000	0.0000
IMP #1 CS - Weir: 2	2y-2h	3.06	0.00	0.00	4.55	4.55	1.9977	0.0000	2.6585	1.9977	1.9977
IMP #1 CS - Pipe	2y-4h	3.79	0.00	0.00	0.00	0.00	3.3826	0.0000	4.0746	0.0000	0.0000
IMP #1 CS - Weir: 1	2y-4h	0.00	0.00	0.00	0.00	0.00	0.0000	0.0000	0.0000	0.0000	0.0000
IMP #1 CS - Weir: 2	2y-4h	3.79	0.00	0.00	4.88	4.88	3.3818	0.0000	4.0726	3.3818	3.3818
IMP #1 CS - Pipe	2y-8h	4.05	0.00	0.00	0.00	0.00	5.1729	0.0000	7.2567	0.0000	0.0000
IMP #1 CS - Weir: 1	2y-8h	0.00	0.00	0.00	0.00	0.00	0.0000	0.0000	0.0000	0.0000	0.0000
IMP #1 CS - Weir: 2	2y-8h	4.05	0.00	0.00	4.99	4.99	5.1721	0.0000	7.2538	5.1721	5.1721
IMP #1 CS - Pipe	5y-1h	3.09	0.00	0.00	0.00	0.00	1.2883	0.0000	2.2123	0.0000	0.0000
IMP #1 CS - Weir: 1	5y-1h	0.00	0.00	0.00	0.00	0.00	0.0000	0.0000	0.0000	0.0000	0.0000
IMP #1 CS - Weir: 2	5y-1h	3.09	0.00	0.00	4.56	4.56	1.2878	0.0000	2.2288	1.2878	1.2878
IMP #1 CS - Pipe	5y-24h	4.80	0.00	0.00	0.00	0.00	19.8305	0.0000	18.8682	0.0000	0.0000
IMP #1	5y-24h	0.00	0.00	0.00	0.00	0.00	0.0000	0.0000	0.0000	0.0000	0.0000

Link Name	Sim Name	Max Flow [cfs]	Min Flow [cfs]	Min/Max Delta Flow [cfs]	Max Us Velocity [fps]	Max Ds Velocity [fps]	Time to Max Flow [hrs]	Time to Min Flow [hrs]	Time to Min/Max Delta Flow [hrs]	Time to Max Us Velocity [hrs]	Time to Max Ds Velocity [hrs]
CS - Weir: 1											
IMP #1 CS - Weir: 2	5y-24h	4.80	0.00	0.00	5.28	5.28	19.8231	0.0000	21.6609	19.8231	19.8231
IMP #1 CS - Pipe	5y-2h	4.12	0.00	0.00	0.00	0.00	1.9651	0.0000	2.5843	0.0000	0.0000
IMP #1 CS - Weir: 1	5y-2h	0.00	0.00	0.00	0.00	0.00	0.0000	0.0000	0.0000	0.0000	0.0000
IMP #1 CS - Weir: 2	5y-2h	4.12	0.00	0.00	5.02	5.02	1.9644	0.0000	2.5828	1.9644	1.9644
IMP #1 CS - Pipe	5y-4h	5.68	0.00	0.00	0.00	0.00	3.3389	0.0000	4.0462	0.0000	0.0000
IMP #1 CS - Weir: 1	5y-4h	0.00	0.00	0.00	0.00	0.00	0.0000	0.0000	0.0000	0.0000	0.0000
IMP #1 CS - Weir: 2	5y-4h	5.68	0.00	0.00	5.59	5.59	3.3383	0.0000	4.0446	3.3383	3.3383
IMP #1 CS - Pipe	5y-8h	6.36	0.00	0.00	0.00	0.00	5.1449	0.0000	7.8484	0.0000	0.0000
IMP #1 CS - Weir: 1	5y-8h	0.00	0.00	0.00	0.00	0.00	0.0000	0.0000	0.0000	0.0000	0.0000
IMP #1 CS - Weir: 2	5y-8h	6.36	0.00	0.00	5.80	5.80	5.1443	0.0000	7.5797	5.1443	5.1443

Drop Structure Link: IMP #2 cs		Upstream Pipe		Downstream Pipe	
Scenario:	Post	Invert:	150.54 ft	Invert:	149.54 ft
From Node:	IMP #2	Manning's N:	0.0120	Manning's N:	0.0120
To Node:	Heart Circle	Geometry: Circular		Geometry: Circular	
Link Count:	1	Max Depth:	1.00 ft	Max Depth:	1.00 ft
Flow Direction:	Both	Bottom Clip			
Solution:	Combine	Default:	0.00 ft	Default:	0.00 ft
Increments:	10	Op Table:		Op Table:	
Pipe Count:	1	Ref Node:		Ref Node:	

Dampening:	0.0000 ft	Manning's N:	0.0120	Manning's N:	0.0120
Length:	46.00 ft	Top Clip			
FHWA Code:	1	Default:	0.00 ft	Default:	0.00 ft
Entr Loss Coef:	0.50	Op Table:		Op Table:	
Exit Loss Coef:	1.00	Ref Node:		Ref Node:	
Bend Loss Coef:	0.00	Manning's N:	0.0120	Manning's N:	0.0120
Bend Location:	0.00 ft				
Energy Switch:	Energy				

Pipe Comment:

Weir Component			
Weir:	1	Bottom Clip	
Weir Count:	1	Default:	0.00 ft
Dampening:	0.0000 ft	Op Table:	
Weir Type:	Horizontal	Ref Node:	
Geometry Type:	Rectangular	Top Clip	
Invert:	162.00 ft	Default:	0.00 ft
Control Elevation:	162.00 ft	Op Table:	
Max Depth:	3.00 ft	Ref Node:	
Max Width:	2.00 ft	Discharge Coefficients	
Fillet:	0.00 ft	Weir Default:	3.200
		Weir Table:	
		Orifice Default:	0.600
		Orifice Table:	

Weir Comment:

Weir Component			
Weir:	2	Bottom Clip	
Weir Count:	1	Default:	0.00 ft
Dampening:	0.0000 ft	Op Table:	
Weir Type:	Sharp Crested Vertical	Ref Node:	
Geometry Type:	Rectangular	Top Clip	
Invert:	158.37 ft	Default:	0.00 ft
Control Elevation:	158.37 ft	Op Table:	
Max Depth:	833.25 ft	Ref Node:	
Max Width:	0.50 ft	Discharge Coefficients	
Fillet:	0.00 ft	Weir Default:	3.200
		Weir Table:	
		Orifice Default:	0.600
		Orifice Table:	

Weir Comment:

Drop Structure Comment:

Link Min/Max Conditions with Times [Post]

Link Name	Sim Name	Max Flow	Min Flow	Min/Max Delta	Max Us Velocity	Max Ds Velocity	Time to Max	Time to Min	Time to Min/Max	Time to Max Us	Time to Max Ds

Link Name	Sim Name	Max Flow [cfs]	Min Flow [cfs]	Min/Max Delta Flow [cfs]	Max Us Velocity [fps]	Max Ds Velocity [fps]	Time to Max Flow [hrs]	Time to Min Flow [hrs]	Time to Min/Max Delta Flow [hrs]	Time to Max Us Velocity [hrs]	Time to Max Ds Velocity [hrs]
IMP #2 cs - Pipe	100y-1h	6.34	0.00	0.00	0.00	0.00	1.8487	0.0000	6.0771	0.0000	0.0000
IMP #2 cs - Weir: 1	100y-1h	0.00	0.00	0.00	0.00	0.00	0.0000	0.0000	0.0000	0.0000	0.0000
IMP #2 cs - Weir: 2	100y-1h	6.34	0.00	0.00	5.06	5.06	1.8477	0.0000	6.1089	1.8477	1.8477
IMP #2 cs - Pipe	100y-24 h	12.04	0.00	0.01	0.00	0.00	15.1747	0.0000	12.8567	0.0000	0.0000
IMP #2 cs - Weir: 1	100y-24 h	3.83	0.00	0.01	1.58	1.58	13.6427	0.0000	13.1851	13.6464	13.6464
IMP #2 cs - Weir: 2	100y-24 h	10.87	0.00	-0.01	6.01	6.01	22.5295	0.0000	13.1851	23.1863	23.1863
IMP #2 cs - Pipe	100y-2h	11.65	0.00	0.01	0.00	0.00	2.6838	0.0000	2.3557	0.0000	0.0000
IMP #2 cs - Weir: 1	100y-2h	1.47	0.00	0.01	1.14	1.14	2.6604	0.0000	2.3889	2.6604	2.6604
IMP #2 cs - Weir: 2	100y-2h	10.87	0.00	-0.01	6.01	6.01	3.3800	0.0000	2.4045	3.7791	3.7791
IMP #2 cs - Pipe	100y-4h	12.22	0.00	0.00	0.00	0.00	3.7360	0.0000	2.9491	0.0000	0.0000
IMP #2 cs - Weir: 1	100y-4h	6.19	0.00	0.01	1.85	1.85	3.2891	0.0000	3.0211	3.2891	3.2891
IMP #2 cs - Weir: 2	100y-4h	10.87	0.00	-0.01	6.01	6.01	6.3360	0.0000	3.0749	6.7245	6.7245
IMP #2 cs - Pipe	100y-8h	13.96	0.00	0.01	0.00	0.00	5.2193	0.0000	4.9626	0.0000	0.0000
IMP #2 cs - Weir: 1	100y-8h	9.38	0.00	0.01	2.00	2.00	5.2061	0.0000	4.3280	5.5604	5.5604
IMP #2 cs - Weir: 2	100y-8h	10.87	0.00	0.01	6.01	6.01	9.9413	0.0000	6.0009	10.3334	10.3334
IMP #2 cs - Pipe	10y-1h	3.18	0.00	0.00	0.00	0.00	2.0261	0.0000	6.2359	0.0000	0.0000
IMP #2 cs - Weir: 1	10y-1h	0.00	0.00	0.00	0.00	0.00	0.0000	0.0000	0.0000	0.0000	0.0000

Link Name	Sim Name	Max Flow [cfs]	Min Flow [cfs]	Min/Max Delta Flow [cfs]	Max Us Velocity [fps]	Max Ds Velocity [fps]	Time to Max Flow [hrs]	Time to Min Flow [hrs]	Time to Min/Max Delta Flow [hrs]	Time to Max Us Velocity [hrs]	Time to Max Ds Velocity [hrs]
IMP #2 cs - Weir: 2	10y-1h	3.18	0.00	0.00	4.02	4.02	2.0245	0.0000	6.1704	2.0245	2.0245
IMP #2 cs - Pipe	10y-24h	9.11	0.00	0.00	0.00	0.00	19.8279	0.0000	27.3935	0.0000	0.0000
IMP #2 cs - Weir: 1	10y-24h	0.00	0.00	0.00	0.00	0.00	0.0000	0.0000	0.0000	0.0000	0.0000
IMP #2 cs - Weir: 2	10y-24h	9.11	0.00	0.00	5.71	5.71	19.8226	0.0000	27.3595	19.8226	19.8226
IMP #2 cs - Pipe	10y-2h	5.42	0.00	0.00	0.00	0.00	2.5205	0.0000	6.5156	0.0000	0.0000
IMP #2 cs - Weir: 1	10y-2h	0.00	0.00	0.00	0.00	0.00	0.0000	0.0000	0.0000	0.0000	0.0000
IMP #2 cs - Weir: 2	10y-2h	5.42	0.00	0.00	4.81	4.81	2.5192	0.0000	6.4758	2.5192	2.5192
IMP #2 cs - Pipe	10y-4h	7.74	0.00	0.00	0.00	0.00	4.1316	0.0000	8.8680	0.0000	0.0000
IMP #2 cs - Weir: 1	10y-4h	0.00	0.00	0.00	0.00	0.00	0.0000	0.0000	0.0000	0.0000	0.0000
IMP #2 cs - Weir: 2	10y-4h	7.74	0.00	0.00	5.41	5.41	4.1316	0.0000	8.8355	4.1316	4.1316
IMP #2 cs - Pipe	10y-8h	10.50	0.00	0.01	0.00	0.00	7.3234	0.0000	6.2059	0.0000	0.0000
IMP #2 cs - Weir: 1	10y-8h	0.00	0.00	0.00	0.00	0.00	0.0000	0.0000	0.0000	0.0000	0.0000
IMP #2 cs - Weir: 2	10y-8h	10.50	0.00	0.00	5.99	5.99	7.3234	0.0000	6.1867	7.3234	7.3234
IMP #2 cs - Pipe	25y-1h	4.42	0.00	0.00	0.00	0.00	1.9274	0.0000	6.1187	0.0000	0.0000
IMP #2 cs - Weir: 1	25y-1h	0.00	0.00	0.00	0.00	0.00	0.0000	0.0000	0.0000	0.0000	0.0000
IMP #2 cs - Weir: 2	25y-1h	4.42	0.00	0.00	4.49	4.49	1.9261	0.0000	6.0703	1.9261	1.9261
IMP #2 cs - Pipe	25y-24h	11.16	0.00	0.01	0.00	0.00	17.7744	0.0000	15.9940	0.0000	0.0000

Link Name	Sim Name	Max Flow [cfs]	Min Flow [cfs]	Min/Max Delta Flow [cfs]	Max Us Velocity [fps]	Max Ds Velocity [fps]	Time to Max Flow [hrs]	Time to Min Flow [hrs]	Time to Min/Max Delta Flow [hrs]	Time to Max Us Velocity [hrs]	Time to Max Ds Velocity [hrs]
IMP #2 cs - Weir: 1	25y-24h	0.41	0.00	0.00	0.75	0.75	17.7329	0.0000	16.9953	17.7329	17.7329
IMP #2 cs - Weir: 2	25y-24h	10.87	0.00	0.00	6.01	6.01	16.8640	0.0000	22.1645	16.3615	16.3615
IMP #2 cs - Pipe	25y-2h	7.09	0.00	0.00	0.00	0.00	2.4704	0.0000	6.8600	0.0000	0.0000
IMP #2 cs - Weir: 1	25y-2h	0.00	0.00	0.00	0.00	0.00	0.0000	0.0000	0.0000	0.0000	0.0000
IMP #2 cs - Weir: 2	25y-2h	7.09	0.00	0.00	5.26	5.26	2.4704	0.0000	6.8234	2.4704	2.4704
IMP #2 cs - Pipe	25y-4h	11.63	0.00	0.01	0.00	0.00	4.2379	0.0000	3.8776	0.0000	0.0000
IMP #2 cs - Weir: 1	25y-4h	1.51	0.00	0.01	1.16	1.16	4.1964	0.0000	3.9746	4.1964	4.1964
IMP #2 cs - Weir: 2	25y-4h	10.87	0.00	-0.01	6.01	6.01	4.9505	0.0000	3.9746	5.3521	5.3521
IMP #2 cs - Pipe	25y-8h	12.07	0.00	0.01	0.00	0.00	5.5039	0.0000	4.8869	0.0000	0.0000
IMP #2 cs - Weir: 1	25y-8h	4.18	0.00	0.01	1.62	1.62	5.3026	0.0000	5.0894	5.3026	5.3026
IMP #2 cs - Weir: 2	25y-8h	10.87	0.00	-0.01	6.01	6.01	8.5790	0.0000	5.0801	8.9898	8.9898
IMP #2 cs - Pipe	2y-1h	1.32	0.00	0.00	0.00	0.00	2.2546	0.0000	6.5177	0.0000	0.0000
IMP #2 cs - Weir: 1	2y-1h	0.00	0.00	0.00	0.00	0.00	0.0000	0.0000	0.0000	0.0000	0.0000
IMP #2 cs - Weir: 2	2y-1h	1.32	0.00	0.00	3.00	3.00	2.2523	0.0000	6.3934	2.2523	2.2523
IMP #2 cs - Pipe	2y-24h	3.26	0.00	0.00	0.00	0.00	17.1966	0.0000	23.8481	0.0000	0.0000
IMP #2 cs - Weir: 1	2y-24h	0.00	0.00	0.00	0.00	0.00	0.0000	0.0000	0.0000	0.0000	0.0000
IMP #2 cs -	2y-24h	3.26	0.00	0.00	4.06	4.06	17.1608	0.0000	24.0967	17.1608	17.1608

Link Name	Sim Name	Max Flow [cfs]	Min Flow [cfs]	Min/Max Delta Flow [cfs]	Max Us Velocity [fps]	Max Ds Velocity [fps]	Time to Max Flow [hrs]	Time to Min Flow [hrs]	Time to Min/Max Delta Flow [hrs]	Time to Max Us Velocity [hrs]	Time to Max Ds Velocity [hrs]
Weir: 2											
IMP #2 cs - Pipe	2y-2h	2.71	0.00	0.00	0.00	0.00	2.6787	0.0000	6.6952	0.0000	0.0000
IMP #2 cs - Weir: 1	2y-2h	0.00	0.00	0.00	0.00	0.00	0.0000	0.0000	0.0000	0.0000	0.0000
IMP #2 cs - Weir: 2	2y-2h	2.71	0.00	0.00	3.81	3.81	2.6770	0.0000	6.6207	2.6770	2.6770
IMP #2 cs - Pipe	2y-4h	3.80	0.00	0.00	0.00	0.00	4.2387	0.0000	8.0774	0.0000	0.0000
IMP #2 cs - Weir: 1	2y-4h	0.00	0.00	0.00	0.00	0.00	0.0000	0.0000	0.0000	0.0000	0.0000
IMP #2 cs - Weir: 2	2y-4h	3.80	0.00	0.00	4.27	4.27	4.2371	0.0000	8.0217	4.2371	4.2371
IMP #2 cs - Pipe	2y-8h	4.63	0.00	0.00	0.00	0.00	6.9890	0.0000	10.6084	0.0000	0.0000
IMP #2 cs - Weir: 1	2y-8h	0.00	0.00	0.00	0.00	0.00	0.0000	0.0000	0.0000	0.0000	0.0000
IMP #2 cs - Weir: 2	2y-8h	4.63	0.00	0.00	4.56	4.56	6.9638	0.0000	10.5660	7.0106	7.0106
IMP #2 cs - Pipe	5y-1h	2.29	0.00	0.00	0.00	0.00	2.1342	0.0000	6.9384	0.0000	0.0000
IMP #2 cs - Weir: 1	5y-1h	0.00	0.00	0.00	0.00	0.00	0.0000	0.0000	0.0000	0.0000	0.0000
IMP #2 cs - Weir: 2	5y-1h	2.29	0.00	0.00	3.61	3.61	2.1324	0.0000	6.8436	2.1324	2.1324
IMP #2 cs - Pipe	5y-24h	6.15	0.00	0.00	0.00	0.00	21.2144	0.0000	27.0191	0.0000	0.0000
IMP #2 cs - Weir: 1	5y-24h	0.00	0.00	0.00	0.00	0.00	0.0000	0.0000	0.0000	0.0000	0.0000
IMP #2 cs - Weir: 2	5y-24h	6.15	0.00	0.00	5.01	5.01	21.2084	0.0000	26.9790	21.2025	21.2025
IMP #2 cs - Pipe	5y-2h	3.87	0.00	0.00	0.00	0.00	2.5916	0.0000	7.4946	0.0000	0.0000
IMP #2 cs -	5y-2h	0.00	0.00	0.00	0.00	0.00	0.0000	0.0000	0.0000	0.0000	0.0000

Link Name	Sim Name	Max Flow [cfs]	Min Flow [cfs]	Min/Max Delta Flow [cfs]	Max Us Velocity [fps]	Max Ds Velocity [fps]	Time to Max Flow [hrs]	Time to Min Flow [hrs]	Time to Min/Max Delta Flow [hrs]	Time to Max Us Velocity [hrs]	Time to Max Ds Velocity [hrs]
Weir: 1											
IMP #2 cs - Weir: 2	5y-2h	3.87	0.00	0.00	4.30	4.30	2.5901	0.0000	7.4307	2.5901	2.5901
IMP #2 cs - Pipe	5y-4h	6.09	0.00	0.00	0.00	0.00	4.1583	0.0000	8.1404	0.0000	0.0000
IMP #2 cs - Weir: 1	5y-4h	0.00	0.00	0.00	0.00	0.00	0.0000	0.0000	0.0000	0.0000	0.0000
IMP #2 cs - Weir: 2	5y-4h	6.09	0.00	0.00	5.00	5.00	4.1568	0.0000	8.1016	4.1568	4.1568
IMP #2 cs - Pipe	5y-8h	7.75	0.00	0.00	0.00	0.00	7.2410	0.0000	12.6555	0.0000	0.0000
IMP #2 cs - Weir: 1	5y-8h	0.00	0.00	0.00	0.00	0.00	0.0000	0.0000	0.0000	0.0000	0.0000
IMP #2 cs - Weir: 2	5y-8h	7.75	0.00	0.00	5.41	5.41	7.2372	0.0000	12.6189	7.2372	7.2372

Rating Curve Link: Pond 100 Trench

Scenario: Post
From Node: POND 100
To Node: Ground1
Link Count: 1
Flow Direction: Both

Table	Elev On [ft]	Elev On Node	Elev Off [ft]	Elev Off Node
Pond 100 Infil	203.10	POND 100	203.00	POND 100

Comment:

Link Min/Max Conditions with Times [Post]

Link Name	Sim Name	Max Flow [cfs]	Min Flow [cfs]	Min/Max Delta Flow [cfs]	Max Us Velocity [fps]	Max Ds Velocity [fps]	Time to Max Flow [hrs]	Time to Min Flow [hrs]	Time to Min/Max Delta Flow [hrs]	Time to Max Us Velocity [hrs]	Time to Max Ds Velocity [hrs]
Pond 100	100y-1h	0.47	0.00	-0.47	0.00	0.00	0.4616	0.0000	86.8180	0.0000	0.0000

Link Name	Sim Name	Max Flow [cfs]	Min Flow [cfs]	Min/Max Delta Flow [cfs]	Max Us Velocity [fps]	Max Ds Velocity [fps]	Time to Max Flow [hrs]	Time to Min Flow [hrs]	Time to Min/Max Delta Flow [hrs]	Time to Max Us Velocity [hrs]	Time to Max Ds Velocity [hrs]
Trench											
Pond 100 Trench	100y-24h	0.47	0.00	-0.47	0.00	0.00	4.0548	0.0000	111.4246	0.0000	0.0000
Pond 100 Trench	100y-2h	0.47	0.00	-0.47	0.00	0.00	0.4741	0.0000	89.8382	0.0000	0.0000
Pond 100 Trench	100y-4h	0.47	0.00	0.23	0.00	0.00	1.1712	0.0000	1.1709	0.0000	0.0000
Pond 100 Trench	100y-8h	0.47	0.00	0.23	0.00	0.00	2.0196	0.0000	2.0188	0.0000	0.0000
Pond 100 Trench	10y-1h	0.47	0.00	-0.47	0.00	0.00	0.5168	0.0000	50.2570	0.0000	0.0000
Pond 100 Trench	10y-24h	0.47	0.00	0.23	0.00	0.00	5.2657	0.0000	5.2623	0.0000	0.0000
Pond 100 Trench	10y-2h	0.47	0.00	-0.47	0.00	0.00	0.5699	0.0000	77.4096	0.0000	0.0000
Pond 100 Trench	10y-4h	0.47	0.00	0.23	0.00	0.00	1.3622	0.0000	1.3618	0.0000	0.0000
Pond 100 Trench	10y-8h	0.47	0.00	0.23	0.00	0.00	2.3821	0.0000	2.3811	0.0000	0.0000
Pond 100 Trench	25y-1h	0.47	0.00	-0.47	0.00	0.00	0.4904	0.0000	64.9853	0.0000	0.0000
Pond 100 Trench	25y-24h	0.47	0.00	0.23	0.00	0.00	4.8203	0.0000	4.8150	0.0000	0.0000
Pond 100 Trench	25y-2h	0.47	0.00	-0.47	0.00	0.00	0.5303	0.0000	89.7954	0.0000	0.0000
Pond 100 Trench	25y-4h	0.47	0.00	0.23	0.00	0.00	1.2731	0.0000	1.2728	0.0000	0.0000
Pond 100 Trench	25y-8h	0.47	0.00	0.23	0.00	0.00	2.2038	0.0000	2.2030	0.0000	0.0000
Pond 100	2y-1h	0.47	0.00	-0.47	0.00	0.00	0.5877	0.0000	26.4251	0.0000	0.0000

Link Name	Sim Name	Max Flow [cfs]	Min Flow [cfs]	Min/Max Delta Flow [cfs]	Max Us Velocity [fps]	Max Ds Velocity [fps]	Time to Max Flow [hrs]	Time to Min Flow [hrs]	Time to Min/Max Delta Flow [hrs]	Time to Max Us Velocity [hrs]	Time to Max Ds Velocity [hrs]
Trench											
Pond 100 Trench	2y-24h	0.47	0.00	0.23	0.00	0.00	7.0578	0.0000	7.0504	0.0000	0.0000
Pond 100 Trench	2y-2h	0.47	0.00	-0.47	0.00	0.00	0.6717	0.0000	44.7760	0.0000	0.0000
Pond 100 Trench	2y-4h	0.47	0.00	-0.47	0.00	0.00	1.5941	0.0000	60.0920	0.0000	0.0000
Pond 100 Trench	2y-8h	0.47	0.00	-0.47	0.00	0.00	2.8604	0.0000	82.8456	0.0000	0.0000
Pond 100 Trench	5y-1h	0.47	0.00	-0.47	0.00	0.00	0.5433	0.0000	39.1683	0.0000	0.0000
Pond 100 Trench	5y-24h	0.47	0.00	0.23	0.00	0.00	5.8076	0.0000	5.8017	0.0000	0.0000
Pond 100 Trench	5y-2h	0.47	0.00	-0.47	0.00	0.00	0.6193	0.0000	59.1165	0.0000	0.0000
Pond 100 Trench	5y-4h	0.47	0.00	-0.47	0.00	0.00	1.4378	0.0000	87.7903	0.0000	0.0000
Pond 100 Trench	5y-8h	0.47	0.00	0.23	0.00	0.00	2.5137	0.0000	2.5124	0.0000	0.0000

Rating Curve Link: Pond 200 Sand

Scenario: Post
From Node: POND 200
To Node: CHAN B
Link Count: 1
Flow Direction: Both

Table	Elev On [ft]	Elev On Node	Elev Off [ft]	Elev Off Node
Pond 200 sand	209.10	POND 200	209.01	POND 200

Comment:

Link Min/Max Conditions with Times [Post]

Link Name	Sim Name	Max Flow [cfs]	Min Flow [cfs]	Min/Max Delta Flow [cfs]	Max Us Velocity [fps]	Max Ds Velocity [fps]	Time to Max Flow [hrs]	Time to Min Flow [hrs]	Time to Min/Max Delta Flow [hrs]	Time to Max Us Velocity [hrs]	Time to Max Ds Velocity [hrs]
Pond 200 Sand	100y-1h	0.05	0.00	0.00	0.00	0.00	2.1194	0.0000	0.4774	0.0000	0.0000
Pond 200 Sand	100y-24h	0.12	0.00	0.00	0.00	0.00	15.1073	0.0000	3.8212	0.0000	0.0000
Pond 200 Sand	100y-2h	0.08	0.00	0.00	0.00	0.00	2.9124	0.0000	0.4834	0.0000	0.0000
Pond 200 Sand	100y-4h	0.12	0.00	0.00	0.00	0.00	4.6550	0.0000	1.1525	0.0000	0.0000
Pond 200 Sand	100y-8h	0.12	0.00	0.00	0.00	0.00	5.2294	0.0000	1.9655	0.0000	0.0000
Pond 200 Sand	10y-1h	0.03	0.00	0.00	0.00	0.00	2.0732	0.0000	0.5310	0.0000	0.0000
Pond 200 Sand	10y-24h	0.10	0.00	0.00	0.00	0.00	24.1884	0.0000	4.9308	0.0000	0.0000
Pond 200 Sand	10y-2h	0.04	0.00	0.00	0.00	0.00	2.8454	0.0000	0.5748	0.0000	0.0000
Pond 200 Sand	10y-4h	0.06	0.00	0.00	0.00	0.00	4.5976	0.0000	1.3416	0.0000	0.0000
Pond 200 Sand	10y-8h	0.08	0.00	0.00	0.00	0.00	8.4807	0.0000	2.3130	0.0000	0.0000
Pond 200 Sand	25y-1h	0.03	0.00	0.00	0.00	0.00	2.0960	0.0000	0.5055	0.0000	0.0000
Pond 200 Sand	25y-24h	0.12	0.00	0.00	0.00	0.00	21.0072	0.0000	4.5117	0.0000	0.0000
Pond 200 Sand	25y-2h	0.05	0.00	0.00	0.00	0.00	2.8765	0.0000	0.5369	0.0000	0.0000
Pond 200 Sand	25y-4h	0.08	0.00	0.00	0.00	0.00	4.6284	0.0000	1.2545	0.0000	0.0000
Pond 200	25y-8h	0.12	0.00	0.00	0.00	0.00	8.4372	0.0000	2.1391	0.0000	0.0000

Link Name	Sim Name	Max Flow [cfs]	Min Flow [cfs]	Min/Max Delta Flow [cfs]	Max Us Velocity [fps]	Max Ds Velocity [fps]	Time to Max Flow [hrs]	Time to Min Flow [hrs]	Time to Min/Max Delta Flow [hrs]	Time to Max Us Velocity [hrs]	Time to Max Ds Velocity [hrs]
Sand											
Pond 200 Sand	2y-1h	0.01	0.00	0.00	0.00	0.00	2.0057	0.0000	0.5989	0.0000	0.0000
Pond 200 Sand	2y-24h	0.04	0.00	0.00	0.00	0.00	22.9845	0.0000	6.6303	0.0000	0.0000
Pond 200 Sand	2y-2h	0.02	0.00	0.00	0.00	0.00	2.7627	0.0000	0.6721	0.0000	0.0000
Pond 200 Sand	2y-4h	0.03	0.00	0.00	0.00	0.00	4.5056	0.0000	1.5602	0.0000	0.0000
Pond 200 Sand	2y-8h	0.04	0.00	0.00	0.00	0.00	8.3901	0.0000	2.7562	0.0000	0.0000
Pond 200 Sand	5y-1h	0.02	0.00	0.00	0.00	0.00	2.0490	0.0000	0.5566	0.0000	0.0000
Pond 200 Sand	5y-24h	0.07	0.00	0.00	0.00	0.00	24.1629	0.0000	5.4815	0.0000	0.0000
Pond 200 Sand	5y-2h	0.03	0.00	0.00	0.00	0.00	2.8066	0.0000	0.6220	0.0000	0.0000
Pond 200 Sand	5y-4h	0.04	0.00	0.00	0.00	0.00	4.5672	0.0000	1.4137	0.0000	0.0000
Pond 200 Sand	5y-8h	0.07	0.00	0.00	0.00	0.00	8.4557	0.0000	2.4365	0.0000	0.0000

Rating Curve Link: Pond 200 Trench

Scenario: Post
From Node: POND 200
To Node: Ground2
Link Count: 1
Flow Direction: Both

Table	Elev On [ft]	Elev On Node	Elev Off [ft]	Elev Off Node
Pond 200 Infil	209.10	POND 200	209.00	POND 200

Comment:

Link Min/Max Conditions with Times [Post]

Link Name	Sim Name	Max Flow [cfs]	Min Flow [cfs]	Min/Max Delta Flow [cfs]	Max Us Velocity [fps]	Max Ds Velocity [fps]	Time to Max Flow [hrs]	Time to Min Flow [hrs]	Time to Min/Max Delta Flow [hrs]	Time to Max Us Velocity [hrs]	Time to Max Ds Velocity [hrs]
Pond 200 Trench	100y-1h	0.23	0.00	-0.23	0.00	0.00	0.4774	0.0000	66.8756	0.0000	0.0000
Pond 200 Trench	100y-24h	0.23	0.00	0.12	0.00	0.00	3.8212	0.0000	3.8185	0.0000	0.0000
Pond 200 Trench	100y-2h	0.23	0.00	0.12	0.00	0.00	0.4834	0.0000	0.4833	0.0000	0.0000
Pond 200 Trench	100y-4h	0.23	0.00	0.12	0.00	0.00	1.1525	0.0000	1.1522	0.0000	0.0000
Pond 200 Trench	100y-8h	0.23	0.00	0.12	0.00	0.00	1.9655	0.0000	1.9647	0.0000	0.0000
Pond 200 Trench	10y-1h	0.23	0.00	-0.23	0.00	0.00	0.5310	0.0000	43.4789	0.0000	0.0000
Pond 200 Trench	10y-24h	0.23	0.00	0.12	0.00	0.00	4.9308	0.0000	4.9272	0.0000	0.0000
Pond 200 Trench	10y-2h	0.23	0.00	-0.23	0.00	0.00	0.5748	0.0000	61.2006	0.0000	0.0000
Pond 200 Trench	10y-4h	0.23	0.00	-0.23	0.00	0.00	1.3416	0.0000	79.3747	0.0000	0.0000
Pond 200 Trench	10y-8h	0.23	0.00	0.12	0.00	0.00	2.3130	0.0000	2.3122	0.0000	0.0000
Pond 200 Trench	25y-1h	0.23	0.00	-0.23	0.00	0.00	0.5055	0.0000	53.2640	0.0000	0.0000
Pond 200 Trench	25y-24h	0.23	0.00	0.12	0.00	0.00	4.5117	0.0000	4.5084	0.0000	0.0000
Pond 200 Trench	25y-2h	0.23	0.00	-0.23	0.00	0.00	0.5369	0.0000	72.7612	0.0000	0.0000
Pond 200 Trench	25y-4h	0.23	0.00	0.12	0.00	0.00	1.2545	0.0000	1.2541	0.0000	0.0000
Pond 200	25y-8h	0.23	0.00	0.12	0.00	0.00	2.1391	0.0000	2.1383	0.0000	0.0000

Link Name	Sim Name	Max Flow [cfs]	Min Flow [cfs]	Min/Max Delta Flow [cfs]	Max Us Velocity [fps]	Max Ds Velocity [fps]	Time to Max Flow [hrs]	Time to Min Flow [hrs]	Time to Min/Max Delta Flow [hrs]	Time to Max Us Velocity [hrs]	Time to Max Ds Velocity [hrs]
Trench											
Pond 200 Trench	2y-1h	0.23	0.00	-0.23	0.00	0.00	0.5989	0.0000	26.1175	0.0000	0.0000
Pond 200 Trench	2y-24h	0.23	0.00	-0.23	0.00	0.00	6.6303	0.0000	80.2358	0.0000	0.0000
Pond 200 Trench	2y-2h	0.23	0.00	-0.23	0.00	0.00	0.6721	0.0000	39.7313	0.0000	0.0000
Pond 200 Trench	2y-4h	0.23	0.00	-0.23	0.00	0.00	1.5602	0.0000	50.4853	0.0000	0.0000
Pond 200 Trench	2y-8h	0.23	0.00	-0.23	0.00	0.00	2.7562	0.0000	65.5220	0.0000	0.0000
Pond 200 Trench	5y-1h	0.23	0.00	-0.23	0.00	0.00	0.5566	0.0000	35.6846	0.0000	0.0000
Pond 200 Trench	5y-24h	0.23	0.00	0.12	0.00	0.00	5.4815	0.0000	5.4782	0.0000	0.0000
Pond 200 Trench	5y-2h	0.23	0.00	-0.23	0.00	0.00	0.6220	0.0000	49.4929	0.0000	0.0000
Pond 200 Trench	5y-4h	0.23	0.00	-0.23	0.00	0.00	1.4137	0.0000	67.9424	0.0000	0.0000
Pond 200 Trench	5y-8h	0.23	0.00	-0.23	0.00	0.00	2.4365	0.0000	89.9804	0.0000	0.0000

Weir Link: WEIR 100

Scenario:	Post
From Node:	POND 100
To Node:	CHAN A-1
Link Count:	1
Flow Direction:	Both
Dampening:	0.0000 ft
Weir Type:	Sharp Crested Vertical
Geometry Type:	Trapezoidal
Invert:	209.00 ft

Bottom Clip

Default:	0.00 ft
Op Table:	
Ref Node:	

Top Clip

Default:	0.00 ft
Op Table:	
Ref Node:	

Discharge Coefficients

Control Elevation:	209.00 ft		
Max Depth:	9999.00 ft	Weir Default:	3.200
Extrapolation Method:	Normal Projection	Weir Table:	
Bottom Width:	100.00 ft	Orifice Default:	0.600
Left Slope:	10.000 (h:v)	Orifice Table:	
Right Slope:	10.000 (h:v)		

Comment:

Link Min/Max Conditions with Times [Post]

Link Name	Sim Name	Max Flow [cfs]	Min Flow [cfs]	Min/Max Delta Flow [cfs]	Max Us Velocity [fps]	Max Ds Velocity [fps]	Time to Max Flow [hrs]	Time to Min Flow [hrs]	Time to Min/Max Delta Flow [hrs]	Time to Max Us Velocity [hrs]	Time to Max Ds Velocity [hrs]
WEIR 100	100y-1h	0.00	0.00	0.00	0.00	0.00	0.0000	0.0000	0.0000	0.0000	0.0000
WEIR 100	100y-24h	16.65	0.00	0.07	1.19	1.19	12.0625	0.0000	11.2278	12.0629	12.0629
WEIR 100	100y-2h	30.75	0.00	0.11	1.45	1.45	1.5625	0.0000	1.4374	1.5625	1.5625
WEIR 100	100y-4h	44.85	0.00	0.12	1.64	1.64	2.6546	0.0000	2.5133	2.6546	2.6546
WEIR 100	100y-8h	54.59	0.00	0.13	1.75	1.75	4.0935	0.0000	3.9299	4.0936	4.0936
WEIR 100	10y-1h	0.00	0.00	0.00	0.00	0.00	0.0000	0.0000	0.0000	0.0000	0.0000
WEIR 100	10y-24h	6.63	0.00	0.06	0.88	0.88	15.0428	0.0000	13.6418	15.0437	15.0437
WEIR 100	10y-2h	0.00	0.00	0.00	0.00	0.00	0.0000	0.0000	0.0000	0.0000	0.0000
WEIR 100	10y-4h	11.49	0.00	0.08	1.05	1.05	3.4963	0.0000	3.3459	3.4964	3.4964
WEIR 100	10y-8h	17.04	0.00	0.09	1.20	1.20	4.8217	0.0000	4.6384	4.8219	4.8219
WEIR 100	25y-1h	0.00	0.00	0.00	0.00	0.00	0.0000	0.0000	0.0000	0.0000	0.0000
WEIR 100	25y-24h	9.09	0.00	0.07	0.97	0.97	12.8311	0.0000	12.5524	12.8313	12.8313
WEIR 100	25y-2h	7.88	0.00	0.07	0.93	0.93	2.2070	0.0000	2.0888	2.2073	2.2073
WEIR 100	25y-4h	28.17	0.00	0.11	1.41	1.41	3.0311	0.0000	2.8619	3.0312	3.0312
WEIR 100	25y-8h	32.62	0.00	0.11	1.48	1.48	4.2986	0.0000	4.1880	4.2987	4.2987
WEIR 100	2y-1h	0.00	0.00	0.00	0.00	0.00	0.0000	0.0000	0.0000	0.0000	0.0000
WEIR	2y-24h	0.00	0.00	0.00	0.00	0.00	0.0000	0.0000	0.0000	0.0000	0.0000

Link Name	Sim Name	Max Flow [cfs]	Min Flow [cfs]	Min/Max Delta Flow [cfs]	Max Us Velocity [fps]	Max Ds Velocity [fps]	Time to Max Flow [hrs]	Time to Min Flow [hrs]	Time to Min/Max Delta Flow [hrs]	Time to Max Us Velocity [hrs]	Time to Max Ds Velocity [hrs]
100											
WEIR 100	2y-2h	0.00	0.00	0.00	0.00	0.00	0.0000	0.0000	0.0000	0.0000	0.0000
WEIR 100	2y-4h	0.00	0.00	0.00	0.00	0.00	0.0000	0.0000	0.0000	0.0000	0.0000
WEIR 100	2y-8h	0.00	0.00	0.00	0.00	0.00	0.0000	0.0000	0.0000	0.0000	0.0000
WEIR 100	5y-1h	0.00	0.00	0.00	0.00	0.00	0.0000	0.0000	0.0000	0.0000	0.0000
WEIR 100	5y-24h	4.53	0.00	0.06	0.77	0.77	15.9709	0.0000	15.5552	15.9713	15.9713
WEIR 100	5y-2h	0.00	0.00	0.00	0.00	0.00	0.0000	0.0000	0.0000	0.0000	0.0000
WEIR 100	5y-4h	0.00	0.00	0.00	0.00	0.00	0.0000	0.0000	0.0000	0.0000	0.0000
WEIR 100	5y-8h	9.28	0.00	0.08	0.98	0.98	5.2994	0.0000	5.1604	5.2996	5.2996

Weir Link: WEIR 200

Scenario:	Post
From Node:	POND 200
To Node:	CHAN B
Link Count:	1
Flow Direction:	Both
Dampening:	0.0000 ft
Weir Type:	Sharp Crested Vertical
Geometry Type:	Trapezoidal
Invert:	214.00 ft
Control Elevation:	214.00 ft
Max Depth:	9999.00 ft
Extrapolation Method:	Normal Projection
Bottom Width:	150.00 ft
Left Slope:	10.000 (h:v)
Right Slope:	10.000 (h:v)

Bottom Clip

Default:	0.00 ft
Op Table:	
Ref Node:	

Top Clip

Default:	0.00 ft
Op Table:	
Ref Node:	

Discharge Coefficients

Weir Default:	3.200
Weir Table:	
Orifice Default:	0.600
Orifice Table:	

Comment:

Link Min/Max Conditions with Times [Post]

Link Name	Sim Name	Max Flow [cfs]	Min Flow [cfs]	Min/Max Delta Flow	Max Us Velocity [fps]	Max Ds Velocity [fps]	Time to Max Flow	Time to Min Flow	Time to Min/Max Delta	Time to Max Us Velocity	Time to Max Ds Velocity

Link Name	Sim Name	Max Flow [cfs]	Min Flow [cfs]	Min/Max Delta Flow [cfs]	Max Us Velocity [fps]	Max Ds Velocity [fps]	Time to Max Flow [hrs]	Time to Min Flow [hrs]	Time to Min/Max Delta Flow [hrs]	Time to Max Us Velocity [hrs]	Time to Max Ds Velocity [hrs]
WEIR 200	100y-1h	0.00	0.00	0.00	0.00	0.00	0.0000	0.0000	0.0000	0.0000	0.0000
WEIR 200	100y-24h	3.33	0.00	0.06	0.00	0.00	15.1073	0.0000	14.8172	0.0000	0.0000
WEIR 200	100y-2h	0.00	0.00	0.00	0.00	0.00	0.0000	0.0000	0.0000	0.0000	0.0000
WEIR 200	100y-4h	0.00	0.00	0.00	0.00	0.00	0.0000	0.0000	0.0000	0.0000	0.0000
WEIR 200	100y-8h	6.36	0.00	0.08	0.76	0.76	5.2294	0.0000	5.1074	5.2297	5.2297
WEIR 200	10y-1h	0.00	0.00	0.00	0.00	0.00	0.0000	0.0000	0.0000	0.0000	0.0000
WEIR 200	10y-24h	0.00	0.00	0.00	0.00	0.00	0.0000	0.0000	0.0000	0.0000	0.0000
WEIR 200	10y-2h	0.00	0.00	0.00	0.00	0.00	0.0000	0.0000	0.0000	0.0000	0.0000
WEIR 200	10y-4h	0.00	0.00	0.00	0.00	0.00	0.0000	0.0000	0.0000	0.0000	0.0000
WEIR 200	10y-8h	0.00	0.00	0.00	0.00	0.00	0.0000	0.0000	0.0000	0.0000	0.0000
WEIR 200	25y-1h	0.00	0.00	0.00	0.00	0.00	0.0000	0.0000	0.0000	0.0000	0.0000
WEIR 200	25y-24h	1.10	0.00	0.04	0.00	0.00	21.0072	0.0000	20.0410	0.0000	0.0000
WEIR 200	25y-2h	0.00	0.00	0.00	0.00	0.00	0.0000	0.0000	0.0000	0.0000	0.0000
WEIR 200	25y-4h	0.00	0.00	0.00	0.00	0.00	0.0000	0.0000	0.0000	0.0000	0.0000
WEIR 200	25y-8h	0.08	0.00	0.00	0.00	0.00	8.4372	0.0000	8.3317	0.0000	0.0000
WEIR 200	2y-1h	0.00	0.00	0.00	0.00	0.00	0.0000	0.0000	0.0000	0.0000	0.0000
WEIR 200	2y-24h	0.00	0.00	0.00	0.00	0.00	0.0000	0.0000	0.0000	0.0000	0.0000
WEIR 200	2y-2h	0.00	0.00	0.00	0.00	0.00	0.0000	0.0000	0.0000	0.0000	0.0000
WEIR 200	2y-4h	0.00	0.00	0.00	0.00	0.00	0.0000	0.0000	0.0000	0.0000	0.0000
WEIR 200	2y-8h	0.00	0.00	0.00	0.00	0.00	0.0000	0.0000	0.0000	0.0000	0.0000
WEIR 200	5y-1h	0.00	0.00	0.00	0.00	0.00	0.0000	0.0000	0.0000	0.0000	0.0000
WEIR 200	5y-24h	0.00	0.00	0.00	0.00	0.00	0.0000	0.0000	0.0000	0.0000	0.0000
WEIR	5y-2h	0.00	0.00	0.00	0.00	0.00	0.0000	0.0000	0.0000	0.0000	0.0000

Link Name	Sim Name	Max Flow [cfs]	Min Flow [cfs]	Min/Max Delta Flow [cfs]	Max Us Velocity [fps]	Max Ds Velocity [fps]	Time to Max Flow [hrs]	Time to Min Flow [hrs]	Time to Min/Max Delta Flow [hrs]	Time to Max Us Velocity [hrs]	Time to Max Ds Velocity [hrs]
200											
WEIR 200	5y-4h	0.00	0.00	0.00	0.00	0.00	0.0000	0.0000	0.0000	0.0000	0.0000
WEIR 200	5y-8h	0.00	0.00	0.00	0.00	0.00	0.0000	0.0000	0.0000	0.0000	0.0000

Weir Link: WEIR IMP 1

Scenario:	Post
From Node:	IMP #1
To Node:	IMP #2
Link Count:	1
Flow Direction:	Both
Dampening:	0.0000 ft
Weir Type:	Sharp Crested Vertical
Geometry Type:	Trapezoidal
Invert:	178.00 ft
Control Elevation:	178.00 ft
Max Depth:	9999.00 ft
Extrapolation Method:	Normal Projection
Bottom Width:	25.00 ft
Left Slope:	10.000 (h:v)
Right Slope:	10.000 (h:v)

Bottom Clip	
Default:	0.00 ft
Op Table:	
Ref Node:	
Top Clip	
Default:	0.00 ft
Op Table:	
Ref Node:	
Discharge Coefficients	
Weir Default:	3.200
Weir Table:	
Orifice Default:	0.600
Orifice Table:	

Comment:

Link Min/Max Conditions with Times [Post]

Link Name	Sim Name	Max Flow [cfs]	Min Flow [cfs]	Min/Max Delta Flow [cfs]	Max Us Velocity [fps]	Max Ds Velocity [fps]	Time to Max Flow [hrs]	Time to Min Flow [hrs]	Time to Min/Max Delta Flow [hrs]	Time to Max Us Velocity [hrs]	Time to Max Ds Velocity [hrs]
WEIR IMP 1	100y-1h	0.00	0.00	0.00	0.00	0.00	0.0000	0.0000	0.0000	0.0000	0.0000
WEIR IMP 1	100y-24h	0.00	0.00	0.00	0.00	0.00	0.0000	0.0000	0.0000	0.0000	0.0000
WEIR IMP 1	100y-2h	0.00	0.00	0.00	0.00	0.00	0.0000	0.0000	0.0000	0.0000	0.0000
WEIR IMP 1	100y-4h	2.23	0.00	0.01	0.95	0.95	3.7767	0.0000	3.5694	3.7774	3.7774
WEIR IMP 1	100y-8h	15.59	0.00	0.04	1.76	1.76	5.2027	0.0000	4.8318	5.2029	5.2029

Link Name	Sim Name	Max Flow [cfs]	Min Flow [cfs]	Min/Max Delta Flow [cfs]	Max Us Velocity [fps]	Max Ds Velocity [fps]	Time to Max Flow [hrs]	Time to Min Flow [hrs]	Time to Min/Max Delta Flow [hrs]	Time to Max Us Velocity [hrs]	Time to Max Ds Velocity [hrs]
WEIR IMP 1	10y-1h	0.00	0.00	0.00	0.00	0.00	0.0000	0.0000	0.0000	0.0000	0.0000
WEIR IMP 1	10y-24h	0.00	0.00	0.00	0.00	0.00	0.0000	0.0000	0.0000	0.0000	0.0000
WEIR IMP 1	10y-2h	0.00	0.00	0.00	0.00	0.00	0.0000	0.0000	0.0000	0.0000	0.0000
WEIR IMP 1	10y-4h	0.00	0.00	0.00	0.00	0.00	0.0000	0.0000	0.0000	0.0000	0.0000
WEIR IMP 1	10y-8h	0.00	0.00	0.00	0.00	0.00	0.0000	0.0000	0.0000	0.0000	0.0000
WEIR IMP 1	25y-1h	0.00	0.00	0.00	0.00	0.00	0.0000	0.0000	0.0000	0.0000	0.0000
WEIR IMP 1	25y-24h	0.00	0.00	0.00	0.00	0.00	0.0000	0.0000	0.0000	0.0000	0.0000
WEIR IMP 1	25y-2h	0.00	0.00	0.00	0.00	0.00	0.0000	0.0000	0.0000	0.0000	0.0000
WEIR IMP 1	25y-4h	0.00	0.00	0.00	0.00	0.00	0.0000	0.0000	0.0000	0.0000	0.0000
WEIR IMP 1	25y-8h	0.00	0.00	0.00	0.00	0.00	0.0000	0.0000	0.0000	0.0000	0.0000
WEIR IMP 1	2y-1h	0.00	0.00	0.00	0.00	0.00	0.0000	0.0000	0.0000	0.0000	0.0000
WEIR IMP 1	2y-24h	0.00	0.00	0.00	0.00	0.00	0.0000	0.0000	0.0000	0.0000	0.0000
WEIR IMP 1	2y-2h	0.00	0.00	0.00	0.00	0.00	0.0000	0.0000	0.0000	0.0000	0.0000
WEIR IMP 1	2y-4h	0.00	0.00	0.00	0.00	0.00	0.0000	0.0000	0.0000	0.0000	0.0000
WEIR IMP 1	2y-8h	0.00	0.00	0.00	0.00	0.00	0.0000	0.0000	0.0000	0.0000	0.0000
WEIR IMP 1	5y-1h	0.00	0.00	0.00	0.00	0.00	0.0000	0.0000	0.0000	0.0000	0.0000
WEIR IMP 1	5y-24h	0.00	0.00	0.00	0.00	0.00	0.0000	0.0000	0.0000	0.0000	0.0000
WEIR IMP 1	5y-2h	0.00	0.00	0.00	0.00	0.00	0.0000	0.0000	0.0000	0.0000	0.0000
WEIR IMP 1	5y-4h	0.00	0.00	0.00	0.00	0.00	0.0000	0.0000	0.0000	0.0000	0.0000
WEIR IMP 1	5y-8h	0.00	0.00	0.00	0.00	0.00	0.0000	0.0000	0.0000	0.0000	0.0000

Weir Link: WEIR IMP 2

Scenario:	Post
From Node:	IMP #2
To Node:	Heart Circle
Link Count:	1
Flow Direction:	Both
Dampening:	0.0000 ft
Weir Type:	Sharp Crested Vertical
Geometry Type:	Trapezoidal
Invert:	162.00 ft
Control Elevation:	162.00 ft
Max Depth:	9999.00 ft
Extrapolation Method:	Normal Projection
Bottom Width:	25.00 ft
Left Slope:	10.000 (h:v)
Right Slope:	10.000 (h:v)

Bottom Clip	
Default:	0.00 ft
Op Table:	
Ref Node:	
Top Clip	
Default:	0.00 ft
Op Table:	
Ref Node:	
Discharge Coefficients	
Weir Default:	3.200
Weir Table:	
Orifice Default:	0.600
Orifice Table:	

Comment:

Link Min/Max Conditions with Times [Post]

Link Name	Sim Name	Max Flow [cfs]	Min Flow [cfs]	Min/Max Delta Flow [cfs]	Max Us Velocity [fps]	Max Ds Velocity [fps]	Time to Max Flow [hrs]	Time to Min Flow [hrs]	Time to Min/Max Delta Flow [hrs]	Time to Max Us Velocity [hrs]	Time to Max Ds Velocity [hrs]
WEIR IMP 2	100y-1h	0.00	0.00	0.00	0.00	0.00	0.0000	0.0000	0.0000	0.0000	0.0000
WEIR IMP 2	100y-24h	10.31	0.00	0.02	1.55	1.55	13.6427	0.0000	13.1867	13.6446	13.6446
WEIR IMP 2	100y-2h	3.81	0.00	0.03	1.13	1.13	2.6614	0.0000	2.3908	2.6624	2.6624
WEIR IMP 2	100y-4h	17.12	0.00	0.03	1.81	1.81	3.2896	0.0000	3.0284	3.2900	3.2900
WEIR IMP 2	100y-8h	29.79	0.00	0.03	2.13	2.13	5.2000	0.0000	5.0019	5.2000	5.2000
WEIR IMP 2	10y-1h	0.00	0.00	0.00	0.00	0.00	0.0000	0.0000	0.0000	0.0000	0.0000
WEIR IMP 2	10y-24h	0.00	0.00	0.00	0.00	0.00	0.0000	0.0000	0.0000	0.0000	0.0000
WEIR IMP 2	10y-2h	0.00	0.00	0.00	0.00	0.00	0.0000	0.0000	0.0000	0.0000	0.0000
WEIR IMP 2	10y-4h	0.00	0.00	0.00	0.00	0.00	0.0000	0.0000	0.0000	0.0000	0.0000
WEIR IMP 2	10y-8h	0.00	0.00	0.00	0.00	0.00	0.0000	0.0000	0.0000	0.0000	0.0000
WEIR IMP 2	25y-1h	0.00	0.00	0.00	0.00	0.00	0.0000	0.0000	0.0000	0.0000	0.0000
WEIR IMP 2	25y-24h	1.05	0.00	0.01	0.75	0.75	17.7484	0.0000	16.9996	17.7527	17.7527

Link Name	Sim Name	Max Flow [cfs]	Min Flow [cfs]	Min/Max Delta Flow [cfs]	Max Us Velocity [fps]	Max Ds Velocity [fps]	Time to Max Flow [hrs]	Time to Min Flow [hrs]	Time to Min/Max Delta Flow [hrs]	Time to Max Us Velocity [hrs]	Time to Max Ds Velocity [hrs]
WEIR IMP 2	25y-2h	0.00	0.00	0.00	0.00	0.00	0.0000	0.0000	0.0000	0.0000	0.0000
WEIR IMP 2	25y-4h	3.92	0.00	0.04	1.14	1.14	4.1977	0.0000	3.9773	4.1990	4.1990
WEIR IMP 2	25y-8h	11.30	0.00	0.03	1.59	1.59	5.3034	0.0000	5.0904	5.3042	5.3042
WEIR IMP 2	2y-1h	0.00	0.00	0.00	0.00	0.00	0.0000	0.0000	0.0000	0.0000	0.0000
WEIR IMP 2	2y-24h	0.00	0.00	0.00	0.00	0.00	0.0000	0.0000	0.0000	0.0000	0.0000
WEIR IMP 2	2y-2h	0.00	0.00	0.00	0.00	0.00	0.0000	0.0000	0.0000	0.0000	0.0000
WEIR IMP 2	2y-4h	0.00	0.00	0.00	0.00	0.00	0.0000	0.0000	0.0000	0.0000	0.0000
WEIR IMP 2	2y-8h	0.00	0.00	0.00	0.00	0.00	0.0000	0.0000	0.0000	0.0000	0.0000
WEIR IMP 2	5y-1h	0.00	0.00	0.00	0.00	0.00	0.0000	0.0000	0.0000	0.0000	0.0000
WEIR IMP 2	5y-24h	0.00	0.00	0.00	0.00	0.00	0.0000	0.0000	0.0000	0.0000	0.0000
WEIR IMP 2	5y-2h	0.00	0.00	0.00	0.00	0.00	0.0000	0.0000	0.0000	0.0000	0.0000
WEIR IMP 2	5y-4h	0.00	0.00	0.00	0.00	0.00	0.0000	0.0000	0.0000	0.0000	0.0000
WEIR IMP 2	5y-8h	0.00	0.00	0.00	0.00	0.00	0.0000	0.0000	0.0000	0.0000	0.0000

Rating Curve: Pond 100 Infil

Scenario: Post
Type: Upstream Stage

Upstream Stage [ft]	Discharge [cfs]
203.00	0.47
210.00	0.47

Comment:

Rating Curve: Pond 200 Infil

Scenario: Post
Type: Upstream Stage

Upstream Stage [ft]	Discharge [cfs]
209.00	0.23
215.00	0.23

Comment:

Rating Curve: Pond 200 sand

Scenario: Post
Type: Upstream Stage

Upstream Stage [ft]	Discharge [cfs]
209.00	0.00
210.00	0.01
211.00	0.03
212.00	0.05
213.00	0.08
214.00	0.12
215.00	0.17

Comment:

Simulation: 100y-1h

Scenario: Post
Run Date/Time: 7/21/2017 1:20:33 PM
Program Version: ICPR4 4.03.01

General

Run Mode: Normal

	Year	Month	Day	Hour [hr]
Start Time:	0	0	0	0.0000
End Time:	0	0	0	90.0000

	Hydrology [sec]	Surface Hydraulics [sec]
Min Calculation Time:	60.0000	0.1000
Max Calculation Time:		60.0000

Output Time Increments

Hydrology

Year	Month	Day	Hour [hr]	Time Increment [min]
0	0	0	0.0000	5.0000

Surface Hydraulics

Year	Month	Day	Hour [hr]	Time Increment [min]
0	0	0	0.0000	15.0000

Restart File

Save Restart: False

Resources & Lookup Tables

Resources

Rainfall Folder: ICPR3

Unit Hydrograph Folder: ICPR3

Lookup Tables

Boundary Stage Set:

Extern Hydrograph Set:

Curve Number Set: ICPR3

Green-Ampt Set: ICPR3

Vertical Layers Set:

Impervious Set: ICPR3

Tolerances & Options

Time Marching: SAOR

Max Iterations: 6

Over-Relax Weight Fact: 0.5 dec

dZ Tolerance: 0.0010 ft

Max dZ: 1.0000 ft

Link Optimizer Tol: 0.0001 ft

Edge Length Option: Automatic

IA Recovery Time: 24.0000 hr

Manual Basin Rain Opt: Global

Rainfall Name: Fdot-1

Rainfall Amount: 4.40 in

Storm Duration: 1.0000 hr

Dflt Dampening (1D): 0.0050 ft

Min Node Srf Area (1D): 113 ft2

Energy Switch (1D): Energy

Comment:

Simulation: 100y-24h

Scenario: Post

Run Date/Time: 7/21/2017 1:21:50 PM

Program Version: ICPR4 4.03.01

General

Run Mode: Normal

	Year	Month	Day	Hour [hr]
Start Time:	0	0	0	0.0000
End Time:	0	0	0	114.0000

	Hydrology [sec]	Surface Hydraulics [sec]
Min Calculation Time:	60.0000	0.1000
Max Calculation Time:		60.0000

Output Time Increments

Hydrology

Year	Month	Day	Hour [hr]	Time Increment [min]
0	0	0	0.0000	5.0000

Surface Hydraulics

Year	Month	Day	Hour [hr]	Time Increment [min]
0	0	0	0.0000	15.0000

Restart File

Save Restart: False

Resources & Lookup Tables

Resources

Rainfall Folder: ICPR3

Unit Hydrograph Folder: ICPR3

Lookup Tables

Boundary Stage Set:

Extern Hydrograph Set:

Curve Number Set: ICPR3

Green-Ampt Set: ICPR3

Vertical Layers Set:

Impervious Set: ICPR3

Tolerances & Options

Time Marching: SAOR

Max Iterations: 6

Over-Relax Weight Fact: 0.5 dec

dZ Tolerance: 0.0010 ft

Max dZ: 1.0000 ft

Link Optimizer Tol: 0.0001 ft

Edge Length Option: Automatic

IA Recovery Time: 24.0000 hr

Manual Basin Rain Opt: Global

Rainfall Name: Fdot-24

Rainfall Amount: 10.90 in

Storm Duration: 24.0000 hr

Dflt Dampening (1D): 0.0050 ft

Min Node Srf Area 113 ft2

(1D):
Energy Switch (1D): Energy

Comment:

Simulation: 100y-2h

Scenario: Post
Run Date/Time: 7/21/2017 1:23:28 PM
Program Version: ICPR4 4.03.01

General

Run Mode: Normal

	Year	Month	Day	Hour [hr]
Start Time:	0	0	0	0.0000
End Time:	0	0	0	90.0000

	Hydrology [sec]	Surface Hydraulics [sec]
Min Calculation Time:	60.0000	0.1000
Max Calculation Time:		60.0000

Output Time Increments

Hydrology

Year	Month	Day	Hour [hr]	Time Increment [min]
0	0	0	0.0000	5.0000

Surface Hydraulics

Year	Month	Day	Hour [hr]	Time Increment [min]
0	0	0	0.0000	15.0000

Restart File

Save Restart: False

Resources & Lookup Tables

Resources

Rainfall Folder: ICPR3

Unit Hydrograph Folder: ICPR3

Lookup Tables

Boundary Stage Set:
Extern Hydrograph Set:
Curve Number Set: ICPR3

Green-Ampt Set: ICPR3
Vertical Layers Set:

Impervious Set: ICPR3

Tolerances & Options

Time Marching:	SAOR	IA Recovery Time:	24.0000 hr
Max Iterations:	6		
Over-Relax Weight Fact:	0.5 dec		
dZ Tolerance:	0.0010 ft	Manual Basin Rain Opt:	Global
Max dZ:	1.0000 ft		
Link Optimizer Tol:	0.0001 ft	Rainfall Name:	Fdot-2
		Rainfall Amount:	5.80 in
Edge Length Option:	Automatic	Storm Duration:	2.0000 hr
		Dflt Dampening (1D):	0.0050 ft
		Min Node Srf Area (1D):	113 ft2
		Energy Switch (1D):	Energy

Comment:

Simulation: 100y-4h

Scenario: Post
Run Date/Time: 7/21/2017 1:24:42 PM
Program Version: ICPR4 4.03.01

General

Run Mode: Normal

	Year	Month	Day	Hour [hr]
Start Time:	0	0	0	0.0000
End Time:	0	0	0	90.0000

	Hydrology [sec]	Surface Hydraulics [sec]
Min Calculation Time:	60.0000	0.1000
Max Calculation Time:		60.0000

Output Time Increments

Hydrology

Year	Month	Day	Hour [hr]	Time Increment [min]
0	0	0	0.0000	5.0000

Surface Hydraulics

Year	Month	Day	Hour [hr]	Time Increment [min]
0	0	0	0.0000	15.0000

Restart File

Save Restart: False

Resources & Lookup Tables

Resources

Rainfall Folder: ICPR3

Unit Hydrograph Folder: ICPR3

Lookup Tables

Boundary Stage Set:

Extern Hydrograph Set:

Curve Number Set: ICPR3

Green-Ampt Set: ICPR3

Vertical Layers Set:

Impervious Set: ICPR3

Tolerances & Options

Time Marching: SAOR

Max Iterations: 6

Over-Relax Weight Fact: 0.5 dec

dZ Tolerance: 0.0010 ft

Max dZ: 1.0000 ft

Link Optimizer Tol: 0.0001 ft

Edge Length Option: Automatic

IA Recovery Time: 24.0000 hr

Manual Basin Rain Opt: Global

Rainfall Name: Fdot-4

Rainfall Amount: 7.20 in

Storm Duration: 4.0000 hr

Dflt Dampening (1D): 0.0050 ft

Min Node Srf Area (1D): 113 ft2

Energy Switch (1D): Energy

Comment:

Simulation: 100y-8h

Scenario: Post

Run Date/Time: 7/21/2017 1:25:58 PM

Program Version: ICPR4 4.03.01

General

Run Mode: Normal

Year	Month	Day	Hour [hr]

Start Time:	0	0	0	0.0000
End Time:	0	0	0	90.0000

	Hydrology [sec]	Surface Hydraulics [sec]
Min Calculation Time:	60.0000	0.1000
Max Calculation Time:		60.0000

Output Time Increments

Hydrology

Year	Month	Day	Hour [hr]	Time Increment [min]
0	0	0	0.0000	5.0000

Surface Hydraulics

Year	Month	Day	Hour [hr]	Time Increment [min]
0	0	0	0.0000	15.0000

Restart File

Save Restart: False

Resources & Lookup Tables

Resources

Rainfall Folder: ICPR3

Unit Hydrograph Folder: ICPR3

Lookup Tables

Boundary Stage Set:
Extern Hydrograph Set:
Curve Number Set: ICPR3

Green-Ampt Set: ICPR3
Vertical Layers Set:
Impervious Set: ICPR3

Tolerances & Options

Time Marching: SAOR
Max Iterations: 6
Over-Relax Weight Fact: 0.5 dec
dZ Tolerance: 0.0010 ft
Max dZ: 1.0000 ft
Link Optimizer Tol: 0.0001 ft

Edge Length Option: Automatic

IA Recovery Time: 24.0000 hr

Manual Basin Rain Opt: Global

Rainfall Name: Fdot-8
Rainfall Amount: 8.90 in
Storm Duration: 8.0000 hr

Dflt Dampening (1D): 0.0050 ft
Min Node Srf Area (1D): 113 ft2
Energy Switch (1D): Energy

Comment:

Simulation: 10y-1h

Scenario: Post
Run Date/Time: 7/21/2017 1:27:13 PM
Program Version: ICPR4 4.03.01

General

Run Mode: Normal

	Year	Month	Day	Hour [hr]
Start Time:	0	0	0	0.0000
End Time:	0	0	0	90.0000

	Hydrology [sec]	Surface Hydraulics [sec]
Min Calculation Time:	60.0000	0.1000
Max Calculation Time:		60.0000

Output Time Increments

Hydrology

Year	Month	Day	Hour [hr]	Time Increment [min]
0	0	0	0.0000	5.0000

Surface Hydraulics

Year	Month	Day	Hour [hr]	Time Increment [min]
0	0	0	0.0000	15.0000

Restart File

Save Restart: False

Resources & Lookup Tables

Resources

Rainfall Folder: ICPR3

Unit Hydrograph Folder: ICPR3

Lookup Tables

Boundary Stage Set:
Extern Hydrograph Set:
Curve Number Set: ICPR3
Green-Ampt Set: ICPR3
Vertical Layers Set:
Impervious Set: ICPR3

Tolerances & Options

Time Marching:	SAOR	IA Recovery Time:	24.0000 hr
Max Iterations:	6		
Over-Relax Weight Fact:	0.5 dec		
dZ Tolerance:	0.0010 ft	Manual Basin Rain Opt:	Global
Max dZ:	1.0000 ft		
Link Optimizer Tol:	0.0001 ft	Rainfall Name:	Fdot-1
		Rainfall Amount:	3.20 in
Edge Length Option:	Automatic	Storm Duration:	1.0000 hr
		Dflt Dampening (1D):	0.0050 ft
		Min Node Srf Area (1D):	113 ft2
		Energy Switch (1D):	Energy

Comment:

Simulation: 10y-24h

Scenario:	Post
Run Date/Time:	7/21/2017 1:28:29 PM
Program Version:	ICPR4 4.03.01

General

Run Mode: Normal

	Year	Month	Day	Hour [hr]
Start Time:	0	0	0	0.0000
End Time:	0	0	0	90.0000

	Hydrology [sec]	Surface Hydraulics [sec]
Min Calculation Time:	60.0000	0.1000
Max Calculation Time:		60.0000

Output Time Increments

Hydrology

Year	Month	Day	Hour [hr]	Time Increment [min]
0	0	0	0.0000	5.0000

Surface Hydraulics

Year	Month	Day	Hour [hr]	Time Increment [min]

Year	Month	Day	Hour [hr]	Time Increment [min]
0	0	0	0.0000	15.0000

Restart File

Save Restart: False

Resources & Lookup Tables

Resources

Rainfall Folder: ICPR3

Unit Hydrograph Folder: ICPR3

Lookup Tables

Boundary Stage Set:

Extern Hydrograph Set:

Curve Number Set: ICPR3

Green-Ampt Set: ICPR3

Vertical Layers Set:

Impervious Set: ICPR3

Tolerances & Options

Time Marching: SAOR

Max Iterations: 6

Over-Relax Weight Fact: 0.5 dec

dZ Tolerance: 0.0010 ft

Max dZ: 1.0000 ft

Link Optimizer Tol: 0.0001 ft

Edge Length Option: Automatic

IA Recovery Time: 24.0000 hr

Manual Basin Rain Opt: Global

Rainfall Name: Fdot-24

Rainfall Amount: 7.50 in

Storm Duration: 24.0000 hr

Dflt Dampening (1D): 0.0050 ft

Min Node Srf Area (1D): 113 ft2

Energy Switch (1D): Energy

Comment:

Simulation: 10y-2h

Scenario: Post

Run Date/Time: 7/21/2017 1:29:43 PM

Program Version: ICPR4 4.03.01

General

Run Mode: Normal

	Year	Month	Day	Hour [hr]
Start Time:	0	0	0	0.0000

End Time:	0	0	0	90.0000

	Hydrology [sec]	Surface Hydraulics [sec]
Min Calculation Time:	60.0000	0.1000
Max Calculation Time:		60.0000

Output Time Increments

Hydrology

Year	Month	Day	Hour [hr]	Time Increment [min]
0	0	0	0.0000	5.0000

Surface Hydraulics

Year	Month	Day	Hour [hr]	Time Increment [min]
0	0	0	0.0000	15.0000

Restart File

Save Restart: False

Resources & Lookup Tables

Resources

Rainfall Folder: ICPR3

Unit Hydrograph Folder: ICPR3

Lookup Tables

Boundary Stage Set:
Extern Hydrograph Set:
Curve Number Set: ICPR3

Green-Ampt Set: ICPR3
Vertical Layers Set:
Impervious Set: ICPR3

Tolerances & Options

Time Marching: SAOR
Max Iterations: 6
Over-Relax Weight Fact: 0.5 dec
dZ Tolerance: 0.0010 ft
Max dZ: 1.0000 ft
Link Optimizer Tol: 0.0001 ft

Edge Length Option: Automatic

IA Recovery Time: 24.0000 hr

Manual Basin Rain Opt: Global

Rainfall Name: Fdot-2
Rainfall Amount: 4.10 in
Storm Duration: 2.0000 hr

Dflt Dampening (1D): 0.0050 ft
Min Node Srf Area (1D): 113 ft2
Energy Switch (1D): Energy

Comment:

Simulation: 10y-4h

Scenario: Post
Run Date/Time: 7/21/2017 1:30:56 PM
Program Version: ICPR4 4.03.01

General

Run Mode: Normal

	Year	Month	Day	Hour [hr]
Start Time:	0	0	0	0.0000
End Time:	0	0	0	90.0000

	Hydrology [sec]	Surface Hydraulics [sec]
Min Calculation Time:	60.0000	0.1000
Max Calculation Time:		60.0000

Output Time Increments

Hydrology

Year	Month	Day	Hour [hr]	Time Increment [min]
0	0	0	0.0000	5.0000

Surface Hydraulics

Year	Month	Day	Hour [hr]	Time Increment [min]
0	0	0	0.0000	15.0000

Restart File

Save Restart: False

Resources & Lookup Tables

Resources

Rainfall Folder: ICPR3

Unit Hydrograph Folder: ICPR3

Lookup Tables

Boundary Stage Set:
Extern Hydrograph Set:
Curve Number Set: ICPR3
Green-Ampt Set: ICPR3
Vertical Layers Set:
Impervious Set: ICPR3

Tolerances & Options

Time Marching:	SAOR	IA Recovery Time:	24.0000 hr
Max Iterations:	6		
Over-Relax Weight Fact:	0.5 dec		
dZ Tolerance:	0.0010 ft	Manual Basin Rain Opt:	Global
Max dZ:	1.0000 ft		
Link Optimizer Tol:	0.0001 ft	Rainfall Name:	Fdot-4
		Rainfall Amount:	5.00 in
Edge Length Option:	Automatic	Storm Duration:	4.0000 hr
		Dflt Dampening (1D):	0.0050 ft
		Min Node Srf Area (1D):	113 ft2
		Energy Switch (1D):	Energy

Comment:

Simulation: 10y-8h

Scenario: Post
Run Date/Time: 7/21/2017 1:32:09 PM
Program Version: ICPR4 4.03.01

General

Run Mode: Normal

	Year	Month	Day	Hour [hr]
Start Time:	0	0	0	0.0000
End Time:	0	0	0	90.0000

	Hydrology [sec]	Surface Hydraulics [sec]
Min Calculation Time:	60.0000	0.1000
Max Calculation Time:		60.0000

Output Time Increments

Hydrology

Year	Month	Day	Hour [hr]	Time Increment [min]
0	0	0	0.0000	5.0000

Surface Hydraulics

Year	Month	Day	Hour [hr]	Time Increment [min]
0	0	0	0.0000	15.0000

Restart File

Save Restart: False

Resources & Lookup Tables

Resources

Rainfall Folder: ICPR3

Unit Hydrograph Folder: ICPR3

Lookup Tables

Boundary Stage Set:

Extern Hydrograph Set:

Curve Number Set: ICPR3

Green-Ampt Set: ICPR3

Vertical Layers Set:

Impervious Set: ICPR3

Tolerances & Options

Time Marching: SAOR

Max Iterations: 6

Over-Relax Weight Fact: 0.5 dec

dZ Tolerance: 0.0010 ft

Max dZ: 1.0000 ft

Link Optimizer Tol: 0.0001 ft

Edge Length Option: Automatic

IA Recovery Time: 24.0000 hr

Manual Basin Rain Opt: Global

Rainfall Name: Fdot-8

Rainfall Amount: 6.20 in

Storm Duration: 8.0000 hr

Dflt Dampening (1D): 0.0050 ft

Min Node Srf Area (1D): 113 ft2

Energy Switch (1D): Energy

Comment:

Simulation: 25y-1h

Scenario: Post

Run Date/Time: 7/21/2017 1:33:22 PM

Program Version: ICPR4 4.03.01

General

Run Mode: Normal

	Year	Month	Day	Hour [hr]
Start Time:	0	0	0	0.0000
End Time:	0	0	0	90.0000

	Hydrology [sec]	Surface Hydraulics [sec]
Min Calculation Time:	60.0000	0.1000
Max Calculation Time:		60.0000

Output Time Increments

Hydrology

Year	Month	Day	Hour [hr]	Time Increment [min]
0	0	0	0.0000	5.0000

Surface Hydraulics

Year	Month	Day	Hour [hr]	Time Increment [min]
0	0	0	0.0000	15.0000

Restart File

Save Restart: False

Resources & Lookup Tables

Resources

Rainfall Folder: ICPR3

Unit Hydrograph Folder: ICPR3

Lookup Tables

Boundary Stage Set:

Extern Hydrograph Set:

Curve Number Set: ICPR3

Green-Ampt Set: ICPR3

Vertical Layers Set:

Impervious Set: ICPR3

Tolerances & Options

Time Marching: SAOR

Max Iterations: 6

Over-Relax Weight Fact: 0.5 dec

dZ Tolerance: 0.0010 ft

Max dZ: 1.0000 ft

Link Optimizer Tol: 0.0001 ft

Edge Length Option: Automatic

IA Recovery Time: 24.0000 hr

Manual Basin Rain Opt: Global

Rainfall Name: Fdot-1

Rainfall Amount: 3.70 in

Storm Duration: 1.0000 hr

Dflt Dampening (1D): 0.0050 ft

Min Node Srf Area (1D): 113 ft2

Energy Switch (1D): Energy

Comment:

Simulation: 25y-24h

Scenario: Post
Run Date/Time: 7/21/2017 1:34:36 PM
Program Version: ICPR4 4.03.01

General

Run Mode: Normal

	Year	Month	Day	Hour [hr]
Start Time:	0	0	0	0.0000
End Time:	0	0	0	90.0000

	Hydrology [sec]	Surface Hydraulics [sec]
Min Calculation Time:	60.0000	0.1000
Max Calculation Time:		60.0000

Output Time Increments

Hydrology

Year	Month	Day	Hour [hr]	Time Increment [min]
0	0	0	0.0000	5.0000

Surface Hydraulics

Year	Month	Day	Hour [hr]	Time Increment [min]
0	0	0	0.0000	15.0000

Restart File

Save Restart: False

Resources & Lookup Tables

Resources

Rainfall Folder: ICPR3
Unit Hydrograph Folder: ICPR3

Lookup Tables

Boundary Stage Set:
Extern Hydrograph Set:
Curve Number Set: ICPR3
Green-Ampt Set: ICPR3
Vertical Layers Set:
Impervious Set: ICPR3

Tolerances & Options

Time Marching: SAOR
Max Iterations: 6
Over-Relax Weight Fact: 0.5 dec
dZ Tolerance: 0.0010 ft

IA Recovery Time: 24.0000 hr
Manual Basin Rain Opt: Global

Max dZ:	1.0000 ft		
Link Optimizer Tol:	0.0001 ft	Rainfall Name:	Fdot-24
		Rainfall Amount:	8.50 in
Edge Length Option:	Automatic	Storm Duration:	24.0000 hr
		Dflt Dampening (1D):	0.0050 ft
		Min Node Srf Area (1D):	113 ft2
		Energy Switch (1D):	Energy

Comment:

Simulation: 25y-2h

Scenario: Post
Run Date/Time: 7/21/2017 1:35:55 PM
Program Version: ICPR4 4.03.01

General

Run Mode: Normal

	Year	Month	Day	Hour [hr]
Start Time:	0	0	0	0.0000
End Time:	0	0	0	90.0000

	Hydrology [sec]	Surface Hydraulics [sec]
Min Calculation Time:	60.0000	0.1000
Max Calculation Time:		60.0000

Output Time Increments

Hydrology

Year	Month	Day	Hour [hr]	Time Increment [min]
0	0	0	0.0000	5.0000

Surface Hydraulics

Year	Month	Day	Hour [hr]	Time Increment [min]
0	0	0	0.0000	15.0000

Restart File

Save Restart: False

Resources & Lookup Tables

Resources		Lookup Tables	
Rainfall Folder:	ICPR3	Boundary Stage Set:	
		Extern Hydrograph Set:	
Unit Hydrograph Folder:	ICPR3	Curve Number Set:	ICPR3
		Green-Ampt Set:	ICPR3
		Vertical Layers Set:	
		Impervious Set:	ICPR3

Tolerances & Options

Time Marching:	SAOR	IA Recovery Time:	24.0000 hr
Max Iterations:	6		
Over-Relax Weight Fact:	0.5 dec		
dZ Tolerance:	0.0010 ft	Manual Basin Rain Opt:	Global
Max dZ:	1.0000 ft		
Link Optimizer Tol:	0.0001 ft	Rainfall Name:	Fdot-2
		Rainfall Amount:	4.70 in
Edge Length Option:	Automatic	Storm Duration:	2.0000 hr
		Dflt Dampening (1D):	0.0050 ft
		Min Node Srf Area (1D):	113 ft2
		Energy Switch (1D):	Energy

Comment:

Simulation: 25y-4h

Scenario:	Post
Run Date/Time:	7/21/2017 1:37:14 PM
Program Version:	ICPR4 4.03.01

General

Run Mode: Normal

	Year	Month	Day	Hour [hr]
Start Time:	0	0	0	0.0000
End Time:	0	0	0	90.0000

	Hydrology [sec]	Surface Hydraulics [sec]
Min Calculation Time:	60.0000	0.1000
Max Calculation Time:		60.0000

Output Time Increments

Hydrology

Year	Month	Day	Hour [hr]	Time Increment [min]
0	0	0	0.0000	5.0000

Surface Hydraulics

Year	Month	Day	Hour [hr]	Time Increment [min]
0	0	0	0.0000	15.0000

Restart File

Save Restart: False

Resources & Lookup Tables

Resources

Rainfall Folder: ICPR3

Unit Hydrograph Folder: ICPR3

Lookup Tables

Boundary Stage Set:
Extern Hydrograph Set:
Curve Number Set: ICPR3

Green-Ampt Set: ICPR3
Vertical Layers Set:
Impervious Set: ICPR3

Tolerances & Options

Time Marching: SAOR
Max Iterations: 6
Over-Relax Weight Fact: 0.5 dec
dZ Tolerance: 0.0010 ft
Max dZ: 1.0000 ft
Link Optimizer Tol: 0.0001 ft

Edge Length Option: Automatic

IA Recovery Time: 24.0000 hr

Manual Basin Rain Opt: Global

Rainfall Name: Fdot-4
Rainfall Amount: 5.90 in
Storm Duration: 4.0000 hr

Dflt Dampening (1D): 0.0050 ft
Min Node Srf Area (1D): 113 ft2
Energy Switch (1D): Energy

Comment:

Simulation: 25y-8h

Scenario: Post

Run Date/Time: 7/21/2017 1:38:37 PM
Program Version: ICPR4 4.03.01

General

Run Mode: Normal

	Year	Month	Day	Hour [hr]
Start Time:	0	0	0	0.0000
End Time:	0	0	0	90.0000

	Hydrology [sec]	Surface Hydraulics [sec]
Min Calculation Time:	60.0000	0.1000
Max Calculation Time:		60.0000

Output Time Increments

Hydrology

Year	Month	Day	Hour [hr]	Time Increment [min]
0	0	0	0.0000	5.0000

Surface Hydraulics

Year	Month	Day	Hour [hr]	Time Increment [min]
0	0	0	0.0000	15.0000

Restart File

Save Restart: False

Resources & Lookup Tables

Resources

Rainfall Folder: ICPR3

Unit Hydrograph Folder: ICPR3

Lookup Tables

Boundary Stage Set:
Extern Hydrograph Set:
Curve Number Set: ICPR3
Green-Ampt Set: ICPR3
Vertical Layers Set:
Impervious Set: ICPR3

Tolerances & Options

Time Marching: SAOR
Max Iterations: 6
Over-Relax Weight Fact: 0.5 dec
dZ Tolerance: 0.0010 ft
Max dZ: 1.0000 ft
Link Optimizer Tol: 0.0001 ft

IA Recovery Time: 24.0000 hr
Manual Basin Rain Opt: Global
Rainfall Name: Fdot-8

		Rainfall Amount:	7.40 in
Edge Length Option:	Automatic	Storm Duration:	8.0000 hr
		Dflt Dampening (1D):	0.0050 ft
		Min Node Srf Area (1D):	113 ft2
		Energy Switch (1D):	Energy

Comment:

Simulation: 2y-1h

Scenario: Post
Run Date/Time: 7/21/2017 1:40:02 PM
Program Version: ICPR4 4.03.01

General

Run Mode: Normal

	Year	Month	Day	Hour [hr]
Start Time:	0	0	0	0.0000
End Time:	0	0	0	90.0000

	Hydrology [sec]	Surface Hydraulics [sec]
Min Calculation Time:	60.0000	0.1000
Max Calculation Time:		60.0000

Output Time Increments

Hydrology

Year	Month	Day	Hour [hr]	Time Increment [min]
0	0	0	0.0000	5.0000

Surface Hydraulics

Year	Month	Day	Hour [hr]	Time Increment [min]
0	0	0	0.0000	15.0000

Restart File

Save Restart: False

Resources & Lookup Tables

Resources

Rainfall Folder: ICPR3

Lookup Tables

Boundary Stage Set:

		Extern Hydrograph Set:	
Unit Hydrograph Folder:	ICPR3	Curve Number Set:	ICPR3
		Green-Ampt Set:	ICPR3
		Vertical Layers Set:	
		Impervious Set:	ICPR3

Tolerances & Options

Time Marching:	SAOR	IA Recovery Time:	24.0000 hr
Max Iterations:	6		
Over-Relax Weight Fact:	0.5 dec		
dZ Tolerance:	0.0010 ft	Manual Basin Rain Opt:	Global
Max dZ:	1.0000 ft		
Link Optimizer Tol:	0.0001 ft	Rainfall Name:	Fdot-1
		Rainfall Amount:	2.30 in
Edge Length Option:	Automatic	Storm Duration:	1.0000 hr
		Dflt Dampening (1D):	0.0050 ft
		Min Node Srf Area (1D):	113 ft2
		Energy Switch (1D):	Energy

Comment:

Simulation: 2y-24h

Scenario:	Post
Run Date/Time:	7/21/2017 1:41:18 PM
Program Version:	ICPR4 4.03.01

General

Run Mode: Normal

	Year	Month	Day	Hour [hr]
Start Time:	0	0	0	0.0000
End Time:	0	0	0	90.0000

	Hydrology [sec]	Surface Hydraulics [sec]
Min Calculation Time:	60.0000	0.1000
Max Calculation Time:		60.0000

Output Time Increments

Hydrology

Year	Month	Day	Hour [hr]	Time Increment [min]
0	0	0	0.0000	5.0000

Surface Hydraulics

Year	Month	Day	Hour [hr]	Time Increment [min]
0	0	0	0.0000	15.0000

Restart File

Save Restart: False

Resources & Lookup Tables

Resources

Rainfall Folder: ICPR3

Unit Hydrograph Folder: ICPR3

Lookup Tables

Boundary Stage Set:
Extern Hydrograph Set:
Curve Number Set: ICPR3
Green-Ampt Set: ICPR3
Vertical Layers Set:
Impervious Set: ICPR3

Tolerances & Options

Time Marching: SAOR
Max Iterations: 6
Over-Relax Weight Fact: 0.5 dec
dZ Tolerance: 0.0010 ft
Max dZ: 1.0000 ft
Link Optimizer Tol: 0.0001 ft
Edge Length Option: Automatic

IA Recovery Time: 24.0000 hr
Manual Basin Rain Opt: Global
Rainfall Name: Fdot-24
Rainfall Amount: 4.70 in
Storm Duration: 24.0000 hr
Dflt Dampening (1D): 0.0050 ft
Min Node Srf Area (1D): 113 ft2
Energy Switch (1D): Energy

Comment:

Simulation: 2y-2h

Scenario: Post
Run Date/Time: 7/21/2017 1:42:33 PM
Program Version: ICPR4 4.03.01

General

Run Mode: Normal

	Year	Month	Day	Hour [hr]
Start Time:	0	0	0	0.0000
End Time:	0	0	0	90.0000

	Hydrology [sec]	Surface Hydraulics [sec]
Min Calculation Time:	60.0000	0.1000
Max Calculation Time:		60.0000

Output Time Increments

Hydrology

Year	Month	Day	Hour [hr]	Time Increment [min]
0	0	0	0.0000	5.0000

Surface Hydraulics

Year	Month	Day	Hour [hr]	Time Increment [min]
0	0	0	0.0000	15.0000

Restart File

Save Restart: False

Resources & Lookup Tables

Resources

Rainfall Folder: ICPR3

Unit Hydrograph Folder: ICPR3

Lookup Tables

Boundary Stage Set:

Extern Hydrograph Set:

Curve Number Set: ICPR3

Green-Ampt Set: ICPR3

Vertical Layers Set:

Impervious Set: ICPR3

Tolerances & Options

Time Marching: SAOR

Max Iterations: 6

Over-Relax Weight Fact: 0.5 dec

dZ Tolerance: 0.0010 ft

Max dZ: 1.0000 ft

Link Optimizer Tol: 0.0001 ft

Edge Length Option: Automatic

IA Recovery Time: 24.0000 hr

Manual Basin Rain Opt: Global

Rainfall Name: Fdot-2

Rainfall Amount: 3.00 in

Storm Duration: 2.0000 hr

Dflt Dampening (1D):	0.0050 ft
Min Node Srf Area (1D):	113 ft2
Energy Switch (1D):	Energy

Comment:

Simulation: 2y-4h

Scenario:	Post
Run Date/Time:	7/21/2017 1:43:48 PM
Program Version:	ICPR4 4.03.01

General

Run Mode: Normal

	Year	Month	Day	Hour [hr]
Start Time:	0	0	0	0.0000
End Time:	0	0	0	90.0000

	Hydrology [sec]	Surface Hydraulics [sec]
Min Calculation Time:	60.0000	0.1000
Max Calculation Time:		60.0000

Output Time Increments

Hydrology

Year	Month	Day	Hour [hr]	Time Increment [min]
0	0	0	0.0000	5.0000

Surface Hydraulics

Year	Month	Day	Hour [hr]	Time Increment [min]
0	0	0	0.0000	15.0000

Restart File

Save Restart: False

Resources & Lookup Tables

Resources

Rainfall Folder:	ICPR3
Unit Hydrograph	ICPR3

Lookup Tables

Boundary Stage Set:	
Extern Hydrograph Set:	
Curve Number Set:	ICPR3

Folder:			
		Green-Ampt Set:	ICPR3
		Vertical Layers Set:	
		Impervious Set:	ICPR3

Tolerances & Options

Time Marching:	SAOR	IA Recovery Time:	24.0000 hr
Max Iterations:	6		
Over-Relax Weight Fact:	0.5 dec		
dZ Tolerance:	0.0010 ft	Manual Basin Rain Opt:	Global
Max dZ:	1.0000 ft		
Link Optimizer Tol:	0.0001 ft	Rainfall Name:	Fdot-4
		Rainfall Amount:	3.50 in
Edge Length Option:	Automatic	Storm Duration:	4.0000 hr
		Dflt Dampening (1D):	0.0050 ft
		Min Node Srf Area (1D):	113 ft2
		Energy Switch (1D):	Energy

Comment:

Simulation: 2y-8h

Scenario:	Post
Run Date/Time:	7/21/2017 1:45:03 PM
Program Version:	ICPR4 4.03.01

General

Run Mode: Normal

	Year	Month	Day	Hour [hr]
Start Time:	0	0	0	0.0000
End Time:	0	0	0	90.0000

	Hydrology [sec]	Surface Hydraulics [sec]
Min Calculation Time:	60.0000	0.1000
Max Calculation Time:		60.0000

Output Time Increments

Hydrology

Year	Month	Day	Hour [hr]	Time Increment [min]

Year	Month	Day	Hour [hr]	Time Increment [min]
0	0	0	0.0000	5.0000

Surface Hydraulics

Year	Month	Day	Hour [hr]	Time Increment [min]
0	0	0	0.0000	15.0000

Restart File

Save Restart: False

Resources & Lookup Tables

Resources

Rainfall Folder: ICPR3

Unit Hydrograph Folder: ICPR3

Lookup Tables

Boundary Stage Set:
Extern Hydrograph Set:
Curve Number Set: ICPR3
Green-Ampt Set: ICPR3
Vertical Layers Set:
Impervious Set: ICPR3

Tolerances & Options

Time Marching: SAOR
Max Iterations: 6
Over-Relax Weight Fact: 0.5 dec
dZ Tolerance: 0.0010 ft
Max dZ: 1.0000 ft
Link Optimizer Tol: 0.0001 ft
Edge Length Option: Automatic

IA Recovery Time: 24.0000 hr
Manual Basin Rain Opt: Global
Rainfall Name: Fdot-8
Rainfall Amount: 4.20 in
Storm Duration: 8.0000 hr
Dflt Dampening (1D): 0.0050 ft
Min Node Srf Area (1D): 113 ft2
Energy Switch (1D): Energy

Comment:

Simulation: 5y-1h

Scenario: Post
Run Date/Time: 7/21/2017 1:46:17 PM
Program Version: ICPR4 4.03.01

General

Run Mode: Normal

	Year	Month	Day	Hour [hr]
Start Time:	0	0	0	0.0000
End Time:	0	0	0	90.0000

	Hydrology [sec]	Surface Hydraulics [sec]
Min Calculation Time:	60.0000	0.1000
Max Calculation Time:		60.0000

Output Time Increments

Hydrology

Year	Month	Day	Hour [hr]	Time Increment [min]
0	0	0	0.0000	5.0000

Surface Hydraulics

Year	Month	Day	Hour [hr]	Time Increment [min]
0	0	0	0.0000	15.0000

Restart File

Save Restart: False

Resources & Lookup Tables

Resources

Rainfall Folder: ICPR3

Unit Hydrograph Folder: ICPR3

Lookup Tables

Boundary Stage Set:

Extern Hydrograph Set:

Curve Number Set: ICPR3

Green-Ampt Set: ICPR3

Vertical Layers Set:

Impervious Set: ICPR3

Tolerances & Options

Time Marching: SAOR

Max Iterations: 6

Over-Relax Weight Fact: 0.5 dec

dZ Tolerance: 0.0010 ft

Max dZ: 1.0000 ft

Link Optimizer Tol: 0.0001 ft

Edge Length Option: Automatic

IA Recovery Time: 24.0000 hr

Manual Basin Rain Opt: Global

Rainfall Name: Fdot-1

Rainfall Amount: 2.80 in

Storm Duration: 1.0000 hr

Dflt Dampening (1D):	0.0050 ft
Min Node Srf Area (1D):	113 ft2
Energy Switch (1D):	Energy

Comment:

Simulation: 5y-24h

Scenario:	Post
Run Date/Time:	7/21/2017 1:47:32 PM
Program Version:	ICPR4 4.03.01

General

Run Mode: Normal

	Year	Month	Day	Hour [hr]
Start Time:	0	0	0	0.0000
End Time:	0	0	0	90.0000

	Hydrology [sec]	Surface Hydraulics [sec]
Min Calculation Time:	60.0000	0.1000
Max Calculation Time:		60.0000

Output Time Increments

Hydrology

Year	Month	Day	Hour [hr]	Time Increment [min]
0	0	0	0.0000	5.0000

Surface Hydraulics

Year	Month	Day	Hour [hr]	Time Increment [min]
0	0	0	0.0000	15.0000

Restart File

Save Restart: False

Resources & Lookup Tables

Resources

Rainfall Folder:	ICPR3
Unit Hydrograph Folder:	ICPR3

Lookup Tables

Boundary Stage Set:	
Extern Hydrograph Set:	
Curve Number Set:	ICPR3

Green-Ampt Set:	ICPR3
Vertical Layers Set:	
Impervious Set:	ICPR3

Tolerances & Options

Time Marching:	SAOR	IA Recovery Time:	24.0000 hr
Max Iterations:	6		
Over-Relax Weight Fact:	0.5 dec		
dZ Tolerance:	0.0010 ft	Manual Basin Rain Opt:	Global
Max dZ:	1.0000 ft		
Link Optimizer Tol:	0.0001 ft	Rainfall Name:	Fdot-24
		Rainfall Amount:	6.40 in
Edge Length Option:	Automatic	Storm Duration:	24.0000 hr
		Dflt Dampening (1D):	0.0050 ft
		Min Node Srf Area (1D):	113 ft2
		Energy Switch (1D):	Energy

Comment:

Simulation: 5y-2h

Scenario:	Post
Run Date/Time:	7/21/2017 1:48:46 PM
Program Version:	ICPR4 4.03.01

General

Run Mode: Normal

	Year	Month	Day	Hour [hr]
Start Time:	0	0	0	0.0000
End Time:	0	0	0	90.0000

	Hydrology [sec]	Surface Hydraulics [sec]
Min Calculation Time:	60.0000	0.1000
Max Calculation Time:		60.0000

Output Time Increments

Hydrology

Year	Month	Day	Hour [hr]	Time Increment [min]
0	0	0	0.0000	5.0000

Surface Hydraulics

Year	Month	Day	Hour [hr]	Time Increment [min]
0	0	0	0.0000	15.0000

Restart File

Save Restart: False

Resources & Lookup Tables

Resources

Rainfall Folder: ICPR3

Unit Hydrograph Folder: ICPR3

Lookup Tables

Boundary Stage Set:
Extern Hydrograph Set:
Curve Number Set: Icpr3
Green-Ampt Set:
Vertical Layers Set:
Impervious Set: Icpr3

Tolerances & Options

Time Marching: SAOR
Max Iterations: 6
Over-Relax Weight Fact: 0.5 dec
dZ Tolerance: 0.0010 ft
Max dZ: 1.0000 ft
Link Optimizer Tol: 0.0001 ft
Edge Length Option: Automatic

IA Recovery Time: 24.0000 hr
Manual Basin Rain Opt: Global
Rainfall Name: Fdot-2
Rainfall Amount: 3.50 in
Storm Duration: 2.0000 hr
Dflt Dampening (1D): 0.0050 ft
Min Node Srf Area (1D): 113 ft2
Energy Switch (1D): Energy

Comment:

Simulation: 5y-4h

Scenario: Post
Run Date/Time: 7/21/2017 1:50:00 PM
Program Version: ICPR4 4.03.01

General

Run Mode: Normal

	Year	Month	Day	Hour [hr]
Start Time:	0	0	0	0.0000
End Time:	0	0	0	90.0000

	Hydrology [sec]	Surface Hydraulics [sec]
Min Calculation Time:	60.0000	0.1000
Max Calculation Time:		60.0000

Output Time Increments

Hydrology

Year	Month	Day	Hour [hr]	Time Increment [min]
0	0	0	0.0000	5.0000

Surface Hydraulics

Year	Month	Day	Hour [hr]	Time Increment [min]
0	0	0	0.0000	15.0000

Restart File

Save Restart: False

Resources & Lookup Tables

Resources

Rainfall Folder: ICPR3

Unit Hydrograph Folder: ICPR3

Lookup Tables

Boundary Stage Set:

Extern Hydrograph Set:

Curve Number Set: ICPR3

Green-Ampt Set: ICPR3

Vertical Layers Set:

Impervious Set: ICPR3

Tolerances & Options

Time Marching: SAOR

Max Iterations: 6

Over-Relax Weight Fact: 0.5 dec

dZ Tolerance: 0.0010 ft

Max dZ: 1.0000 ft

Link Optimizer Tol: 0.0001 ft

Edge Length Option: Automatic

IA Recovery Time: 24.0000 hr

Manual Basin Rain Opt: Global

Rainfall Name: Fdot-4

Rainfall Amount: 4.40 in

Storm Duration: 4.0000 hr

Dflt Dampening (1D): 0.0050 ft

Min Node Srf Area 113 ft2

(1D):
Energy Switch (1D): Energy

Comment:

Simulation: 5y-8h

Scenario: Post
Run Date/Time: 7/21/2017 1:51:15 PM
Program Version: ICPR4 4.03.01

General

Run Mode: Normal

	Year	Month	Day	Hour [hr]
Start Time:	0	0	0	0.0000
End Time:	0	0	0	90.0000

	Hydrology [sec]	Surface Hydraulics [sec]
Min Calculation Time:	60.0000	0.1000
Max Calculation Time:		60.0000

Output Time Increments

Hydrology

Year	Month	Day	Hour [hr]	Time Increment [min]
0	0	0	0.0000	5.0000

Surface Hydraulics

Year	Month	Day	Hour [hr]	Time Increment [min]
0	0	0	0.0000	15.0000

Restart File

Save Restart: False

Resources & Lookup Tables

Resources

Rainfall Folder: ICPR3

Unit Hydrograph Folder: ICPR3

Lookup Tables

Boundary Stage Set:
Extern Hydrograph Set:
Curve Number Set: ICPR3

Green-Ampt Set: ICPR3
Vertical Layers Set:

Impervious Set:	ICPR3

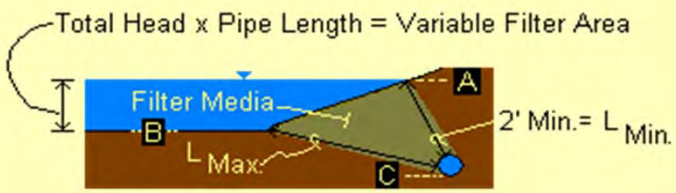
Tolerances & Options

Time Marching:	SAOR	IA Recovery Time:	24.0000 hr
Max Iterations:	6		
Over-Relax Weight Fact:	0.5 dec		
dZ Tolerance:	0.0010 ft	Manual Basin Rain Opt:	Global
Max dZ:	1.0000 ft		
Link Optimizer Tol:	0.0001 ft	Rainfall Name:	Fdot-8
		Rainfall Amount:	5.50 in
Edge Length Option:	Automatic	Storm Duration:	8.0000 hr
		Dflt Dampening (1D):	0.0050 ft
		Min Node Srf Area (1D):	113 ft2
		Energy Switch (1D):	Energy

Comment:

APPENDIX F

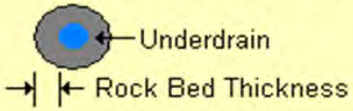
Side bank sand filter calculation



Blue Numbers	= Input data
Red Numbers	= Answers

Site Data

Project area =	6.03	Acres	A =	215.00	ft. - Elevation of the top of water quality treatment volu
Rainfall runoff depth =	2.86	Inches (OFW ?)	B =	209.00	ft. - Elevation of the bottom of the treatment volume o
Required treatment volume =	62,602	Cubic Feet	C =	208.00	ft. - Underdrain invert elevation
Underdrain pipe length (L_P) =	10.0	Feet		0.75	ft. - Distance from bottom (B) to the centerline of the u
Underdrain pipe diameter =	6	Inches		5.42	Darcy's k (ft/hr)
Manning's n =	0.010		Area of pond at elevation A =	23,238	square feet
Total bleeddown time =	1509.08	Hours	Area of pond at elevation B =	18,596	square feet
Pond Volume okay?	Yes		Average pond surface area (A_R) =	20,917	square feet
Recovery time okay?	NO		Maximum Filter Flow Length L_{Max}) =	5.30	feet - Longest flow length through the filter media.
Underdrain pipe size okay?	Yes		Side Slope =	2	to 1
erdrain invert elevation okay?	Yes		Horizontal Distance from TOS to CL =	5.50	feet
nimum filter flow length okay?	Yes		Rock Bed Thickness =	0	Inches

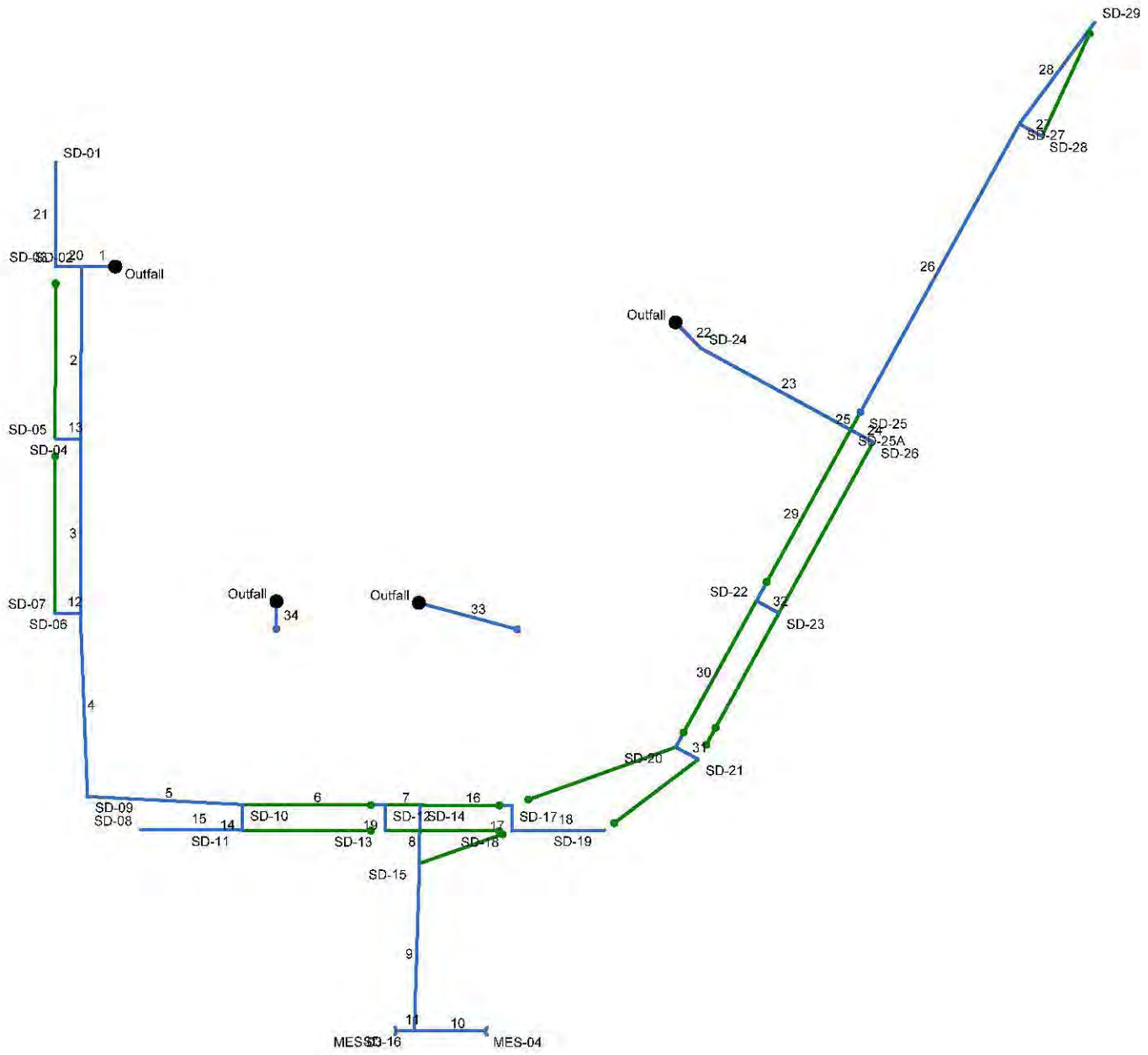


WATER ELEV. (FT.)	TOT. HEAD (h) (FT.)	INCR. HEAD (FT.)	DER VOL. (V) (CU.FT.)	INCR. VOL. (CU.FT.)	FILTER FLOW LENGTH L_{Max} (FT.)	L_{Min} (FT.)	L_{Avg} (FT.)	HYD. GRAD. $i = h/L_{Avg}$	FILTER AREA $A_F = L_P \times h$	FLOW $Q=kiA_F$ (CFH)	AVG. FLOW $(Q_1+Q_2)/2$ (CFH)	INCR. TIME (HRS)	TOTAL TIME (HRS)
215.00	6.75		125,244		5.30	2.88	4.09	1.6500	68	604			
		1.00		22,745							521	43.67	43.67
214.00	5.75		102,499		5.30	2.88	4.09	1.4055	58	438			
		1.00		22,005							368	59.72	103.39
213.00	4.75		80,494		5.30	2.88	4.09	1.1611	48	299			
		1.00		21,259							243	87.62	191.01
212.00	3.75		59,235		5.30	2.88	4.09	0.9166	38	186			
		1.00		20,506							143	143.15	334.16
211.00	2.75		38,729		5.30	2.88	4.09	0.6722	28	100			
		1.00		19,748							69	287.80	621.96
210.00	1.75		18,982		5.30	3.66	4.48	0.3905	18	37			
		1.00		18,982							21	887.12	1509.08
209.00	0.75		0		5.30	5.30	5.30	0.1415	8	6			

APPENDIX G

Hydraflow Analysis

Hydraflow Storm Sewers Extension for Autodesk® AutoCAD® Civil 3D® Plan



Project File: Brookside-060217.stm	Number of lines: 34	Date: 6/7/2017

Structure Report

Struct No.	Structure ID	Junction Type	Rim Elev (ft)	Structure			Line Out			Line In		
				Shape	Length (ft)	Width (ft)	Size (in)	Shape	Invert (ft)	Size (in)	Shape	Invert (ft)
1	SD-02	Combination	215.43	Cir	4.00	4.00	36	Cir	204.97	36 18	Cir Cir	204.97 209.40
2	SD-04	Combination	217.86	Cir	4.00	4.00	36	Cir	205.65	36 18	Cir Cir	205.65 212.34
3	SD-06	Combination	221.45	Cir	4.00	4.00	36	Cir	206.34	36 18	Cir Cir	206.34 214.51
4	SD-09	Manhole	222.46	Cir	4.00	4.00	36	Cir	207.09	36	Cir	207.09
5	SD-10	Combination	219.54	Cir	4.00	4.00	36	Cir	207.72	36 18	Cir Cir	207.72 210.91
6	SD-12	Combination	216.22	Cir	4.00	4.00	36	Cir	208.28	36 18	Cir Cir	208.28 210.00
7	SD-14	Manhole	215.87	Cir	4.00	4.00	36	Cir	208.41	24 18	Cir Cir	210.00 208.41
8	SD-15	Combination	216.51	Cir	4.00	4.00	24	Cir	211.82	18	Cir	211.82
9	SD-16	Manhole	225.01	Cir	4.00	4.00	18	Cir	217.00	15 15	Cir Cir	220.00 221.50
10	MES-04	OpenHeadwall	221.00	n/a	n/a	n/a	15	Cir	221.00			
11	MES-03	OpenHeadwall	222.00	n/a	n/a	n/a	15	Cir	222.00			
12	SD-07	Combination	221.56	Cir	4.00	4.00	18	Cir	214.68			
13	SD-05	Combination	218.13	Cir	4.00	4.00	18	Cir	212.51			
14	SD-11	Combination	219.54	Cir	4.00	4.00	18	Cir	211.08	18	Cir	213.00
15	SD-08	Combination	221.40	Cir	4.00	4.00	18	Cir	215.00			
16	SD-17	Combination	215.45	Cir	4.00	4.00	18	Cir	208.78	18	Cir	209.80
17	SD-18	Combination	215.45	Cir	4.00	4.00	18	Cir	209.97	18	Cir	209.97
18	SD-19	Combination	216.12	Cir	4.00	4.00	18	Cir	210.67			
19	SD-13	Combination	216.22	Cir	4.00	4.00	18	Cir	210.17			

Project File: Brookside-060217.stm | Number of Structures: 34 | Run Date: 6/8/2017

Structure Report

Struct No.	Structure ID	Junction Type	Rim Elev (ft)	Structure			Line Out			Line In		
				Shape	Length (ft)	Width (ft)	Size (in)	Shape	Invert (ft)	Size (in)	Shape	Invert (ft)
20	SD-03	Combination	215.85	Cir	4.00	4.00	18	Cir	209.57	18	Cir	209.57
21	SD-01	Combination	216.46	Cir	4.00	4.00	18	Cir	210.00			
22	SD-24	Manhole	215.25	Cir	4.00	4.00	36	Cir	209.21	36	Cir	209.21
23	SD-25A	Manhole	221.95	Cir	4.00	4.00	36	Cir	209.64	18 24 18	Cir Cir Cir	214.25 209.64 209.64
24	SD-26	Combination	221.95	Cir	4.00	4.00	18	Cir	214.42			
25	SD-25	Combination	222.33	Cir	4.00	4.00	24	Cir	209.76	24	Cir	209.76
26	SD-27	Combination	220.00	Cir	4.00	4.00	24	Cir	211.67	18 24	Cir Cir	213.60 211.67
27	SD-28	Combination	220.00	Cir	4.00	4.00	18	Cir	213.77			
28	SD-29	Combination	216.34	Cir	4.00	4.00	24	Cir	212.22			
29	SD-22	Combination	218.36	Cir	4.00	4.00	18	Cir	210.14	18 18	Cir Cir	210.14 210.14
30	SD-20	Combination	216.32	Cir	4.00	4.00	18	Cir	210.57	18	Cir	210.57
31	SD-21	Combination	216.32	Cir	4.00	4.00	18	Cir	210.82			
32	SD-23	Combination	218.36	Cir	4.00	4.00	18	Cir	210.39			
33	SD-30	Grate	208.75	Cir	4.00	4.00	18	Cir	204.00			
34	SD-31	Grate	208.75	Cir	4.00	4.00	18	Cir	204.00			

Storm Sewer Summary Report

Line No.	Line ID	Flow rate (cfs)	Line Size (in)	Line shape	Line length (ft)	Invert EL Dn (ft)	Invert EL Up (ft)	Line Slope (%)	HGL Down (ft)	HGL Up (ft)	Minor loss (ft)	HGL Junct (ft)	Dns Line No.	Junction Type
1	Pipe - (10)	24.66	36	Cir	29.000	203.00	204.97	6.793	208.54*	208.57*	0.19	208.76	End	Combination
2	Pipe - (2)	19.74	36	Cir	148.440	204.97	205.65	0.458	208.76*	208.87*	0.12	209.00	1	Combination
3	Pipe - (34)	17.85	36	Cir	150.158	205.65	206.34	0.460	209.00	209.07	0.11	209.18	2	Combination
4	Pipe - (8)	16.60	36	Cir	158.075	206.34	207.09	0.474	209.18	208.39	0.50	208.39	3	Manhole
5	Pipe - (19)	16.94	36	Cir	133.000	207.09	207.72	0.474	208.39	209.03	n/a	209.03	4	Combination
6	Pipe - (4)	12.37	36	Cir	122.040	207.72	208.28	0.459	209.03	209.40	n/a	209.40 j	5	Combination
7	Pipe - (5)	11.00	36	Cir	29.454	208.28	208.41	0.441	209.40	209.46	n/a	209.46 j	6	Manhole
8	Pipe - (31)	7.02	24	Cir	50.185	210.00	211.82	3.627	210.52	212.76	0.18	212.76	7	Combination
9	Pipe - (25)	6.74	18	Cir	144.015	211.82	217.00	3.597	212.76	218.00	n/a	218.00	8	Manhole
10	Pipe - (24)	5.64	15	Cir	61.250	220.00	221.00	1.633	220.72	221.96	0.48	221.96	9	OpenHeadwall
11	Pipe - (26)	1.87	15	Cir	15.390	221.50	222.00	3.249	221.83	222.54	0.21	222.54	9	OpenHeadwall
12	Pipe - (18)	1.72	18	Cir	22.000	214.51	214.68	0.773	214.93	215.17	n/a	215.17	3	Combination
13	Pipe - (11)	2.41	18	Cir	22.000	212.34	212.51	0.773	212.84	213.10	0.22	213.10	2	Combination
14	Pipe - (12)	4.98	18	Cir	22.000	210.91	211.08	0.773	211.66	211.94	n/a	211.94	5	Combination
15	Pipe - (28)	3.01	18	Cir	87.418	213.00	215.00	2.288	213.42	215.66	0.25	215.66	14	Combination
16	Pipe - (23)	4.31	18	Cir	79.029	208.41	208.78	0.468	209.46	209.58	n/a	209.90 j	7	Combination
17	Pipe - (20)	3.89	18	Cir	22.000	209.80	209.97	0.773	210.45	210.72	n/a	210.72	16	Combination
18	Pipe - (29)	1.32	18	Cir	79.454	209.97	210.67	0.881	210.72	211.10	n/a	211.10 j	17	Combination
19	Pipe - (13)	1.33	18	Cir	22.000	210.00	210.17	0.773	210.37	210.60	0.16	210.60	6	Combination
20	Pipe - (1)	5.09	18	Cir	22.000	209.40	209.57	0.773	210.16	210.44	0.36	210.44	1	Combination
21	Pipe - (30)	1.97	18	Cir	89.755	209.57	210.00	0.479	210.44	210.53	n/a	210.53	20	Combination
22	Pipe - (27)	9.78	36	Cir	31.637	209.00	209.21	0.664	214.46*	214.47*	0.01	214.48	End	Manhole
23	Pipe - (9)	10.13	36	Cir	145.609	209.21	209.64	0.295	214.48*	214.50*	0.03	214.54	22	Manhole
24	Pipe - (15)	1.25	18	Cir	22.000	214.25	214.42	0.773	214.61	214.84	0.15	214.84	23	Combination

Project File: Brookside-060217.stm | Number of lines: 34 | Run Date: 6/8/2017

NOTES: Return period = 25 Yrs. ; *Surcharged (HGL above crown). ; j - Line contains hyd. jump.

Storm Sewer Summary Report

Line No.	Line ID	Flow rate (cfs)	Line Size (in)	Line shape	Line length (ft)	Invert EL Dn (ft)	Invert EL Up (ft)	Line Slope (%)	HGL Down (ft)	HGL Up (ft)	Minor loss (ft)	HGL Junct (ft)	Dns Line No.	Junction Type
25	Pipe - (7)	6.92	24	Cir	17.610	209.64	209.76	0.681	214.54*	214.55*	0.08	214.63	23	Combination
26	Pipe - (3)	7.03	24	Cir	282.900	209.76	211.67	0.675	214.63*	214.86*	0.08	214.94	25	Combination
27	Pipe - (16)	1.53	18	Cir	22.000	213.60	213.77	0.773	214.94	214.23	n/a	214.23	26	Combination
28	Pipe - (17)	5.21	24	Cir	108.670	211.67	212.22	0.506	214.94*	214.99*	0.04	215.03	26	Combination
29	Pipe - (21)	3.23	18	Cir	167.875	209.64	210.14	0.298	214.54*	214.67*	0.05	214.72	23	Combination
30	Pipe - (6)	1.58	18	Cir	143.761	210.14	210.57	0.299	214.72*	214.75*	0.01	214.76	29	Combination
31	Pipe - (14)	1.37	18	Cir	22.000	210.57	210.82	1.136	214.76*	214.77*	0.01	214.78	30	Combination
32	Pipe - (22)	1.61	18	Cir	22.000	210.14	210.39	1.136	214.72*	214.73*	0.01	214.74	29	Combination
33	Pipe - (32)	6.22	18	Cir	87.284	203.00	204.00	1.146	208.54*	208.80*	0.19	208.99	End	Grate
34	Pipe - (33)	3.16	18	Cir	23.938	203.00	204.00	4.177	208.54*	208.56*	0.05	208.61	End	Grate

Project File: Brookside-060217.stm | Number of lines: 34 | Run Date: 6/8/2017

NOTES: Return period = 25 Yrs. ; *Surcharged (HGL above crown). ; j - Line contains hyd. jump.

Storm Sewer Tabulation

Station		Len	Drng Area		Rnoff coeff	Area x C		Tc		Rain (I)	Total flow	Cap full	Vel	Pipe		Invert Elev		HGL Elev		Grnd / Rim Elev		Line ID
Line	To Line	(ft)	Incr (ac)	Total (ac)	(C)	Incr	Total	Inlet (min)	Syst (min)	(in/hr)	(cfs)	(cfs)	(ft/s)	Size (in)	Slope (%)	Dn (ft)	Up (ft)	Dn (ft)	Up (ft)	Dn (ft)	Up (ft)	
1	End	29.000	0.18	11.67	0.95	0.17	4.89	10.0	22.6	5.0	24.66	188.3	3.49	36	6.79	203.00	204.97	208.54	208.57	204.71	215.43	Pipe - (10)
2	1	148.440	0.04	9.21	0.95	0.04	3.84	10.0	21.8	5.1	19.74	48.90	2.79	36	0.46	204.97	205.65	208.76	208.87	215.43	217.86	Pipe - (2)
3	2	150.158	0.03	8.24	0.95	0.03	3.41	10.0	20.8	5.2	17.85	48.98	2.58	36	0.46	205.65	206.34	209.00	209.07	217.86	221.45	Pipe - (34)
4	3	158.075	0.01	7.53	0.01	0.00	3.09	10.0	19.8	5.4	16.60	49.77	4.02	36	0.47	206.34	207.09	209.18	208.39	221.45	222.46	Pipe - (8)
5	4	133.000	0.05	7.52	0.95	0.05	3.09	10.0	18.9	5.5	16.94	49.73	5.72	36	0.47	207.09	207.72	208.39	209.03	222.46	219.54	Pipe - (19)
6	5	122.040	0.04	5.45	0.95	0.04	2.20	10.0	17.8	5.6	12.37	48.94	4.66	36	0.46	207.72	208.28	209.03	209.40	219.54	216.22	Pipe - (4)
7	6	29.454	0.01	4.91	0.01	0.00	1.94	10.0	17.5	5.7	11.00	48.00	4.79	36	0.44	208.28	208.41	209.40	209.46	216.22	215.87	Pipe - (5)
8	7	50.185	0.12	3.14	0.56	0.07	1.19	10.0	15.8	5.9	7.02	46.66	7.76	24	3.63	210.00	211.82	210.52	212.76	215.87	216.51	Pipe - (31)
9	8	144.015	0.01	3.02	0.01	0.00	1.12	10.0	15.2	6.0	6.74	21.58	5.57	18	3.60	211.82	217.00	212.76	218.00	216.51	225.01	Pipe - (25)
10	9	61.250	2.32	2.32	0.35	0.81	0.81	10.0	10.0	6.9	5.64	8.94	6.64	15	1.63	220.00	221.00	220.72	221.96	225.01	221.00	Pipe - (24)
11	9	15.390	0.69	0.69	0.45	0.31	0.31	15.0	15.0	6.0	1.87	12.61	5.51	15	3.25	221.50	222.00	221.83	222.54	225.01	222.00	Pipe - (26)
12	3	22.000	0.68	0.68	0.42	0.29	0.29	15.0	15.0	6.0	1.72	10.00	3.82	18	0.77	214.51	214.68	214.93	215.17	221.45	221.56	Pipe - (18)
13	2	22.000	0.93	0.93	0.43	0.40	0.40	15.0	15.0	6.0	2.41	10.00	4.21	18	0.77	212.34	212.51	212.84	213.10	217.86	218.13	Pipe - (11)
14	5	22.000	0.91	2.02	0.38	0.35	0.85	15.0	15.9	5.9	4.98	10.00	5.21	18	0.77	210.91	211.08	211.66	211.94	219.54	219.54	Pipe - (12)
15	14	87.418	1.11	1.11	0.45	0.50	0.50	15.0	15.0	6.0	3.01	17.21	5.67	18	2.29	213.00	215.00	213.42	215.66	219.54	221.40	Pipe - (28)
16	7	79.029	0.08	1.76	0.95	0.08	0.75	10.0	16.9	5.7	4.31	7.78	3.88	18	0.47	208.41	208.78	209.46	209.58	215.87	215.45	Pipe - (23)
17	16	22.000	1.09	1.68	0.42	0.46	0.68	15.0	16.8	5.8	3.89	10.00	4.84	18	0.77	209.80	209.97	210.45	210.72	215.45	215.45	Pipe - (20)
18	17	79.454	0.59	0.59	0.37	0.22	0.22	15.0	15.0	6.0	1.32	10.68	2.32	18	0.88	209.97	210.67	210.72	211.10	215.45	216.12	Pipe - (29)
19	6	22.000	0.50	0.50	0.44	0.22	0.22	15.0	15.0	6.0	1.33	10.00	3.54	18	0.77	210.00	210.17	210.37	210.60	216.22	216.22	Pipe - (13)
20	1	22.000	1.44	2.28	0.38	0.55	0.87	15.0	16.3	5.8	5.09	10.00	5.24	18	0.77	209.40	209.57	210.16	210.44	215.43	215.85	Pipe - (1)
21	20	89.755	0.84	0.84	0.39	0.33	0.33	15.0	15.0	6.0	1.97	7.87	2.70	18	0.48	209.57	210.00	210.44	210.53	215.85	216.46	Pipe - (30)
22	End	31.637	0.01	3.45	0.01	0.00	1.88	10.0	21.2	5.2	9.78	58.87	1.38	36	0.66	209.00	209.21	214.46	214.47	0.00	215.25	Pipe - (27)

Project File: Brookside-060217.stm | Number of lines: 34 | Run Date: 6/8/2017

NOTES:Intensity = 102.61 / (Inlet time + 16.50) ^ 0.82; Return period =Yrs. 25 ; c = cir e = ellip b = box

Storm Sewer Tabulation

Station		Len	Drng Area		Rnoff coeff	Area x C		Tc		Rain (I)	Total flow	Cap full	Vel	Pipe		Invert Elev		HGL Elev		Grnd / Rim Elev		Line ID
Line	To Line	(ft)	Incr (ac)	Total (ac)	(C)	Incr	Total	Inlet (min)	Syst (min)	(in/hr)	(cfs)	(cfs)	(ft/s)	Size (in)	Slope (%)	Dn (ft)	Up (ft)	Dn (ft)	Up (ft)	Dn (ft)	Up (ft)	
23	22	145.609	0.01	3.44	0.01	0.00	1.88	10.0	19.6	5.4	10.13	39.26	1.43	36	0.30	209.21	209.64	214.48	214.50	215.25	221.95	Pipe - (9)
24	23	22.000	0.45	0.45	0.46	0.21	0.21	15.0	15.0	6.0	1.25	10.00	3.48	18	0.77	214.25	214.42	214.61	214.84	221.95	221.95	Pipe - (15)
25	23	17.610	0.05	1.70	0.95	0.05	1.09	10.0	13.2	6.3	6.92	20.23	2.20	24	0.68	209.64	209.76	214.54	214.55	221.95	222.33	Pipe - (7)
26	25	282.900	0.08	1.65	0.95	0.08	1.05	10.0	11.1	6.7	7.03	20.13	2.24	24	0.68	209.76	211.67	214.63	214.86	222.33	220.00	Pipe - (3)
27	26	22.000	0.38	0.38	0.58	0.22	0.22	10.0	10.0	6.9	1.53	10.00	2.11	18	0.77	213.60	213.77	214.94	214.23	220.00	220.00	Pipe - (16)
28	26	108.670	1.19	1.19	0.63	0.75	0.75	10.0	10.0	6.9	5.21	17.43	1.66	24	0.51	211.67	212.22	214.94	214.99	220.00	216.34	Pipe - (17)
29	23	167.875	0.05	1.28	0.95	0.05	0.58	10.0	18.1	5.6	3.23	6.21	1.83	18	0.30	209.64	210.14	214.54	214.67	221.95	218.36	Pipe - (21)
30	29	143.761	0.04	0.58	0.95	0.04	0.26	10.0	15.5	6.0	1.58	6.22	0.89	18	0.30	210.14	210.57	214.72	214.75	218.36	216.32	Pipe - (6)
31	30	22.000	0.54	0.54	0.42	0.23	0.23	15.0	15.0	6.0	1.37	12.13	0.77	18	1.14	210.57	210.82	214.76	214.77	216.32	216.32	Pipe - (14)
32	29	22.000	0.65	0.65	0.41	0.27	0.27	15.0	15.0	6.0	1.61	12.13	0.91	18	1.14	210.14	210.39	214.72	214.73	218.36	218.36	Pipe - (22)
33	End	87.284	1.79	1.79	0.50	0.90	0.90	10.0	10.0	6.9	6.22	12.18	3.52	18	1.15	203.00	204.00	208.54	208.80	203.00	208.75	Pipe - (32)
34	End	23.938	0.91	0.91	0.50	0.46	0.46	10.0	10.0	6.9	3.16	23.25	1.79	18	4.18	203.00	204.00	208.54	208.56	203.00	208.75	Pipe - (33)

Project File: Brookside-060217.stm | Number of lines: 34 | Run Date: 6/8/2017

NOTES:Intensity = 102.61 / (Inlet time + 16.50) ^ 0.82; Return period =Yrs. 25 ; c = cir e = ellip b = box

Inlet Report

Line No	Inlet ID	Q = CIA (cfs)	Q carry (cfs)	Q capt (cfs)	Q Byp (cfs)	Junc Type	Curb Inlet		Grate Inlet			Gutter							Inlet			Byp Line No
							Ht (in)	L (ft)	Area (sqft)	L (ft)	W (ft)	So (ft/ft)	W (ft)	Sw (ft/ft)	Sx (ft/ft)	n	Depth (ft)	Spread (ft)	Depth (ft)	Spread (ft)	Depr (in)	
1	SD-02	1.19	0.00	1.19	0.00	Comb	4.0	21.00	6.00	3.00	2.00	Sag	1.00	0.050	0.020	0.000	0.11	4.20	0.11	4.20	0.0	Off
2	SD-04	0.26	0.00	0.26	0.00	Comb	4.0	10.50	0.00	3.00	2.00	0.024	1.00	0.050	0.020	0.012	0.09	2.96	0.03	0.54	0.0	1
3	SD-06	0.20	0.00	0.20	0.00	Comb	4.0	10.50	0.00	3.00	2.00	0.021	1.00	0.050	0.020	0.012	0.08	2.65	0.00	0.00	0.0	2
4	SD-09	0.00	0.00	0.00	0.00	MH	0.0	0.00	0.00	0.00	0.00	Sag	0.00	0.000	0.000	0.000	0.00	0.00	0.00	0.00	0.0	Off
5	SD-10	0.33	0.00	0.33	0.00	Comb	4.0	10.50	0.00	3.00	2.00	0.031	1.00	0.050	0.020	0.012	0.09	3.11	0.04	0.86	0.0	6
6	SD-12	0.26	0.00	0.26	0.00	Comb	4.0	10.50	0.00	3.00	2.00	0.014	1.00	0.050	0.020	0.012	0.10	3.36	0.01	0.20	0.0	16
7	SD-14	0.00	0.00	0.00	0.00	MH	0.0	0.00	0.00	0.00	0.00	Sag	0.00	0.000	0.000	0.000	0.00	0.00	0.00	0.00	0.0	Off
8	SD-15	0.47	0.00	0.47	0.00	Comb	4.0	10.50	0.00	3.00	2.00	0.020	1.00	0.050	0.020	0.012	0.11	4.01	0.06	1.45	0.0	17
9	SD-16	0.00	0.00	0.00	0.00	MH	0.0	0.00	0.00	0.00	0.00	Sag	0.00	0.000	0.000	0.000	0.00	0.00	0.00	0.00	0.0	Off
10	MES-04	5.64	0.00	5.64	0.00	Hdwl	0.0	0.00	0.00	0.00	0.00	Sag	0.00	0.000	0.000	0.000	0.00	0.00	0.00	0.00	0.0	Off
11	MES-03	1.87	0.00	1.87	0.00	Hdwl	0.0	0.00	0.00	0.00	0.00	Sag	0.00	0.000	0.000	0.000	0.00	0.00	0.00	0.00	0.0	Off
12	SD-07	1.72	0.00	1.40	0.32	Comb	4.0	10.50	0.00	3.00	2.00	0.021	1.00	0.050	0.020	0.012	0.17	6.76	0.13	5.06	0.0	13
13	SD-05	2.41	0.32	1.92	0.81	Comb	4.0	10.50	0.00	3.00	2.00	0.024	1.00	0.050	0.020	0.012	0.19	7.91	0.16	6.41	0.0	20
14	SD-11	2.08	0.92	2.02	0.98	Comb	4.0	10.50	0.00	3.00	2.00	0.031	1.00	0.050	0.020	0.012	0.19	7.81	0.16	6.51	0.0	19
15	SD-08	3.01	0.00	2.09	0.92	Comb	4.0	10.50	0.00	3.00	2.00	0.020	1.00	0.050	0.020	0.012	0.20	8.51	0.17	6.91	0.0	14
16	SD-17	0.53	0.00	0.53	0.00	Comb	4.0	21.00	6.00	3.00	2.00	Sag	1.00	0.050	0.020	0.000	0.08	2.60	0.08	2.60	0.0	Off
17	SD-18	2.76	0.78	3.54	0.00	Comb	4.0	21.00	6.00	3.00	2.00	Sag	1.00	0.050	0.020	0.000	0.18	7.55	0.18	7.55	0.0	Off
18	SD-19	1.32	0.26	1.31	0.26	Comb	4.0	10.50	0.00	3.00	2.00	0.020	1.00	0.050	0.020	0.012	0.16	6.61	0.13	4.81	0.0	17
19	SD-13	1.33	0.98	1.79	0.52	Comb	4.0	10.50	0.00	3.00	2.00	0.014	1.00	0.050	0.020	0.012	0.19	8.21	0.16	6.26	0.0	17
20	SD-03	3.30	1.23	4.53	0.00	Comb	4.0	21.00	6.00	3.00	2.00	Sag	1.00	0.050	0.020	0.000	0.20	8.70	0.20	8.70	0.0	Off
21	SD-01	1.97	0.00	1.55	0.42	Comb	4.0	10.50	0.00	3.00	2.00	0.020	1.00	0.050	0.020	0.012	0.17	7.21	0.14	5.51	0.0	20
22	SD-24	0.00	0.00	0.00	0.00	MH	0.0	0.00	0.00	0.00	0.00	Sag	0.00	0.000	0.000	0.000	0.00	0.00	0.00	0.00	0.0	Off
23	SD-25A	0.00	0.00	0.00	0.00	MH	0.0	0.00	0.00	0.00	0.00	Sag	0.00	0.000	0.000	0.000	0.00	0.00	0.00	0.00	0.0	Off

Project File: Brookside-060217.stm | Number of lines: 34 | Run Date: 6/8/2017

NOTES: Inlet N-Values = 0.016; Intensity = 102.61 / (Inlet time + 16.50) ^ 0.82; Return period = 25 Yrs. ; * Indicates Known Q added. All curb inlets are Horiz throat.

Inlet Report

Line No	Inlet ID	Q = CIA (cfs)	Q carry (cfs)	Q capt (cfs)	Q Byp (cfs)	Junc Type	Curb Inlet		Grate Inlet			Gutter							Inlet			Byp Line No
							Ht (in)	L (ft)	Area (sqft)	L (ft)	W (ft)	So (ft/ft)	W (ft)	Sw (ft/ft)	Sx (ft/ft)	n	Depth (ft)	Spread (ft)	Depth (ft)	Spread (ft)	Depr (in)	
24	SD-26	1.25	0.00	1.09	0.15	Comb	4.0	10.50	0.00	3.00	2.00	0.021	1.00	0.050	0.020	0.012	0.15	5.96	0.11	4.11	0.0	31
25	SD-25	0.33	0.00	0.24	0.09	Comb	4.0	1.00	0.00	1.00	2.00	0.021	1.00	0.050	0.020	0.012	0.10	3.41	0.07	1.80	0.0	29
26	SD-27	0.53	0.00	0.53	0.00	Comb	4.0	10.50	0.00	3.00	2.00	0.016	1.00	0.050	0.020	0.012	0.12	4.41	0.06	1.70	0.0	25
27	SD-28	1.53	0.00	1.30	0.23	Comb	4.0	10.50	0.00	3.00	2.00	0.016	1.00	0.050	0.020	0.012	0.17	6.81	0.13	4.81	0.0	28
28	SD-29	5.21	0.23	5.44	0.00	Comb	4.0	21.00	6.00	3.00	2.00	Sag	1.00	0.050	0.020	0.000	0.22	9.70	0.22	9.70	0.0	Off
29	SD-22	0.33	0.09	0.42	0.00	Comb	4.0	10.50	0.00	3.00	2.00	0.021	1.00	0.050	0.020	0.012	0.11	3.81	0.05	1.15	0.0	30
30	SD-20	0.26	0.00	0.26	0.00	Comb	4.0	10.50	0.00	3.00	2.00	0.009	1.00	0.050	0.020	0.012	0.10	3.71	0.00	0.00	0.0	16
31	SD-21	1.37	0.44	1.55	0.26	Comb	4.0	10.50	0.00	3.00	2.00	0.009	1.00	0.050	0.020	0.012	0.19	8.11	0.14	5.61	0.0	18
32	SD-23	1.61	0.00	1.32	0.28	Comb	4.0	10.50	0.00	3.00	2.00	0.021	1.00	0.050	0.020	0.012	0.16	6.56	0.13	4.81	0.0	31
33	SD-30	6.22	0.00	6.22	0.00	Grate	0.0	0.00	6.00	3.00	2.00	Sag	2.00	0.050	0.250	0.000	0.49	3.58	0.49	3.58	0.0	Off
34	SD-31	3.16	0.00	3.16	0.00	Grate	0.0	0.00	6.00	3.00	2.00	Sag	2.00	0.050	0.250	0.000	0.33	2.93	0.33	2.93	0.0	Off

Project File: Brookside-060217.stm | Number of lines: 34 | Run Date: 6/8/2017

NOTES: Inlet N-Values = 0.016; Intensity = 102.61 / (Inlet time + 16.50) ^ 0.82; Return period = 25 Yrs. ; * Indicates Known Q added. All curb inlets are Horiz throat.

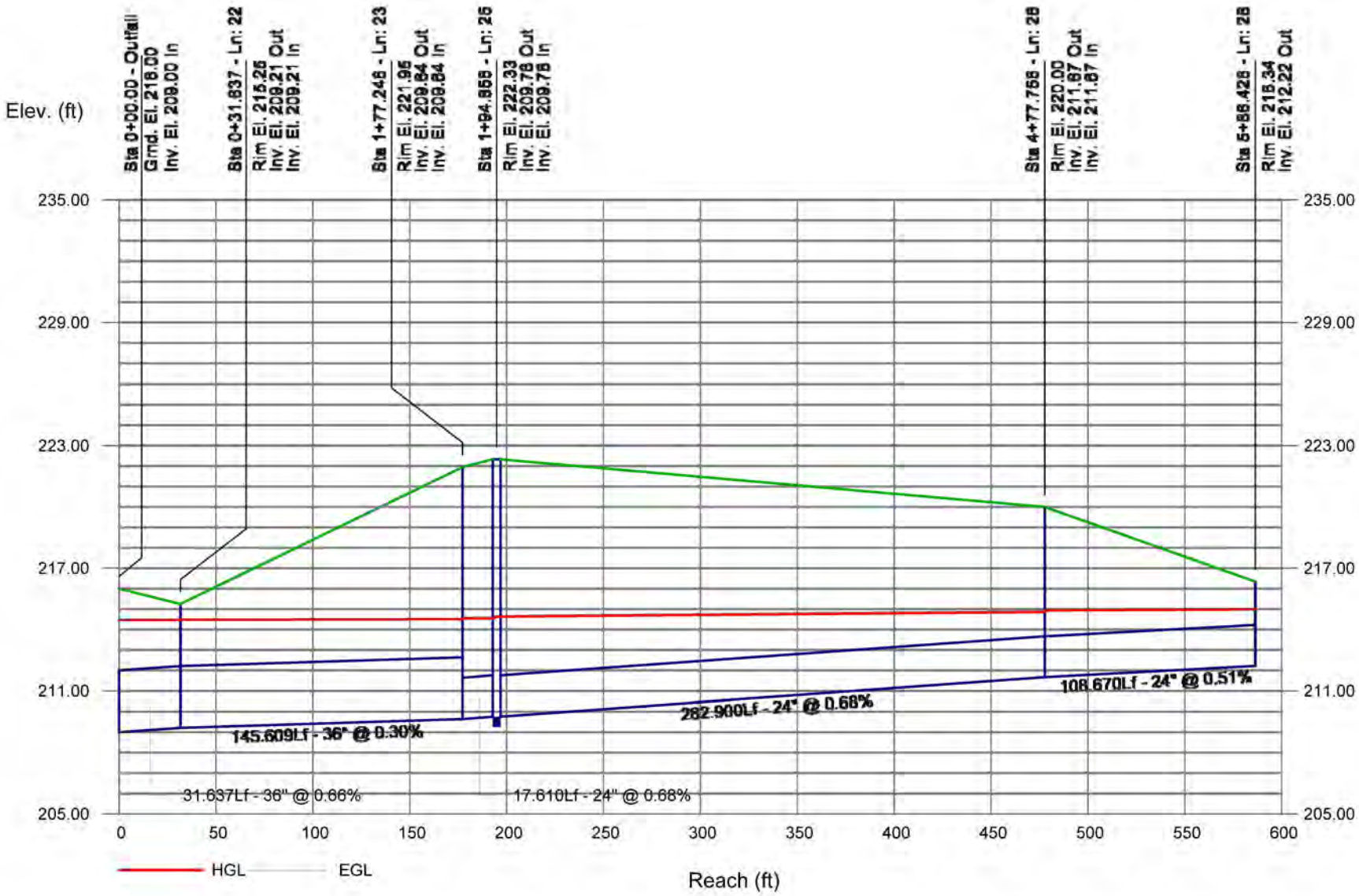
Storm Sewer Profile

Proj. file: Brookside-060217.stm

000253

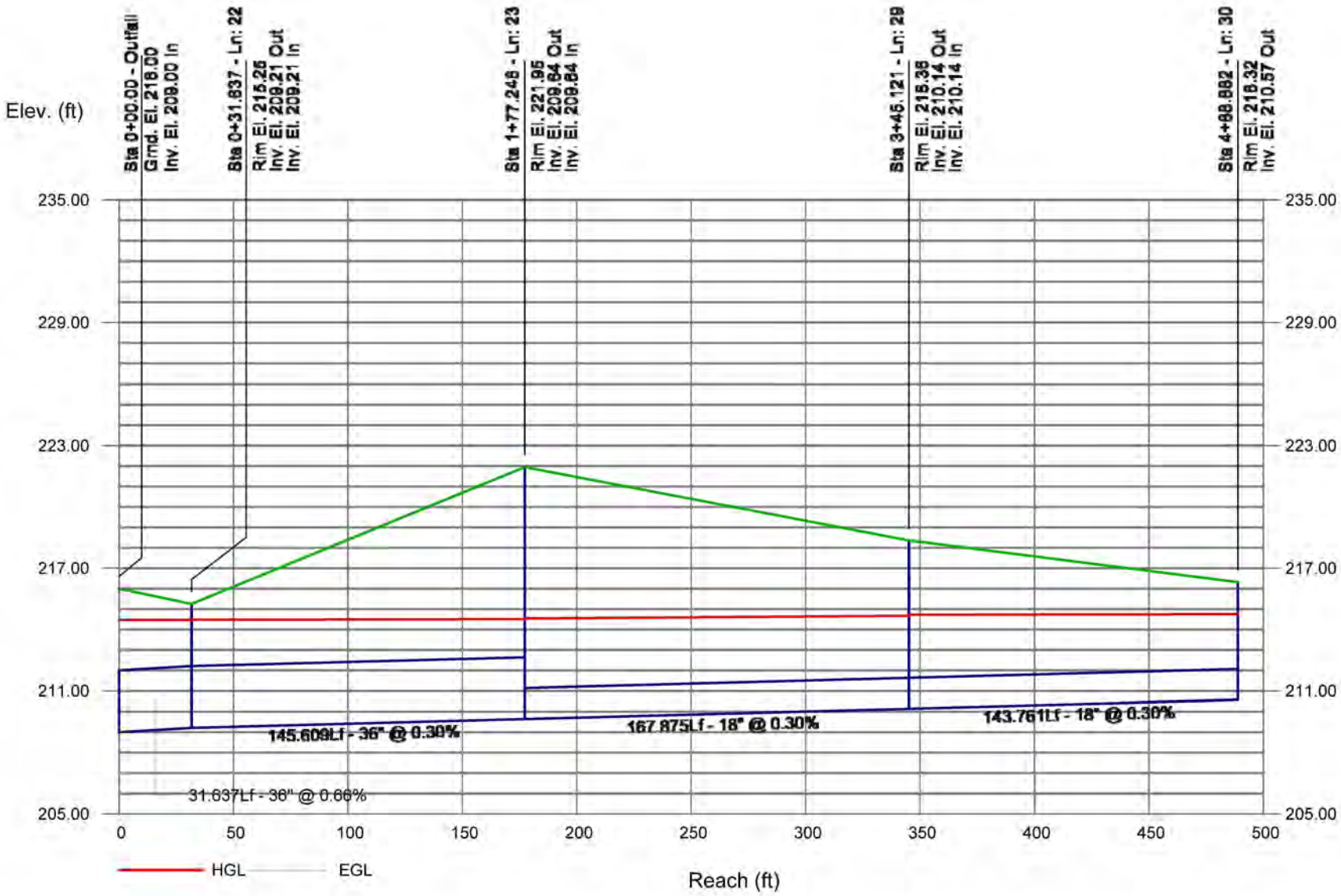
Storm Sewer Profile

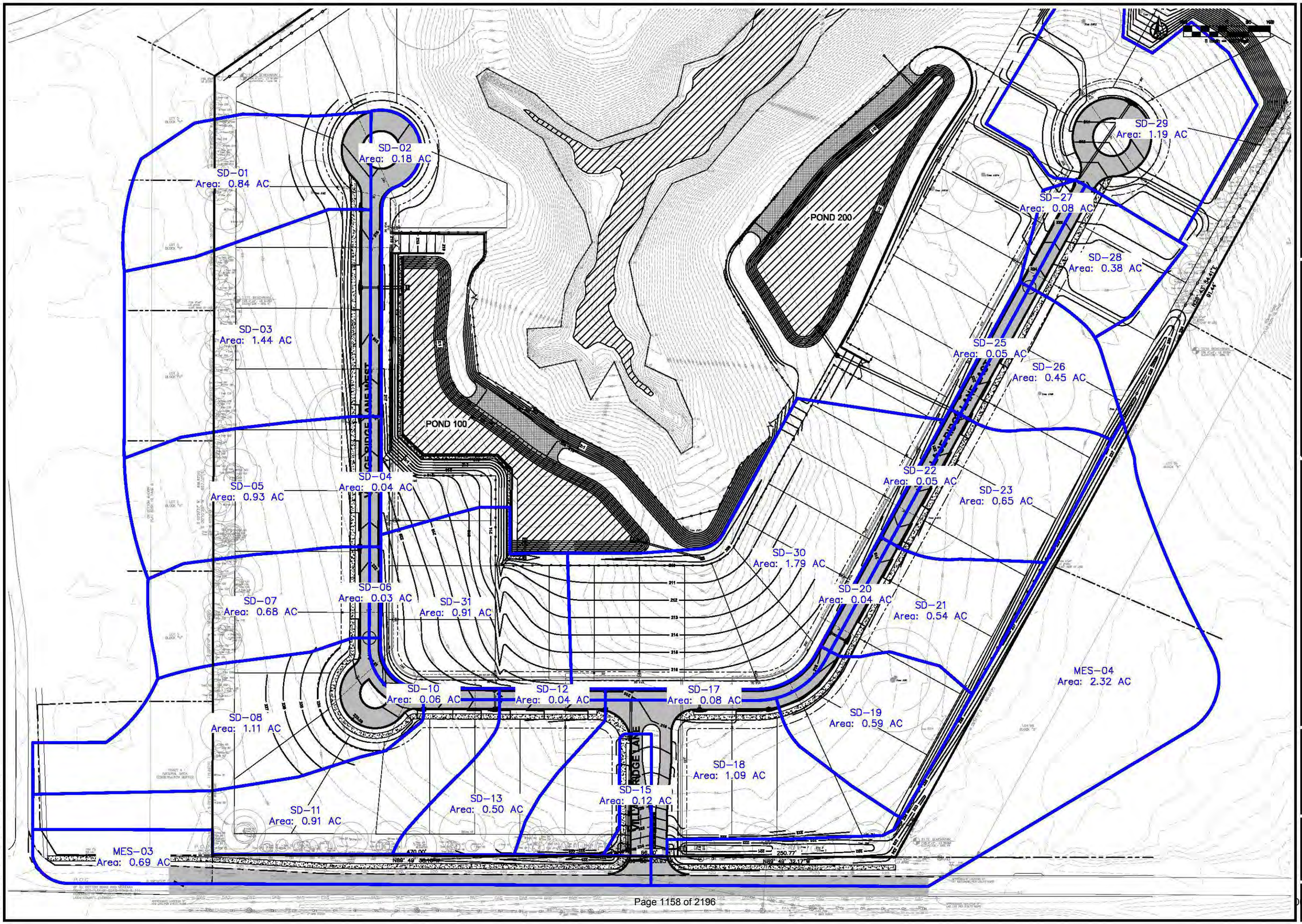
Proj. file: Brookside-060217.stm



Storm Sewer Profile

Proj. file: Brookside-060217.stm





URBAN CATALYST CONSULTANTS, INC.
2840 PABLO AVENUE
TALLAHASSEE, FLORIDA, 32308
PHONE: (850) 999-4241
WWW.UCCENG.COM
FL CA 00030572

DATE	BY	REVISIONS

BROOKSIDE VILLAGE RESIDENTIAL SUBDIVISION

INLET BASIN MAP

LEON COUNTY FLORIDA

SEAN K. MARSTON, P.E.
LICENSE NUMBER. 55987

DRAWN BY:	W.E.C.
CHECKED BY:	S.K.M.
DATE:	06/07/17
HORZ. SCALE:	1"=100'
VERT. SCALE:	

PROJECT No. 15015.00

June 5, 2017 (17:22:08 EST)
F:\15015.00 - BROOKSIDE VILLAGE\CADD\CALD\INLET BASINS.DWG

APPENDIX H

Geotechnical Investigation

- **Ardaman and Associates – 11/30/15**
- **Ardaman and Associates – 9/30/16**
- **Ardaman and Associates – 02/13/17**

Geotechnical Investigation

- **Ardaman and Associates – 11/30/15**

Report of Subsurface Soil Exploration and Geotechnical Engineering Evaluation for Two Stormwater Management Facilities at the Proposed Brookside Village Subdivision Ox Bottom Road, Tallahassee, Florida

File No. 113-15-40-1026A
Revised: June 15, 2017
Revised: November 30, 2015
May 29, 2015

Ardaman & Associates, Inc.

OFFICES

Orlando - 8008 S. Orange Avenue, Orlando, Florida 32809 - Phone (407) 855-3860
Alexandria - 3609 Mac Lee Drive, Alexandria, Louisiana 71302 - Phone (318) 443-2888
Bartow - 1525 Centennial Drive, Bartow, Florida 33830 - Phone (863) 533-0858
Baton Rouge - 316 Highlandia Drive, Baton Rouge, Louisiana 70884 - Phone (225) 752-4790
Cocoa - 1300 N. Cocoa Blvd., Cocoa, Florida 32922 - Phone (321) 632-2503
Fort Myers - 9970 Bavaria Road, Fort Myers, Florida 33913 - Phone (239) 768-6600
Miami - 2608 W. 84th Street, Hialeah, Florida 33016 - Phone (305) 825-2683
Monroe - 1122 Hayes Street, West Monroe, Louisiana 71292 - Phone (318) 387-4103
New Orleans - 1305 Distributors Row, Suite I, Jefferson, Louisiana 70123 - Phone (504) 835-2593
Port St. Lucie - 460 Concourse Place NW, Unit 1, Port St. Lucie, Florida 34986 - Phone (772) 878-0072
Sarasota - 78 Sarasota Center Blvd., Sarasota, Florida 34240 - Phone (941) 922-3526
Shreveport - 7222 Greenwood Road, Shreveport, Louisiana 71119 - Phone (318) 636-3673
Tallahassee - 3175 West Tharpe Street, Tallahassee, Florida 32303 - Phone (850) 576-6131
Tampa - 3925 Coconut Palm Drive, Suite 115, Tampa, Florida 33619 - Phone (813) 620-3389
West Palm Beach - 2200 North Florida Mango Road, Suite 101, West Palm Beach, Florida 33409 - Phone (561) 687-8200

MEMBERS:
A.S.F.E.
American Concrete Institute
ASTM International
Florida Institute of Consulting Engineers

Ardaman & Associates, Inc.

Geotechnical, Environmental and
Materials Consultants

Revised: November 30, 2015
May 29, 2015
File No. 113-15-40-1026A

Premier Construction
4708 Capital Circle NW
Tallahassee, Florida 32303

Attention: Mr. Steve Ghazvini
c: Mr. Sean Marston, P.E., UCC Engineering

Subject: Subsurface Soil Exploration and Geotechnical Engineering Evaluation for Two Prospective Stormwater Management Facilities at the Proposed Brookside Village Subdivision, Ox Bottom Road, Tallahassee, Florida

Dear Mr. Ghazvini:

Ardaman and Associates, Inc. (Ardaman) has performed the subsurface soil exploration and geotechnical evaluation for two (2) prospective stormwater management facilities (SWMFs) at the referenced site (see Figure 1 test boring location plan overlain on UCC's Sheet C-114, dated 11/18/15). Prior evaluations were reported by Ardaman to UCC and Premier Construction on February 9 and May 29, 2015, respectively.

This evaluation supplements the prior reports. We understand that the Ponds 100 and 200 are planned to be excavated to elevations of +203 feet and +209 feet, respectively.

1.0 Field Activities

As previously reported, Ardaman mobilized to the site in January 2015 and advanced four (4) Standard Penetration Test (SPT-ASTM D 1586) borings to a depth of 25-feet each, to provide a preliminary depiction of subsurface conditions at four prospective SWMF areas. We performed soil testing, and provided an engineering evaluation on February 9, 2015. The locations of those 4 test borings are designated SW-1 through SW-4 on the attached **Figure 1**.

In May, 2015 we remobilized to the site and advanced four additional SPT borings to a depth of 40-feet each below land surface. Those test boring locations are designated SW-1A through SW-4A on Figure 1.

During advancement of both sets of borings, SPT testing was conducted and soil samples were collected in continuous 18-inch intervals to 10.5 feet deep, and at 5-foot intervals below 10.5 feet. Soil specimens were removed from the sampler in the field and were then examined and visually classified by our Crew Chief. Representative portions were packaged and transported to our laboratory for further analysis.

Water levels were estimated in the boreholes during the drilling operations. Ardaman also obtained five (5) relatively undisturbed Shelby Tube samples from the May 2015 boreholes. Four (4) of these samples were shipped to our Orlando Office for index testing and permeability testing.

In addition, two (2) field double ring infiltration (DRI) tests (ASTM D3385) were conducted at the site in May 2015. To facilitate testing in the more permeable sands encountered, the less permeable soils above the sands were excavated. The results of the DRI testing are presented on Figure 1 (see DRI Tests).

Following field activities, the boreholes were backfilled with tremie placed Portland cement grout as required by local ordinance and the DRI excavations were backfilled.

2.0 Laboratory Testing

Initial visual classification was conducted on the soil samples in accordance with ASTM D-2488. Laboratory testing was directed by our engineers on selected soil samples from the test borings, to aid classification and to further define the engineering properties of the soils. The laboratory tests include Nature Moisture Content (*NM*; ASTM D 2216), Percent Finer than the U.S. No. 200 Sieve (*-200*; ASTM D 1140, silt and clay), full sieve analyses (ASTM D-421 & 422, gradation curves) and on the tube samples, total unit weights (ASTM D 2434); and permeability on 4 tube samples (*k*; ASTM D5084).

3.0 Subsurface Soil Conditions

Our interpretations of subsurface conditions encountered are portrayed as *Soil Boring Profiles* on the attached Figure 1. We estimated the land elevation at each test boring based on the TLCGIS web site topo map and on Google Earth. The numbers on the right sides of the profiles correlate with the Soil Legend strata numbers. The stratification lines on the soil boring profiles represent the approximate boundaries between soil types, and the actual transitions may be more gradual than implied. This report does not reflect or address subsurface variations which occur between or away from the borings.

The Shelby tube sample depths are indicated by solid blocks in the left sides of the Soil Profiles. Some tubes were taken in separate boreholes, but the depths are shown on the original test boring profiles, for simplicity. The elevation of the proposed SWMF at each borehole is depicted as a trough shape corresponding to elevation +203 feet and +209 feet plan datum.

The results of the laboratory tests are presented adjacent to the *Soil Boring Profiles* on the attached Figure 1, at the respective depths from which the tested samples were recovered.

In general, approximately 3 to 6-inches of topsoil (Stratum 1) was underlain by very clayey sand to sandy lean clay to fat clay (Strata 2 and 3), which extended to depths of 5.5-feet to 16-feet below land surface. Underlying the Strata 2 and 3 soils, we generally encountered clayey to slightly clayey medium to fine sand with occasional layers of fat clay and sometimes with cemented sand nodules (Strata 4, 4A, 4B, 4C and 5) to the termination of the borings, 25-feet and 40-feet below land surface.

In boring SW-4A, Stratum 3, a fat clay with fine sand inclusions, was encountered at a depth of approximately 27-feet and extended to the end of boring at 40 feet depth.

The more cohesive soils (Strata 2 and 3) were typically medium stiff to very stiff, and the low-cohesion soils (Strata 4, 4A, 4B, 4C and 5) were typically loose to medium dense.

Groundwater was encountered between 19 and 28-feet below grade, but test borings SW-4 and SW-4A (where a SWMF was formerly planned) did not appear to encounter groundwater. Given the clayey nature of the site soils, a shallower perched or "transient" groundwater condition may occur following heavy or prolonged rainfall events. This perched groundwater table will likely not be present for extended durations due to the sloping nature of the site towards the central drainage trough. Under present site topographic conditions, we estimate a ***normal*** seasonal high groundwater table approximately 15 to 20-feet below current grades.

4.0 Engineering Evaluation

4.1 Discussion

In our opinion and experience the Strata 2, 3, 4, and 5 soils do not exhibit a sufficient hydraulic conductivity to meet typically desired infiltration rates. However, the underlying sand layers, Strata 4A, 4B, and 4C, are significantly more permeable. The purpose of our May 2015 exploration was to further evaluate these very sandy strata, in terms of depth variations, and thickness variations for an infiltration trench design. Ardaman has recommended such trench designs on several projects where the stormwater facility area is underlain by such permeable strata, and they are functioning well.

We considered infiltration trenches approximately 3-feet wide excavated to a depth suitable to intercept at least 3 feet of the very sandy Strata 4A, 4B and 4C soils. Following excavation, the trenches must be backfilled with a clean pit sand (from offsite) up to the bottom of pond elevation, and mounded slightly above the pond bottom to avoid creating a "silt trap".

Based on the DRI testing, Shelby Tube permeability test results, and our experience-based estimates of permeability based on grain size analyses, we estimated weighted horizontal and vertical design hydraulic conductivity rates for the soils in contact with each trench.

Note that our estimates of hydraulic conductivity are not predicted infiltration rates, which can only be determined by performing mounding or efficiency analyses based upon hydraulic loading, and stage-storage data. Stage storage data for this facility has been provided by Mr. Sean Marston, P.E. with of Urban Catalyst Consultants, and is provided in the **Appendix**.

In each of the ponds, the sidewall soils in contact with the sand trenches will be comprised of Strata 2, 3, 4 and 5 in the top portion, and Strata 4A, 4B, and 4C in the bottom portion.

For modeling purposes, a value of hydraulic conductivity was derived for the trench at each pond by calculating a weighted average based on the portion of the sidewall in contact with Strata 2, 3, and 5 (which were estimated to have an average hydraulic conductivity of 0.04 ft/day); Stratum 4 soils (which were estimated to have an average hydraulic conductivity of 0.6 ft/day); and the portion of the sidewall comprised of Strata 4A, 4B, and 4C (which were estimated to have an average hydraulic conductivity of 5.5 ft/day, (1/2 of the estimated value of 11 ft/day).

The resultant estimates of weighted hydraulic conductivity for each of the trenches were 4.67 ft/day for Pond 100, and 4.56 ft/day for Pond 200. These estimated values incorporate a 2.0 safety factor.

4.2 Mounding Analyses

The conditions that affect pond performance include: site/soil characteristics; depth to groundwater; depth to aquaclude; hydraulic conductivity of strata above the aquaclude; fillable porosity of the soils; pond geometry; stage-storage; and hydraulic loading rate and frequency.

In order to evaluate the performance of prospective infiltration trenches, our engineers developed a model to simulate trench performance using the Computer Program PONDS Version 3.2.0265 (Copyright 2012).

We conducted a mounding analysis in an effort to estimate the infiltration rate in a 100-foot long trench installed in Ponds 100 and 200 to derive an approximate infiltration rate per lineal foot of trench constructed with a width of 3-feet and a depth of at least 3-feet into the sand layer. Note that for modeling purposes the aquaclude was set at the elevation corresponding to the deepest test boring advanced in each pond area (test borings SW-1A, SW-2A and SW-3A).

A sensitivity analysis showed that the infiltration volume in each trench is proportional (for all practical purposes) to the length of the trench (i.e., doubling the trench length doubles the volume infiltrated over time). The modeled trench width was 3 feet, which roughly corresponds to the width of an excavator shovel. Based upon our sensitivity analysis, width matters little in relation to length (i.e. a 6 foot wide trench increases flow by less than 1%, which is not worth the 100% increase in excavation volume). We utilized the soil and formation parameters as follows for each pond:

Pond 100: Bottom of Pond Elevation: +203-feet, Seasonal High Groundwater Elevation: +195-feet. Elevation Top of Aquaclude: +173-feet. Average top of sand layer Elevation: +198-feet. Hydraulic Conductivity: Kh-4.67 ft/day. Length of Trench: 100-feet., Width of Trench: 3-feet.

Pond 200: Bottom of Pond Elevation: +209-feet, Seasonal High Groundwater Elevation: +200-feet. Elevation Top of Aquaclude: +179-feet. Average top of sand layer Elevation: +206-feet. Hydraulic Conductivity: Kh-4.56 ft/day. Length of Trench: 100-feet. Width of Trench: 3-feet.

The parameters outlined above were utilized in the PONDS model to derive the infiltration rate for each trench. The output are Appended, and summarized as follows:

- Pond 100: The 100-foot trench infiltrated at a rate of 5,916 ft^3/day or 59.16 ft^3/day per lineal foot of trench.

- Pond 200: The 100-foot trench infiltrated at a rate of 6,530 ft^3/day or 65.3 ft^3/day per lineal foot of trench.

4.3 Recommended Trench Design Criteria

- A single trench in each pond, because parallel trenches would reduce the efficiency of infiltration due to cross-loading. The trench is permitted to have angles. A hydraulic field test is required in a minimum 25' long test trench in each facility.

- Geotechnical Engineer representative present at all times that the work is ongoing, to verify and document minimum 3' depth penetration into Strata 4A, 4B, and 4C.

- Backfill trench as the excavation progresses, and lightly "puddle compact" the sand fill, to pre-settle the fill and preclude later "hollowing" of the top of the trench. Backfill sand must be clean, uniformly graded medium to fine sand with less than 8% passing the US No. 200 sieve, and with minimum permeability 20 inches per hour. Minimum tests required are 2 permeability and -200 sieve tests from the pit or stockpile for acceptance (or rejection), and one set of tests per 50 lineal feet of trench backfill.

- Mound the backfill sand at least 6" above adjacent pond bottom grade, and top with 3" thickness No. 57 gravel to dissipate horizontal flow velocities in the pond bottom.

5.0 Closure

The recommendations submitted in this report are based upon the data obtained from the soil borings presented on Figure 1. This report does not reflect any variations which may occur between the borings, or over the course of time. The nature and extent of variations may not become evident until construction. If site or soil variations appear evident, it will be necessary to reevaluate the recommendations of this report after performing further on-site observations during the construction period and noting the characteristics of such variations.

In the event any changes occur in the design, nature, or locations of the proposed ponds, Ardaman and Associates, Inc. must review the applicability of the conclusions and recommendations in this report. Recommendations in this report shall not be applicable if all the above is not fulfilled by the client or the consultant involved in the project.

This evaluation does not address the possibility of *eventual* sinkhole development at the site. This exploration and analysis covers the shallow soil and limestone deposits explored at specific locations and to specific depths. It is not intended to include deeper soil or rock strata where cavities and caverns may exist.

This report has been prepared in accordance with generally accepted geotechnical engineering practices. No other warranty, expressed or implied, is made. If you have any questions regarding the above information, please contact the undersigned.

Sincerely,
ARDAMAN & ASSOCIATES, INC.
Florida Certificate of Authorization No.: 5950

FOR William S. Jordan, P.E.
Senior Project Manager
FL Engineer No.: 33026

Steven W. Reecy, P.E.
Senior Project Engineer
FL Engineer No.: 52071

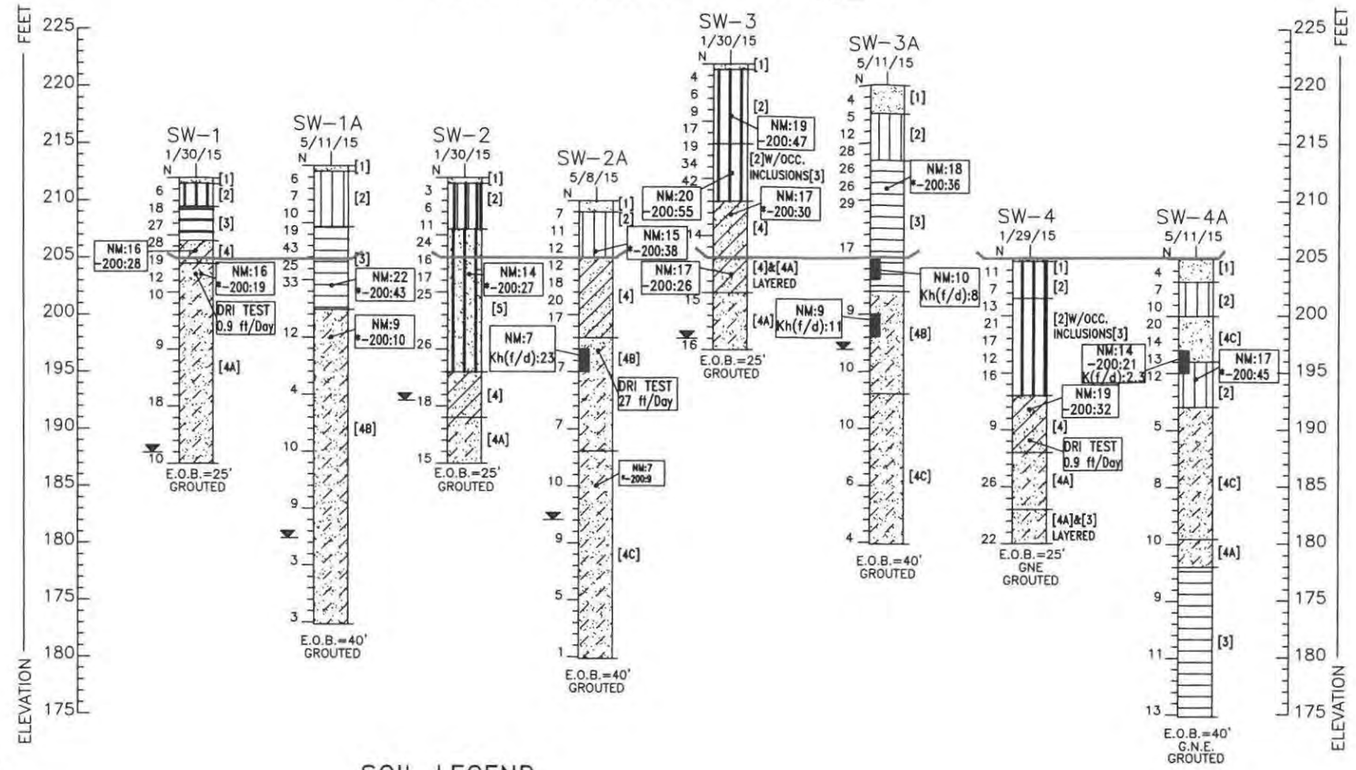
FIGURE KEY

SW	APPROXIMATE STANDARD PENETRATION TEST (SPT) BORING LOCATION
N	STANDARD PENETRATION TEST (SPT) "BLOW COUNTS" (ASTM D-1586)
EOB	END OF BORING
GNE	GROUNDWATER NOT ENCOUNTERED
▼	GROUNDWATER DEPTH ESTIMATED ON DATE DRILLED
NM	NATURAL MOISTURE CONTENT IN PERCENT (ASTM D-2216)
-200	PERCENT PASSING NO. 200 SIEVE (PERCENT FINES)(ASTM D-1140)
*-200	PERCENT FINES FROM SIEVE ANALYSIS (ASTM D-421 & 422)
SP-SM, SM, SC	UNIFIED SOIL CLASSIFICATION SYSTEM
A-3, A-2-4	AASHTO SOIL CLASSIFICATION SYSTEM
DRILLERS:	IDI, JMC(OBSERVER), JDA(OBSERVER)
DRILL RIG:	IDI'S TRACK RIG (MANUAL HAMMER)

PRELIMINARY ESTIMATES OF INFILTRATION RATES

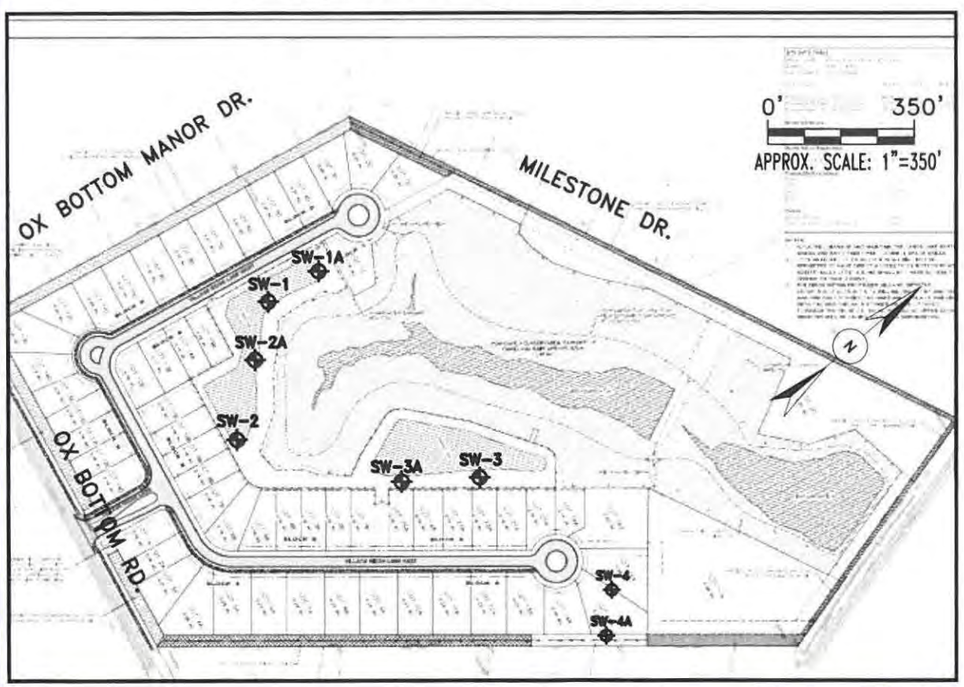
SOIL STRATA ENCOUNTERED	ESTIMATED INFILTRATION RATE (IN/HR)	SOIL STRATA ENCOUNTERED	ESTIMATED INFILTRATION RATE (IN/HR)
[2]	0.01	[4A]	0.35
[3]	0.01	[4]&[4A]	0.20
[2]W/[3]	0.01	[4A]&[3]	0.10
[4]	0.04	[5]	0.04

SOIL BORING PROFILES



TEST BORING LOCATION PLAN

IMAGE SOURCE: UCC SHEET C-101: DATED 11/26/14



SOIL LEGEND

- [1] DARK BROWN CLAYEY, SILTY FINE SAND W/SURFICIAL ROOTS; TOPSOIL (SM-SC; A-2-4)
- [2] LIGHT BROWN VERY CLAYEY FINE SAND TO VERY SANDY LEAN CLAY (SC TO CL; A-6)
- [3] MARBLED LIGHT GRAY OR TAN FAT CLAY W/TAN & LIGHT GRAY FINE SAND (CH W/ SM; A-7)
- [4] LIGHT BROWN CLAYEY MEDIUM TO FINE SAND W/OCCASIONAL INCLUSIONS OF LIGHT GRAY TO PINK FAT CLAY (SC W/OCC. CH; A-2-4/A-2-6 W/A-7)
- [4A] LIGHT BROWN TO TAN SLIGHTLY CLAYEY MEDIUM TO FINE SAND W/LAYERS OF TAN SANDY FAT CLAY (SM-SC W/CH; A-2-4 W/A-7)
- [4B] LIGHT BROWN TO TAN SLIGHTLY CLAYEY MEDIUM TO FINE SAND (SM-SC ; A-2-4)
- [4C] LIGHT BROWN TO TAN SLIGHTLY CLAYEY MEDIUM TO FINE SAND W/LAYERS OF TAN SANDY FAT CLAY AND OCCASIONAL CEMENTED SAND NODULES (SM-SC W/CH; A-2-4 W/A-7)
- [5] LIGHT GRAY TO BROWNISH-GRAY CLAYEY SAND W/INCLUSIONS OF FAT CLAY (SC W/CH; A-2-6 W/A-7)

ENGINEERING CLASSIFICATION

I COHESIONLESS SOILS

DESCRIPTION	BLOW COUNT "N"
VERY LOOSE	0 TO 4
LOOSE	4 TO 10
MEDIUM DENSE	10 TO 30
DENSE	30 TO 50
VERY DENSE	>50

II COHESIVE SOILS

DESCRIPTION	UNCONFINED COMPRESSIVE STRENGTH, QU, TSF	BLOW COUNT "N"
VERY SOFT	<1/4	0 TO 2
SOFT	1/4 TO 1/2	2 TO 4
MEDIUM STIFF	1/2 TO 1	4 TO 8
STIFF	1 TO 2	8 TO 15
VERY STIFF	2 TO 4	15 TO 30
HARD	>4	>30

WHILE THE BORINGS ARE REPRESENTATIVE OF SUBSURFACE CONDITIONS AT THEIR RESPECTIVE LOCATIONS AND FOR THEIR RESPECTIVE VERTICAL REACHES, LOCAL VARIATIONS CHARACTERISTICS OF THE SUBSURFACE MATERIALS OF THE REGION ARE ANTICIPATED AND MAY BE ENCOUNTERED. THE BORING LOGS AND RELATED INFORMATION ARE BASED ON THE DRILLER'S LOGS AND VISUAL EXAMINATION OF SELECTED SAMPLES IN THE LABORATORY. THE DELINEATION BETWEEN SOIL TYPES SHOWN ON THE LOGS IS APPROXIMATE AND THE DESCRIPTION REPRESENTS OUR INTERPRETATION OF SUBSURFACE CONDITIONS AT THE DESIGNATED BORING LOCATIONS ON THE PARTICULAR DATE DRILLED.

GROUNDWATER ELEVATIONS SHOWN ON THE BORING LOGS REPRESENT GROUNDWATER SURFACES ENCOUNTERED ON THE DATES SHOWN. FLUCTUATIONS IN WATER TABLE LEVELS SHOULD BE ANTICIPATED THROUGHOUT THE YEAR. ABSENCE OF WATER SURFACE DATA ON CERTAIN BORINGS IMPLIES THAT NO GROUNDWATER DATA IS AVAILABLE, BUT DOES NOT NECESSARILY MEAN THAT GROUNDWATER WILL NOT BE ENCOUNTERED AT THESE LOCATIONS OR WITHIN THE VERTICAL REACHES OF THESE BORINGS IN THE FUTURE.

Ardaman & Associates, Inc.
3175 W. Tharpe Street
Tallahassee, Florida 32303
(850) 576-6131

SHEET TITLE:

PRELIMINARY SUBSURFACE SOIL EXPLORATION
PROPOSED SPRINGHEAD SUBDIVISION SWMF'S
TALLAHASSEE, LEON COUNTY, FLORIDA

DRAWN BY: STEVEN REEVY	CHECKED BY: STEVEN REEVY	DATE: JUNE 15, 2017	
FILE NO: 113-15-40-1026A	APPROVED BY: W.S. JORDAN, P.E.		FIGURE 1

APPENDIX

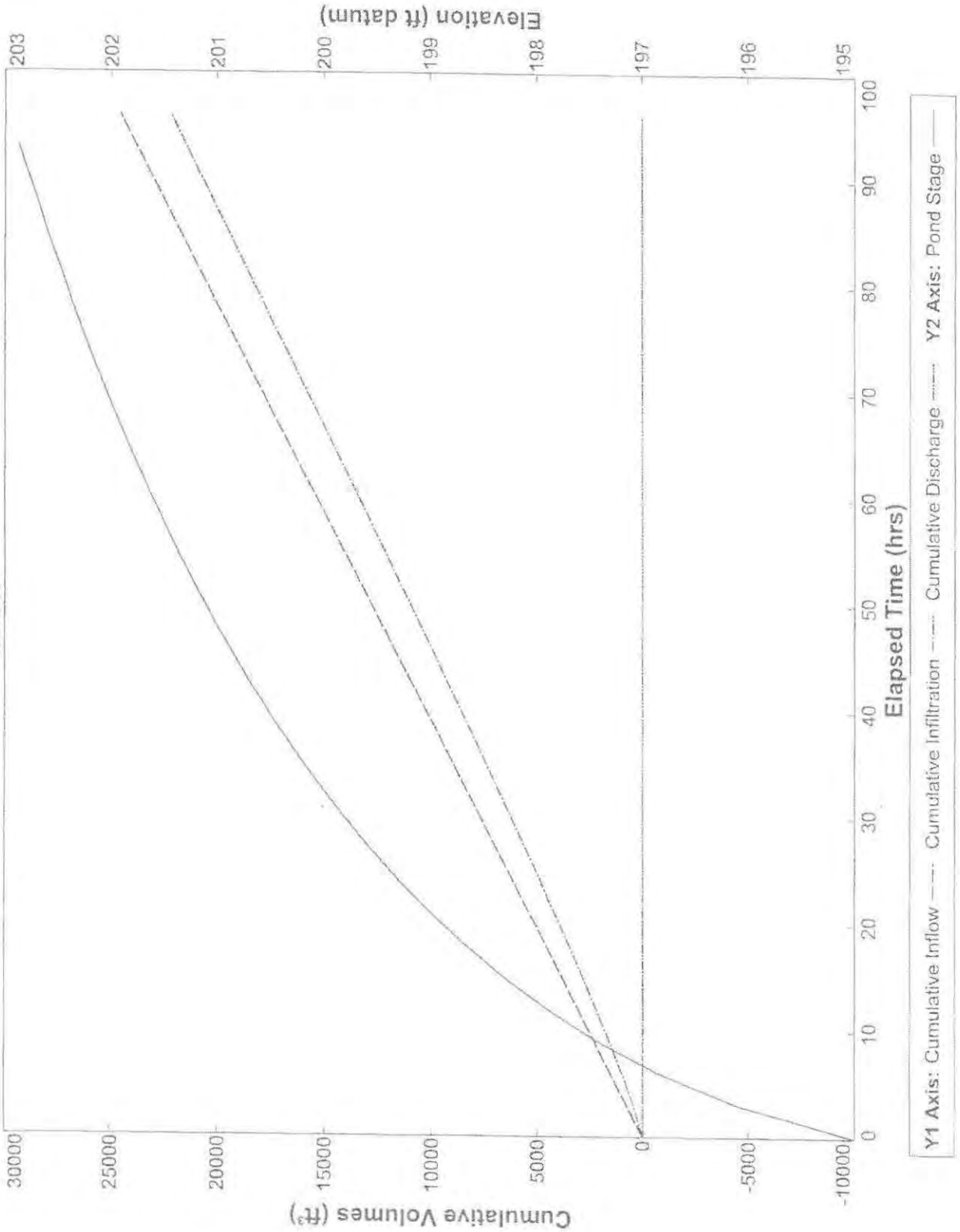
Pond 100					
Elev. (feet)	Surface Area (sq. ft.)	Surface Area (acres)	Incr. Volume (acre ft.)	Total Volume (acre ft.)	Total Volume (cubic ft.)
210.00	29478.32	0.68	0.66	4.02	174,939
209.00	28172.34	0.65	0.63	3.35	146,116
208.00	26880.81	0.62	0.60	2.72	118,592
207.00	25601.86	0.59	0.57	2.12	92,354
206.00	24335.47	0.56	0.54	1.55	67,388
205.00	23081.65	0.53	0.52	1.00	43,682
204.00	21840.39	0.50	0.49	0.49	21,224
203.00	20612.77	0.47			

Pond 200					
Elev. (feet)	Surface Area (sq. ft.)	Surface Area (acres)	Incr. Volume (acre ft.)	Total Volume (acre ft.)	Total Volume (cubic ft.)
215.00	28107.00	0.65	0.63	3.21	139,640
214.00	26459.00	0.61	0.59	2.58	112,361
213.00	24836.00	0.57	0.55	1.99	86,718
212.00	23238.00	0.53	0.52	1.44	62,686
211.00	21665.00	0.50	0.48	0.92	40,239
210.00	20118.00	0.46	0.44	0.44	19,352
209.00	18596.00	0.43			

POND 100 59.16 ft^3/day / ft (trench)

Plot of Cumulative Volumes and Pond Stage vs Elapsed Time

Scenario 1



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Retention Pond Recovery - Refined Method
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Devo Seereeram, Ph.D., P.E.

Project Data

Project Name:	Springhead
Simulation Description:	Trench Rates
Project Number:	15-1026A
Engineer :	Reecy
Supervising Engineer:	
Date:	11-24-2015

Aquifer Data

Base Of Aquifer Elevation, [B] (ft datum):	173.00
Water Table Elevation, [WT] (ft datum):	195.00
Horizontal Saturated Hydraulic Conductivity, [Kh] (ft/day):	4.67
Fillable Porosity, [n] (%):	25.00

Vertical infiltration was not considered.

Geometry Data

Equivalent Pond Length, [L] (ft):	100.0
Equivalent Pond Width, [W] (ft):	3.0

Ground water mound is expected to intersect the pond bottom

Stage vs Area Data

Stage (ft datum)	Area (ft^2)
173.00	300.0
193.00	300.0
197.00	300.0
200.00	300.0
203.00	300.0
203.01	20000.0

Ditch Data

Ditch (or interceptor trench) parallel to length axis is inactive

Ditch (or interceptor trench) parallel to width axis is inactive

Discharge Structures

Discharge Structure #1 is inactive

Discharge Structures (cont'd.)

Discharge Structure #2 is inactive

Discharge Structure #3 is inactive

Scenario Input Data

Scenario 1 ::

Hydrograph Type:	Perc Pond
Modflow Routing:	Routed with infiltration

Loading rate (gpd):	46000
Duration (days):	4
Number of increments:	32

Initial ground water level (ft datum) 195.00 (default)

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Detailed Results :: *Scenario 1* ::

Elapsed Time	Instantaneous Inflow Rate	Outside Recharge	Stage Elevation	Infiltration Rate	Combined Instantaneous Discharge	Cumulative Inflow	Cumulative Infiltration	Combined Cumulative	
0.000	0.0712	0.00000	195.00000	0.00000	0	0.000	0.00000	0	N.A.
3.000	0.0712	0.00000	196.10120	0.04549	0	768.665	436.31910	0	S
6.000	0.0712	0.00000	196.84920	0.05271	0	1537.330	982.57710	0	S
9.000	0.0712	0.00000	197.43080	0.05641	0	2305.996	1576.74900	0	S
12.000	0.0712	0.00000	197.91220	0.05875	0	3074.661	2201.00000	0	S
15.000	0.0712	0.00000	198.32540	0.06039	0	3843.326	2845.71600	0	S
18.000	0.0712	0.00000	198.68870	0.06161	0	4611.991	3505.39500	0	S
21.000	0.0712	0.00000	199.01360	0.06257	0	5380.656	4176.58100	0	S
24.000	0.0712	0.00000	199.30800	0.06334	0	6149.322	4856.93200	0	S
27.000	0.0712	0.00000	199.57740	0.06398	0	6917.987	5544.77600	0	S
30.000	0.0712	0.00000	199.82580	0.06452	0	7686.652	6238.90200	0	S
33.000	0.0712	0.00000	200.05660	0.06498	0	8455.317	6938.34500	0	S
36.000	0.0712	0.00000	200.27200	0.06537	0	9223.982	7642.37700	0	S
39.000	0.0712	0.00000	200.47410	0.06572	0	9992.647	8350.40700	0	S
42.000	0.0712	0.00000	200.66450	0.06603	0	10761.310	9061.98200	0	S
45.000	0.0712	0.00000	200.84450	0.06630	0	11529.980	9776.63100	0	S
48.000	0.0712	0.00000	201.01510	0.06655	0	12298.640	10491.11000	0	S
51.000	0.0712	0.00000	201.17730	0.06677	0	13067.310	11214.11000	0	S
54.000	0.0712	0.00000	201.33190	0.06697	0	13835.970	11935.39000	0	S
57.000	0.0712	0.00000	201.47960	0.06716	0	14604.640	12660.75000	0	S
60.000	0.0712	0.00000	201.62100	0.06733	0	15373.300	13387.00000	0	S
63.000	0.0712	0.00000	201.75660	0.06748	0	16141.970	14115.00000	0	S
66.000	0.0712	0.00000	201.88680	0.06762	0	16910.630	14844.60000	0	S
69.000	0.0712	0.00000	202.01210	0.06776	0	17679.300	15575.68000	0	S
72.000	0.0712	0.00000	202.13270	0.06788	0	18447.960	16308.15000	0	S
75.000	0.0712	0.00000	202.24910	0.06799	0	19216.630	17041.89000	0	S
78.000	0.0712	0.00000	202.36150	0.06810	0	19985.290	17776.84000	0	S
81.000	0.0712	0.00000	202.47020	0.06820	0	20753.960	18512.89000	0	S
84.000	0.0712	0.00000	202.57540	0.06830	0	21522.630	19250.00000	0	S
87.000	0.0712	0.00000	202.67730	0.06838	0	22291.290	19988.09000	0	S
90.000	0.0712	0.00000	202.77620	0.06847	0	23059.960	20727.11000	0	S
93.000	0.0712	0.00000	202.87210	0.06855	0	23828.620	21467.00000	0	S
96.000	0.0712	0.00000	202.96520	—	—	24597.290	22207.71000	0	N.A.

INFILTRATION RATE = 0.06847 $\frac{ft^3/s}{100 ft}$ = 5,915.8 $\frac{ft^3/day}{100 ft}$ = 59.16 $\frac{ft^3/day}{ft}$ (or inch)

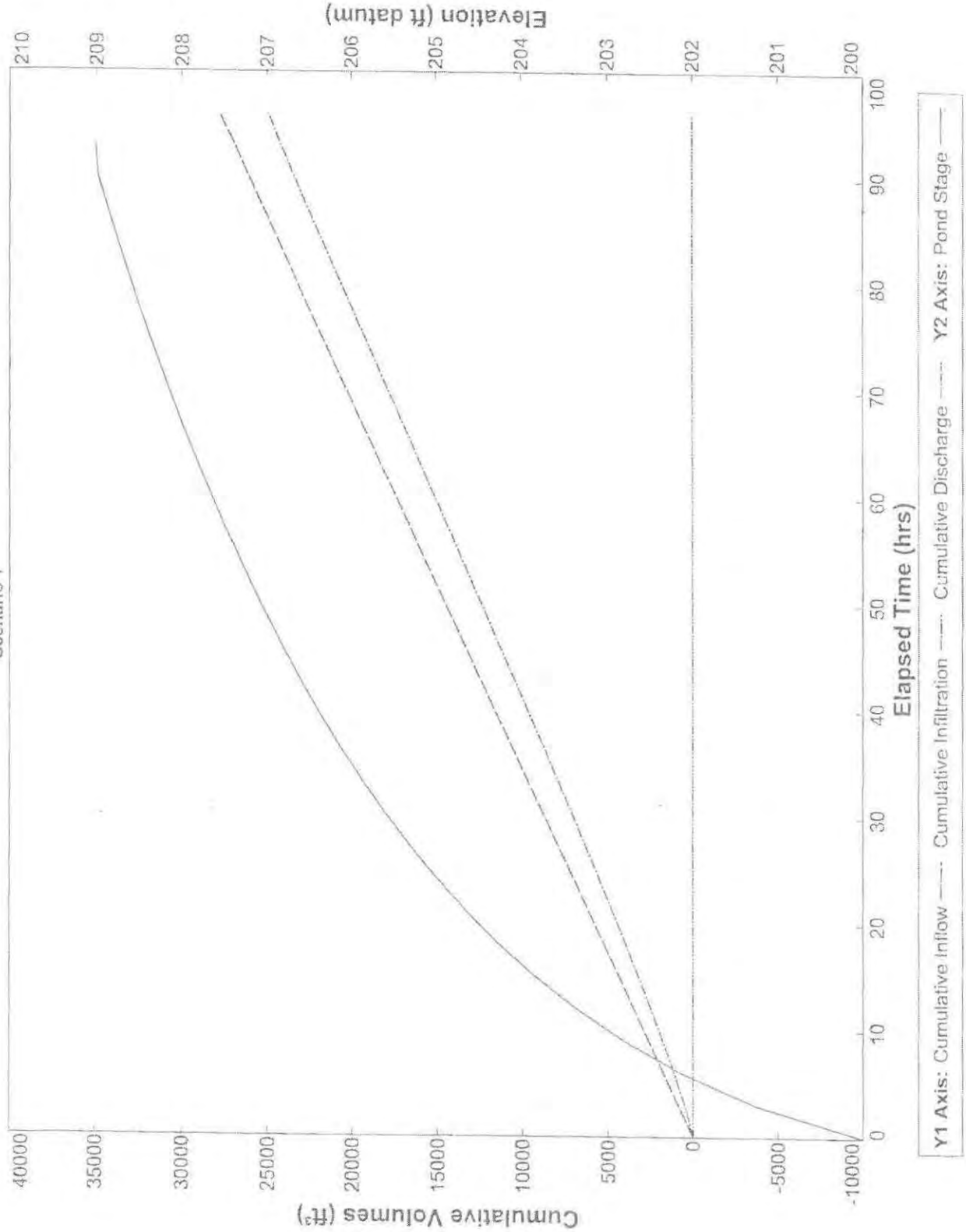
Summary of Results :: *Scenario 1* ::

	Time (hours)	Stage (ft datum)	Rate (ft^3/s)	Volume (ft^3)
Stage				
Minimum	0.000	195.00		
Maximum	96.000	202.97		
Inflow				
Rate - Maximum - Positive	3.000		0.0712	
Rate - Maximum - Negative	None		None	
Cumulative Volume - Maximum Positive	96.000			24597.3
Cumulative Volume - Maximum Negative	None			None
Cumulative Volume - End of Simulation	96.000			24597.3
Infiltration				
Rate - Maximum - Positive	93.000		0.0685	
Rate - Maximum - Negative	None		None	
Cumulative Volume - Maximum Positive	96.000			22207.7
Cumulative Volume - Maximum Negative	None			None
Cumulative Volume - End of Simulation	96.000			22207.7
Combined Discharge				
Rate - Maximum - Positive	None		None	
Rate - Maximum - Negative	None		None	
Cumulative Volume - Maximum Positive	None			None
Cumulative Volume - Maximum Negative	None			None
Cumulative Volume - End of Simulation	96.000			0.0
Discharge Structure 1 - inactive				
Rate - Maximum - Positive	disabled		disabled	
Rate - Maximum - Negative	disabled		disabled	
Cumulative Volume - Maximum Positive	disabled			disabled
Cumulative Volume - Maximum Negative	disabled			disabled
Cumulative Volume - End of Simulation	disabled			disabled
Discharge Structure 2 - inactive				
Rate - Maximum - Positive	disabled		disabled	
Rate - Maximum - Negative	disabled		disabled	
Cumulative Volume - Maximum Positive	disabled			disabled
Cumulative Volume - Maximum Negative	disabled			disabled
Cumulative Volume - End of Simulation	disabled			disabled
Discharge Structure 3 - inactive				
Rate - Maximum - Positive	disabled		disabled	
Rate - Maximum - Negative	disabled		disabled	
Cumulative Volume - Maximum Positive	disabled			disabled
Cumulative Volume - Maximum Negative	disabled			disabled
Cumulative Volume - End of Simulation	disabled			disabled
Pollution Abatement:				
36 Hour Stage and Infiltration Volume	N.A.	N.A.		N.A.
72 Hour Stage and Infiltration Volume	N.A.	N.A.		N.A.

SPRINGHEAD 200 TRENCH
INFILTRATES 65.30 Ft^3/day per foot

Plot of Cumulative Volumes and Pond Stage vs Elapsed Time

Scenario 1



PONDS Version 3.2.0265
Retention Pond Recovery - Refined Method
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Project Data

Project Name:	Springhead
Simulation Description:	Trench Rates
Project Number:	15-1026A
Engineer :	Reecy
Supervising Engineer:	
Date:	11-20-2015

Aquifer Data

Base Of Aquifer Elevation, [B] (ft datum):	179.00
Water Table Elevation, [WT] (ft datum):	200.00
Horizontal Saturated Hydraulic Conductivity, [Kh] (ft/day):	4.56
Fillable Porosity, [n] (%):	25.00

Vertical infiltration was not considered.

Geometry Data

Equivalent Pond Length, [L] (ft):	100.0
Equivalent Pond Width, [W] (ft):	3.0

Ground water mound is expected to intersect the pond bottom

Stage vs Area Data

Stage (ft datum)	Area (ft^2)
179.00	300.0
193.00	300.0
197.00	300.0
200.00	300.0
209.00	300.0
209.01	20000.0

Ditch Data

Ditch (or interceptor trench) parallel to length axis is inactive

Ditch (or interceptor trench) parallel to width axis is inactive

Discharge Structures

Discharge Structure #1 is inactive

Discharge Structures (cont'd.)

Discharge Structure #2 is inactive

Discharge Structure #3 is inactive

Scenario Input Data

Scenario 1 ::

Hydrograph Type:	Perc Pond
Modflow Routing:	Routed with infiltration

Loading rate (gpd):	52000
Duration (days):	4
Number of increments:	32

Initial ground water level (ft datum) 200.00 (default)

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Retention Pond Recovery - Refined Method
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Detailed Results :: *Scenario 1* ::

Elapsed Time	Instantaneous Inflow Rate	Outside Recharge	Stage Elevation	Infiltration Rate	Combined Instantaneous Discharge	Cumulative Inflow	Cumulative Infiltration	Combined Cumulative	
0.000	0.0805	0.00000	200.00000	0.00000	0	0.000	0.00000	0	N.A.
3.000	0.0805	0.00000	201.26960	0.05079	0	868.926	488.04790	0	S
6.000	0.0805	0.00000	202.13590	0.05906	0	1737.852	1097.08200	0	S
9.000	0.0805	0.00000	202.81040	0.06333	0	2606.778	1763.67100	0	S
12.000	0.0805	0.00000	203.36860	0.06605	0	3475.704	2465.11500	0	S
15.000	0.0805	0.00000	203.84770	0.06798	0	4344.629	3190.33100	0	S
18.000	0.0805	0.00000	204.26860	0.06938	0	5213.555	3932.96600	0	S
21.000	0.0805	0.00000	204.64490	0.07050	0	6082.481	4689.00100	0	S
24.000	0.0805	0.00000	204.98560	0.07140	0	6951.407	5455.71400	0	S
27.000	0.0805	0.00000	205.29720	0.07214	0	7820.333	6231.16300	0	S
30.000	0.0805	0.00000	205.58450	0.07276	0	8689.259	7013.91000	0	S
33.000	0.0805	0.00000	205.85110	0.07330	0	9558.185	7802.85900	0	S
36.000	0.0805	0.00000	206.09980	0.07376	0	10427.110	8597.15200	0	S
39.000	0.0805	0.00000	206.33310	0.07417	0	11296.040	9396.10300	0	S
42.000	0.0805	0.00000	206.55270	0.07452	0	12164.960	10199.15000	0	S
45.000	0.0805	0.00000	206.76020	0.07484	0	13033.890	11005.84000	0	S
48.000	0.0805	0.00000	206.95680	0.07513	0	13902.810	11815.78000	0	S
51.000	0.0805	0.00000	207.14370	0.07539	0	14771.740	12628.64000	0	S
54.000	0.0805	0.00000	207.32170	0.07562	0	15640.670	13444.16000	0	S
57.000	0.0805	0.00000	207.49170	0.07584	0	16509.590	14262.08000	0	S
60.000	0.0805	0.00000	207.65430	0.07603	0	17378.520	15082.21000	0	S
63.000	0.0805	0.00000	207.81030	0.07621	0	18247.440	15904.37000	0	S
66.000	0.0805	0.00000	207.95990	0.07638	0	19116.370	16728.38000	0	S
69.000	0.0805	0.00000	208.10390	0.07653	0	19985.290	17554.13000	0	S
72.000	0.0805	0.00000	208.24250	0.07667	0	20854.220	18381.46000	0	S
75.000	0.0805	0.00000	208.37620	0.07681	0	21723.150	19210.29000	0	S
78.000	0.0805	0.00000	208.50520	0.07693	0	22592.070	20040.50000	0	S
81.000	0.0805	0.00000	208.63000	0.07705	0	23461.000	20872.00000	0	S
84.000	0.0805	0.00000	208.75070	0.07716	0	24329.920	21704.72000	0	S
87.000	0.0805	0.00000	208.86760	0.07726	0	25198.850	22538.57000	0	S
90.000	0.0805	0.00000	208.98090	0.07558	0	26067.780	23373.50000	0	S
93.000	0.0805	0.00000	209.00800	0.07250	0	26936.700	24171.04000	0	S
96.000	0.0805	0.00000	209.01320	---	---	27805.630	24939.44000	0	N.A.

$0.07558 \frac{ft^3/s}{100 ft} = 6530.11 \frac{ft^3/day}{100 ft} = 6530 \frac{ft^3/day}{ft}$ (approx)

Summary of Results :: *Scenario 1* ::

	Time (hours)	Stage (ft datum)	Rate (ft^3/s)	Volume (ft^3)
Stage				
Minimum	0.000	200.00		
Maximum	96.000	209.01		
Inflow				
Rate - Maximum - Positive	3.000		0.0805	
Rate - Maximum - Negative	None		None	
Cumulative Volume - Maximum Positive	96.000			27805.6
Cumulative Volume - Maximum Negative	None			None
Cumulative Volume - End of Simulation	96.000			27805.6
Infiltration				
Rate - Maximum - Positive	87.000		0.0773	
Rate - Maximum - Negative	None		None	
Cumulative Volume - Maximum Positive	96.000			24939.4
Cumulative Volume - Maximum Negative	None			None
Cumulative Volume - End of Simulation	96.000			24939.4
Combined Discharge				
Rate - Maximum - Positive	None		None	
Rate - Maximum - Negative	None		None	
Cumulative Volume - Maximum Positive	None			None
Cumulative Volume - Maximum Negative	None			None
Cumulative Volume - End of Simulation	96.000			0.0
Discharge Structure 1 - inactive				
Rate - Maximum - Positive	disabled		disabled	
Rate - Maximum - Negative	disabled		disabled	
Cumulative Volume - Maximum Positive	disabled			disabled
Cumulative Volume - Maximum Negative	disabled			disabled
Cumulative Volume - End of Simulation	disabled			disabled
Discharge Structure 2 - inactive				
Rate - Maximum - Positive	disabled		disabled	
Rate - Maximum - Negative	disabled		disabled	
Cumulative Volume - Maximum Positive	disabled			disabled
Cumulative Volume - Maximum Negative	disabled			disabled
Cumulative Volume - End of Simulation	disabled			disabled
Discharge Structure 3 - inactive				
Rate - Maximum - Positive	disabled		disabled	
Rate - Maximum - Negative	disabled		disabled	
Cumulative Volume - Maximum Positive	disabled			disabled
Cumulative Volume - Maximum Negative	disabled			disabled
Cumulative Volume - End of Simulation	disabled			disabled
Pollution Abatement:				
36 Hour Stage and Infiltration Volume	N.A.	N.A.		N.A.
72 Hour Stage and Infiltration Volume	N.A.	N.A.		N.A.

Geotechnical Investigation

- **Ardaman and Associates – 9/30/16**

Ardaman & Associates, Inc.

Geotechnical, Environmental and
Materials Consultants

Revised June 15, 2017
Revised September 30, 2016
August 30, 2016
File No. 16-40-1509

Premier Construction
4708 Capital Circle Northwest
Tallahassee, FL 32303

Attention: Mr. Behzad Ghazvini

Subject: Groundwater Flow Direction Report - Proposed Brookside Subdivision, Ox Bottom Road, Tallahassee, Leon County, Florida

Reference: Ardaman & Associates, Inc. Report – *Subsurface Soil Exploration and Geotechnical Engineering Evaluation for Two Prospective Stormwater Management Facilities at the Proposed Brookside Village Subdivision, Ox Bottom Road, Tallahassee, Florida*; revised June 15, 2017

Dear Mr. Ghazvini:

Ardaman & Associates is pleased to present the results of an evaluation of field data which documents the direction of groundwater flow as it relates to the central ravine at the site. The site is located on the north side of Ox Bottom Road, approximately ½ mile east of Meridian Road, and just west of the Moore Pond Subdivision in north Tallahassee, Florida (see Figure 1).

FIELD ACTIVITIES

On July 15, 2016, Ardaman & Associates mobilized a drill rig and crew to the site and installed nine (9) piezometers at the locations shown in Figure 2. Three (3) sets of three (3) piezometers were located to form three (3) transects labeled A-A, B-B, and C-C on Figure 2, on the east, south, and west sides of a main branch and body of an unnamed stream (ravine) in the proposed subdivision. The piezometers were oriented such that they form relatively straight lines that extends downhill toward the unnamed stream.

The piezometers were installed to depths of 35 to 40 feet, and were generally constructed with a 15-foot section of 0.010 inch slotted PVC screen, and solid PVC casing that extends to about 2.5-feet above the ground surface. Filter sand was placed around the screen and in the annular space to 2 feet above the screen, and sealed with 1-foot thickness of bentonite, and then Portland cement grout above that, as presented in the Appendix A well (piezometer) installation records. The piezometers were purged to remove siltation.

Ardaman & Associates' Mr. Steven Reecy, P.E. traveled to the site on August 18, 2016 to conduct a groundwater monitoring event. A second groundwater monitoring event was also conducted on September 20, 2016. These results are tabulated and presented below.

Piezometer	Estimated Stick-Up Above Ground Surface (ft.)	Top of Casing Elevation (ft.)	Depth to Water from Top of Casing (ft.) 8/18/16	Water Table Elevation (ft.) 8/18/16	Depth to Water from Top of Casing (ft.) 9/20/16	Water Table Elevation (ft.) 9/20/16
PZ-W1	2.5	225.23	40.99	184.24	40.92	184.31
PZ-W2	2.5	222.80	38.82	183.98	38.79	184.01
PZ-W3	2.5	217.19	33.44	183.75	33.50	183.69
PZ-S1	2.5	223.20	39.46	183.74	39.42	183.78
PZ-S2	2.5	218.96	35.40	183.56	35.37	183.59
PZ-S3	2.5	215.92	32.53	183.39	32.52	183.40
PZ-E1	2.5	228.69	*43.6+	< 185.09	*43.6+	< 185.09
PZ-E2	2.5	226.90	*36.6+	< 190.3	*36.6+	< 190.3
PZ-E3	2.5	222.85	*43.3+	< 179.55	*43.3+	< 179.55

* Piezometer was dry during site visit. UC^2 provided the top of piezometer casing elevations.

RESULTS

After obtaining the August groundwater elevation data, the groundwater elevation profiles for the three (3) transects, A-A, B-B, and C-C, corresponding to the northeastern, southern and western piezometer sets, respectively, were compared to the ground surface elevation survey data along the same transects provided by UC^2 (see Figures 3 through 5). As outlined in the table above, the water table elevations observed during our September 20, 2016 site visit were comparable to the August observations.

The piezometric surface of each transect is extended to intersect the highest seep elevation in the side slope of the ravine at the end of each transect, provided by UC^2. The results indicate that the piezometric surface slopes toward the stream in the ravine with a slope averaging approximately 0.01 to 0.015 feet per foot.

CONCLUSIONS AND DESIGN RECOMMENDATIONS

The groundwater table resides approximately 21 to 33-feet below the bottom of each of the proposed ponds located along each transect. Note that this will provide natural filtration. In cases where the water table is this deep, the pond's infiltration rate will be predominantly governed by vertical hydraulic conductivity.

The components of Water Balance under Natural Conditions provide insight into a recommended design approach. Under natural conditions, rainfall will result in runoff, infiltration, and evapotranspiration (which includes transpiration by vegetation and evaporation). A very small portion of the infiltrated water will recharge the deeper Floridan aquifer. This equates to:

Rainfall = Runoff + Infiltration + Evapotranspiration + Floridan Recharge

It follows that the infiltrated water at the site that is not evapotranspirated or lost to Runoff or Floridan Recharge will eventually commingle with the surficial aquifer. This infiltrated water then flows to the stream located in the ravine where it commingles with runoff. Therefore the water in the stream is the sum of Runoff and Infiltration:

Stream Flow = Runoff + Infiltration = Rainfall – (Evapotranspiration + Floridan Recharge)

Because Rainfall follows a natural pattern (i.e, it falls within a general range per month and per year) and Floridan Aquifer Recharge is relatively constant then the sum of the site's initial ($_i$) infiltration, runoff and evapotranspiration, should approximate the sum of post development ($_p$) infiltration runoff and evapotranspiration.

$$\text{Infiltration}_i + \text{Runoff}_i + \text{Evapotranspiration}_i = \text{Infiltration}_p + \text{Runoff}_p + \text{Evapotranspiration}_p$$

It is our understanding that the proposed design will promote evapotranspiration where possible. As an example, turf grasses evapotranspirate more than native vegetation and forest. For practical purposes, the change in evapotranspiration from predevelopment to post development with be a small fraction of the water balance equation.

Based on the observed groundwater flow regime, since the water table appears to be seeping into the ravine, the water infiltrating in the stormwater ponds will eventually migrate into the ravine, regardless of the degree of mounding beneath the pond. Also waters not infiltrated will be deposited into the ravine in the form of runoff. In the post development case, waters which ordinarily would infiltrate near the upgradient portions of the site will instead bypass these areas in favor of infiltration within the stormwater ponds. This will result in a slight depression of the water table upgradient of the stormwater pond area which will help accommodate the groundwater mounds generated by the ponds.

Therefore, the net result of the proposed stormwater pond system above the ravine will be treatment and attenuation of stream flow that will be further attenuated by control structures at the tail water of the stream on site.

In summary, the proposed stream control structures will control release of the runoff from the site in conjunction with the proposed stormwater ponds because infiltrated waters will still collect at the tail-water impound. The stormwater ponds will also improve surface water quality, but will have little change on seepage rate contributing to the stream.

Please call if you have any questions or require additional information.

Very truly yours,
ARDAMAN & ASSOCIATES, INC.
Certificate of Authorization No. 5950

Steven W. Reecy, P.E.
Senior Project Engineer
Fl. Eng. License No. 52071

Michael S. Wilson, P.E.
Branch Manager/Vice President
Fl. Eng. License No. 46088

SITE LOCATION MAP

SOURCE: LEON COUNTY PROPERTY APPRAISER

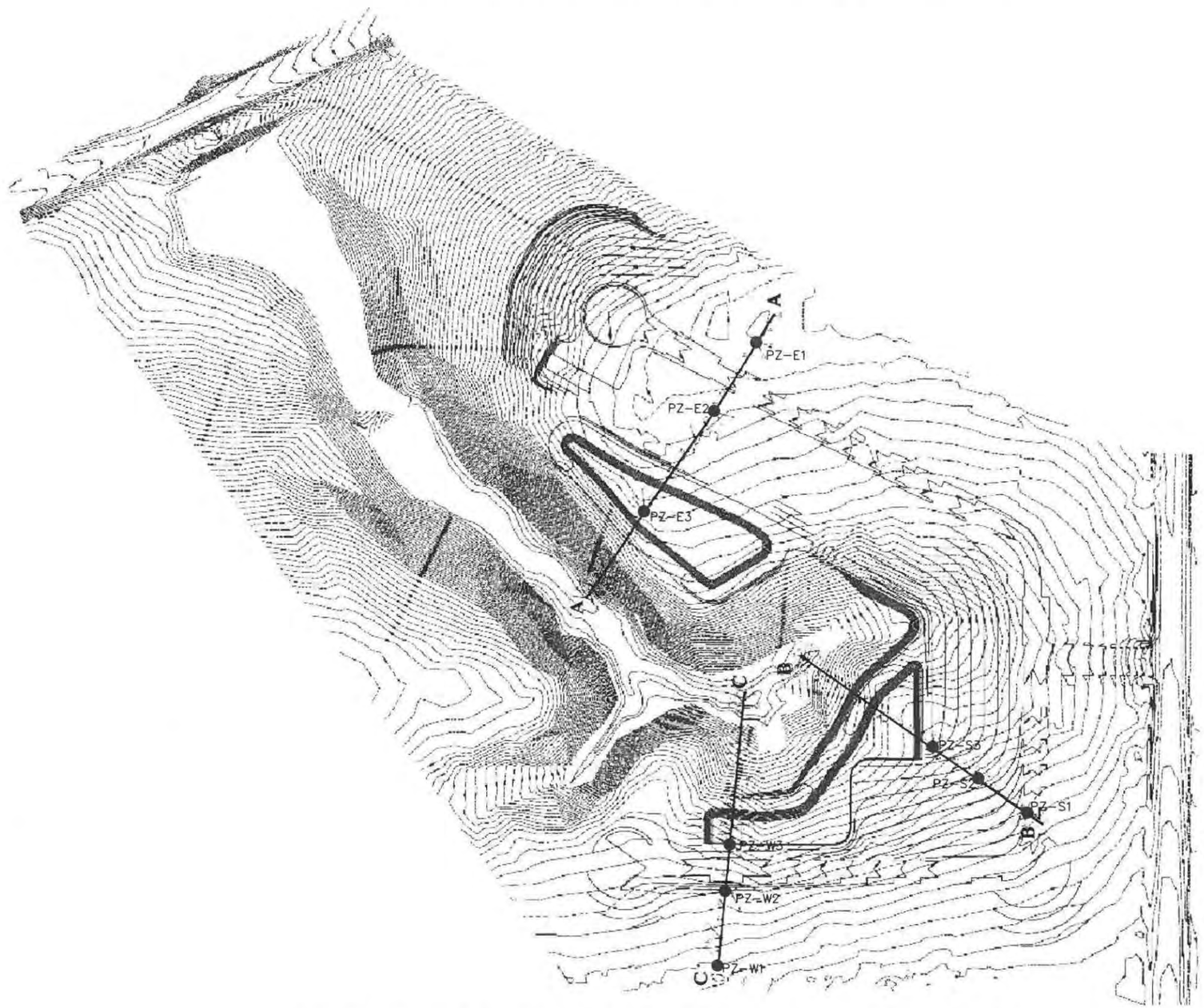
NOT TO SCALE

Ardaman & Associates, Inc.
3175 W. Tharpe Street
Tallahassee, Florida 32303

SITE LOCATION MAP
SPRINGHEAD SUBDIVISION
OX BOTTOM ROAD
TALLAHASSEE, LEON COUNTY, FLORIDA

DRAWN BY: SWR	CHECKED BY: MSW	DATE: 8/22/16
FILE NO. 16-1509	APPROVED BY:	FIGURE: 1

PIEZOMETER AND TRANSECT LOCATIONS



LEGEND

PZ-E1 ● PIEZOMETER

GS EOW GROUND SURFACE - WET AREA OR SEEP

GS CL W FLOW FLOWING WATER

SOURCE: URBAN CATALYST CONSULTANTS

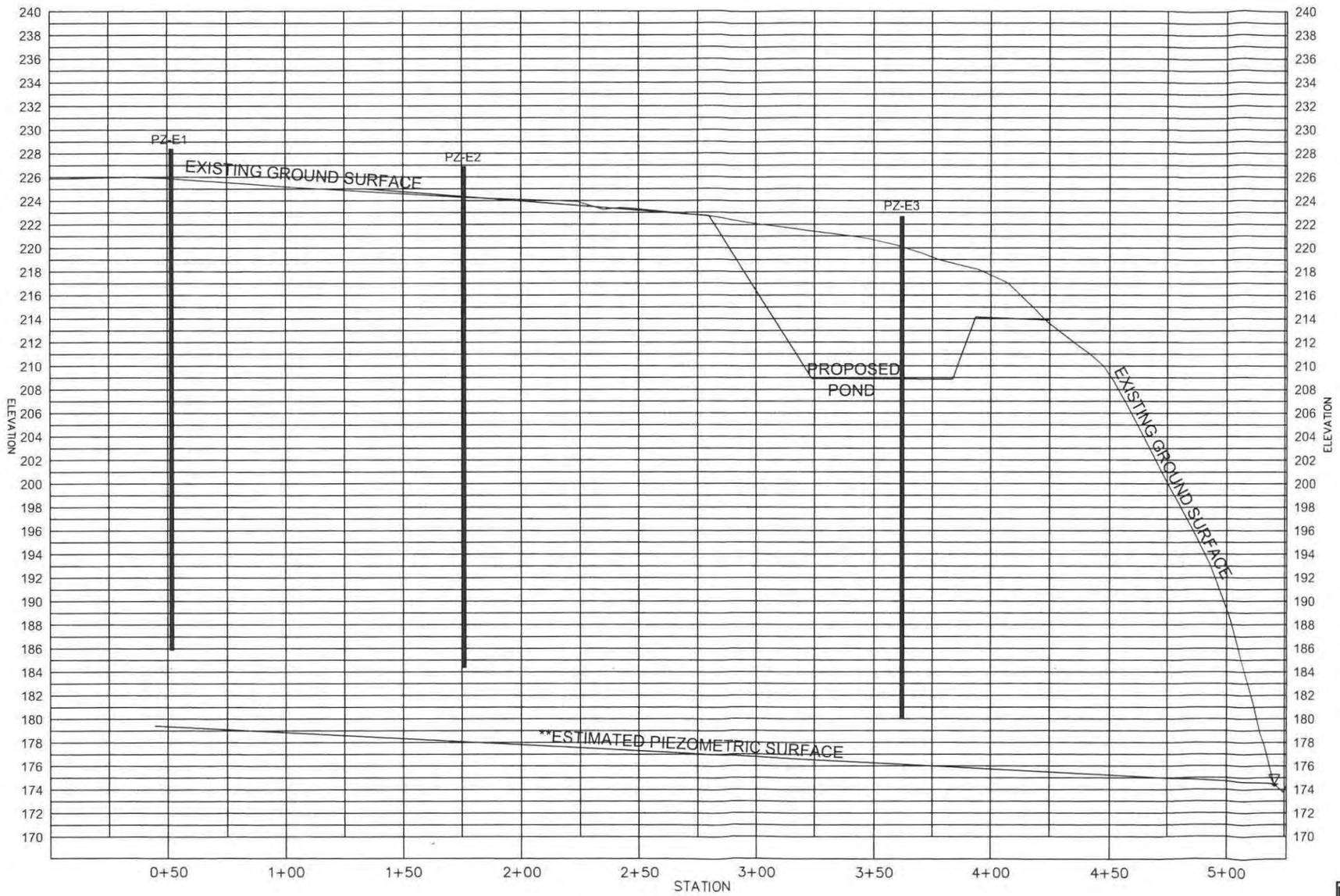
NOT TO SCALE

Ardaman & Associates, Inc.
3175 W. Tharpe Street
Tallahassee, Florida 32303

PIEZOMETER AND TRANSECT LOCATIONS
SPRINGHEAD SUBDIVISION
OX BOTTOM ROAD
TALLAHASSEE, LEON COUNTY, FLORIDA

DRAWN BY: SWR	CHECKED BY: MSW	DATE: 8/22/16
FILE NO. 16-1509	APPROVED BY:	FIGURE: 2

A–A – EAST SIDE TRANSECT



SOURCE: URBAN CATALYST CONSULTANTS

LEGEND

- PZ-E1 — PIEZOMETER
- MEASURED TOP OF PIEZOMETRIC SURFACE
- PIEZOMETRIC SURFACE
- GROUND SURFACE (EXISTING OR PROPOSED)

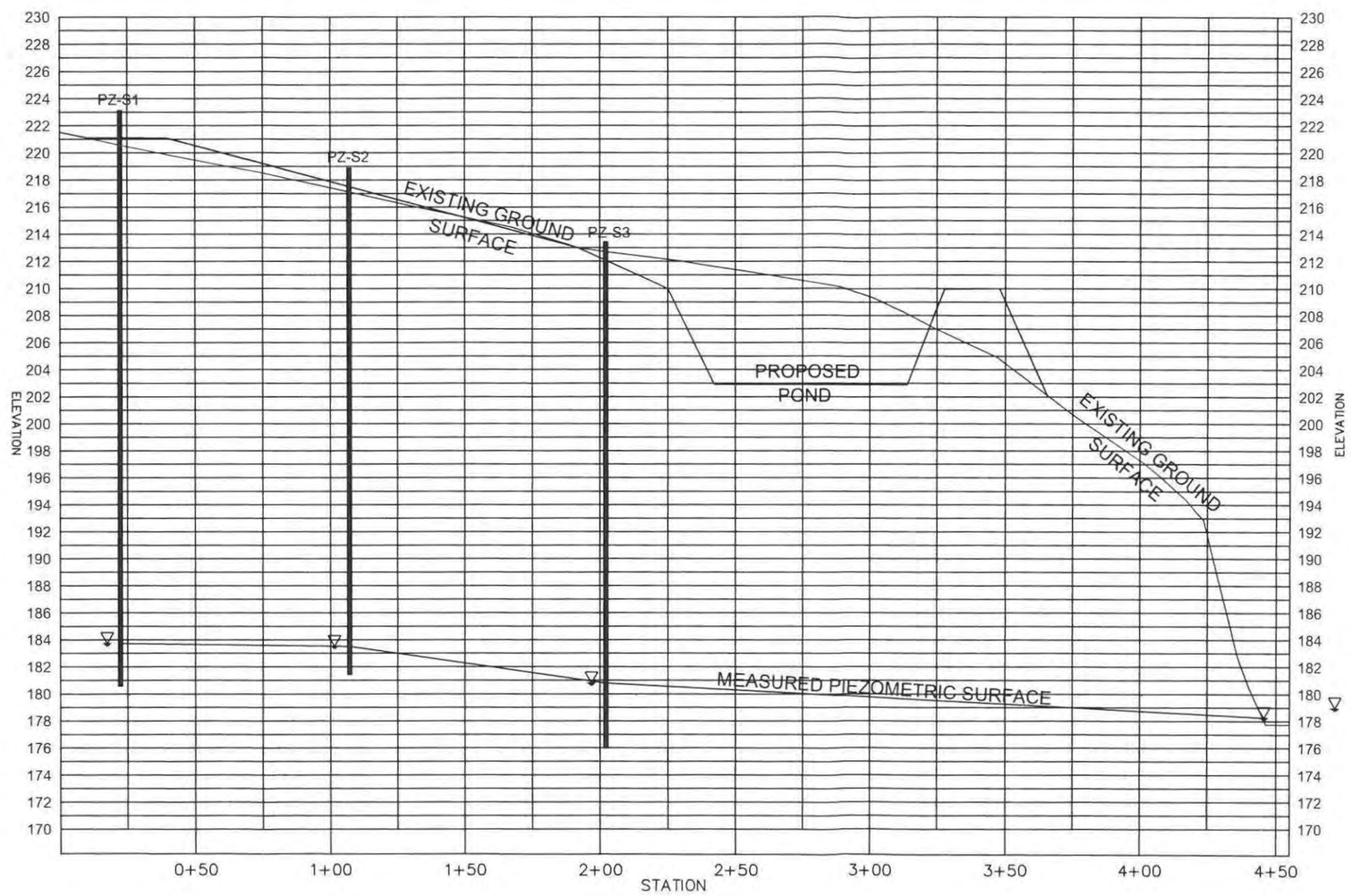
** The Piezometric Surface depth shown was estimated by applying the average observed hydraulic gradients from the other site transects to the observed location and elevation of the groundwater seep on Transect A-A in the ravine.

Ardaman & Associates, Inc.
3175 W. Tharpe Street
Tallahassee, Florida 32303

WATER LEVEL TRANSECT
SPRINGHEAD SUBDIVISION
TALLAHASSEE, LEON COUNTY, FLORIDA

DRAWN BY: SWR	CHECKED BY: MSW	DATE: 8/19/16
FILE NO. 16–1509	APPROVED BY:	FIGURE: 3

B–B – SOUTH SIDE TRANSECT



SOURCE: URBAN CATALYST CONSULTANTS

LEGEND

PZ-E1 PIEZOMETER

MEASURED TOP OF PIEZOMETRIC SURFACE

PIEZOMETRIC SURFACE

GROUND SURFACE (EXISTING OR PROPOSED)

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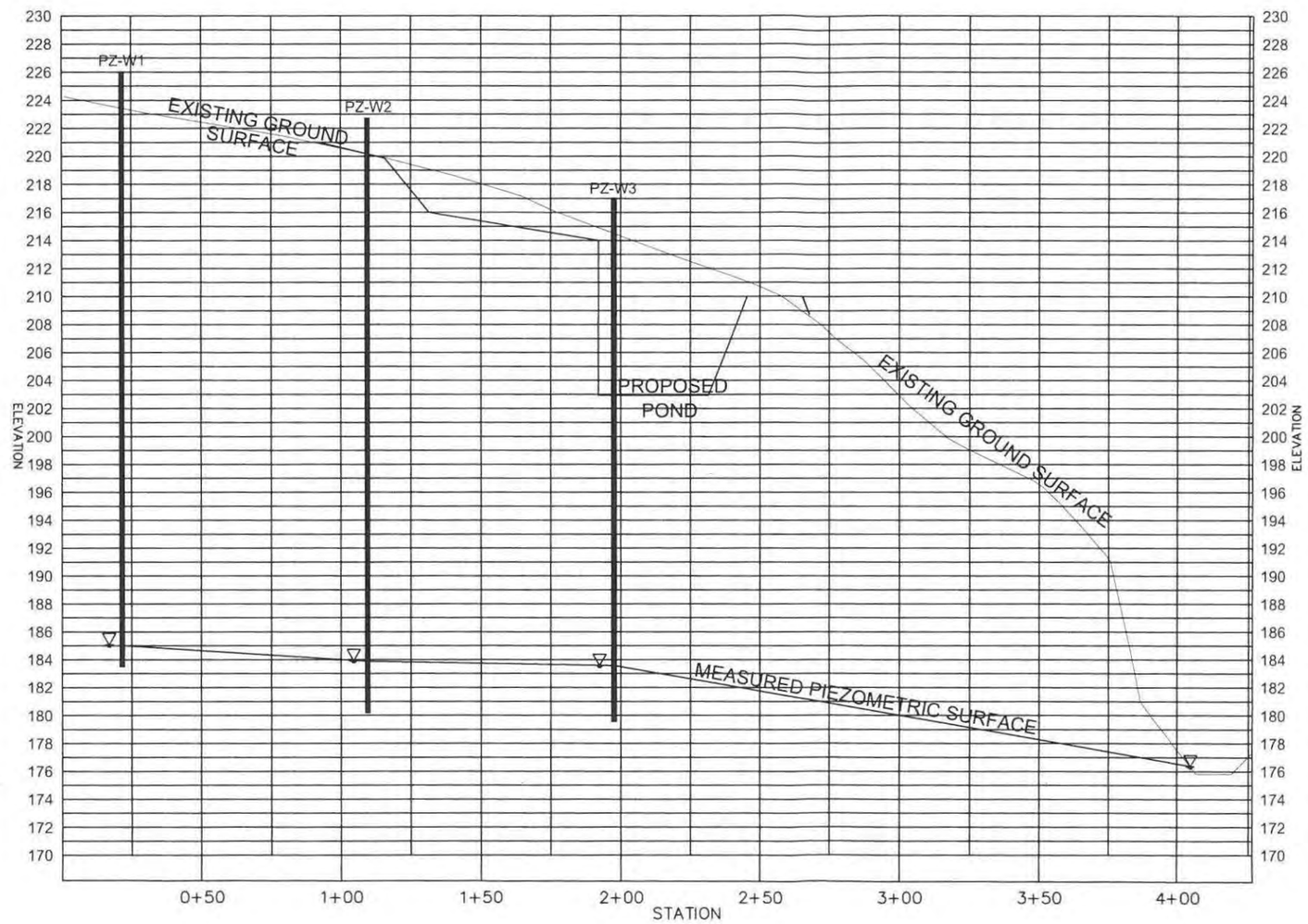
Tallahassee, Florida 32303

WATER LEVEL TRANSECT
SPRINGHEAD SUBDIVISION
TALLAHASSEE, LEON COUNTY, FLORIDA

DRAWN BY: SWR	CHECKED BY: MSW	DATE: 8/19/16
FILE NO. 16–1509	APPROVED BY:	FIGURE: 4

C–C – WEST SIDE TRANSECT



SOURCE: URBAN CATALYST CONSULTANTS

LEGEND

PZ-E1 PIEZOMETER

MEASURED TOP OF PIEZOMETRIC SURFACE

PIEZOMETRIC SURFACE

GROUND SURFACE (EXISTING OR PROPOSED)

Ardaman & Associates, Inc.
3175 W. Tharpe Street
Tallahassee, Florida 32303

WATER LEVEL TRANSECT
SPRINGHEAD SUBDIVISION
TALLAHASSEE, LEON COUNTY, FLORIDA

DRAWN BY: SWR	CHECKED BY: MSW	DATE: 8/19/16
FILE NO. 16–1509	APPROVED BY:	FIGURE: 5

APPENDIX A

PIEZOMETER DETAILS AND PERMITS

WELL INSTALLATION RECORD

CLIENT: Premier FILE No. 16-80-1509

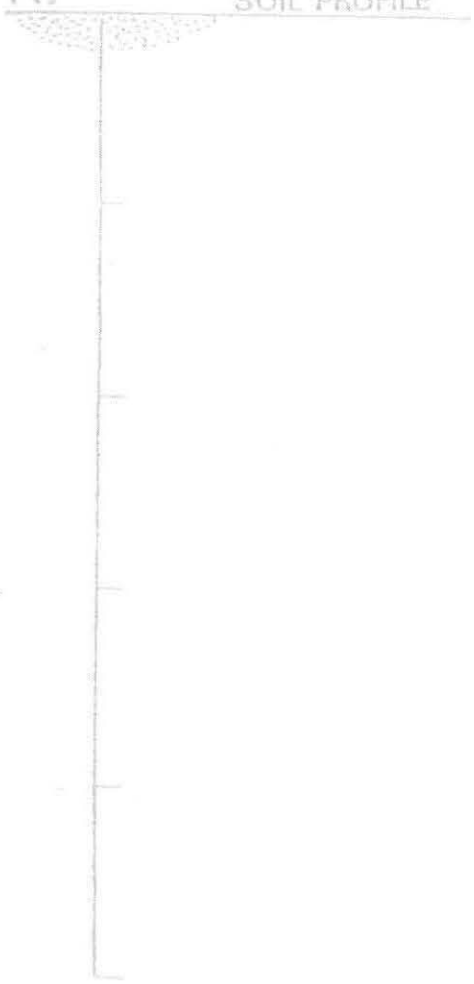
PROJECT: Springhead WELL NO. MW-W-1

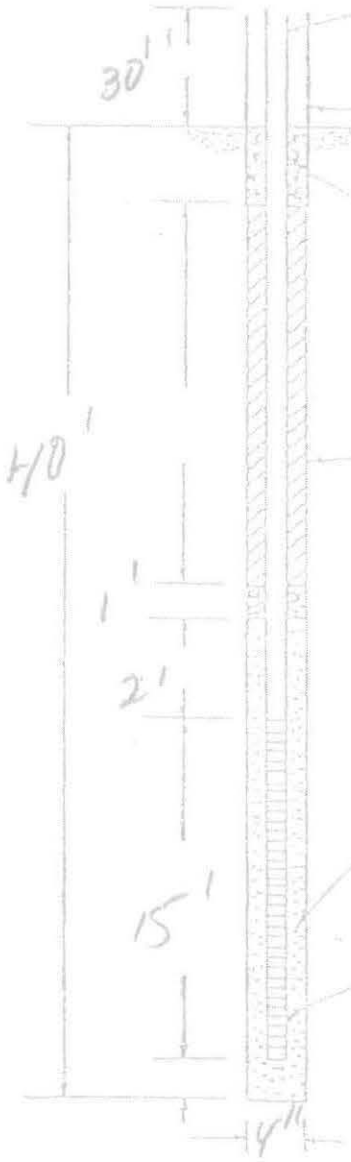
CREW SUPERVISOR: KM DATE INSTALLED: 7/15/16

WELL LOCATION: See print

GROUND ELEV: WELL TOP ELEV:

DEPTH FT. SOIL PROFILE





WELL SIZE & TYPE
2" Piezometer

~~CASING TYPE~~
Mdac

~~CONCRETE~~
Grout

~~BACKFILL~~
Grout

SEAL TYPE
1/4" B-Balls

FILTER TYPE
20-30 Sand

WELL TIP TYPE
.010

Ardaman & Associates, Inc.
Geotechnical, Environmental and Materials Consultants

REMARKS: H_2O @ 38' Install

WELL INSTALLATION RECORD

CLIENT: Premier FILE No. 16-40-1509

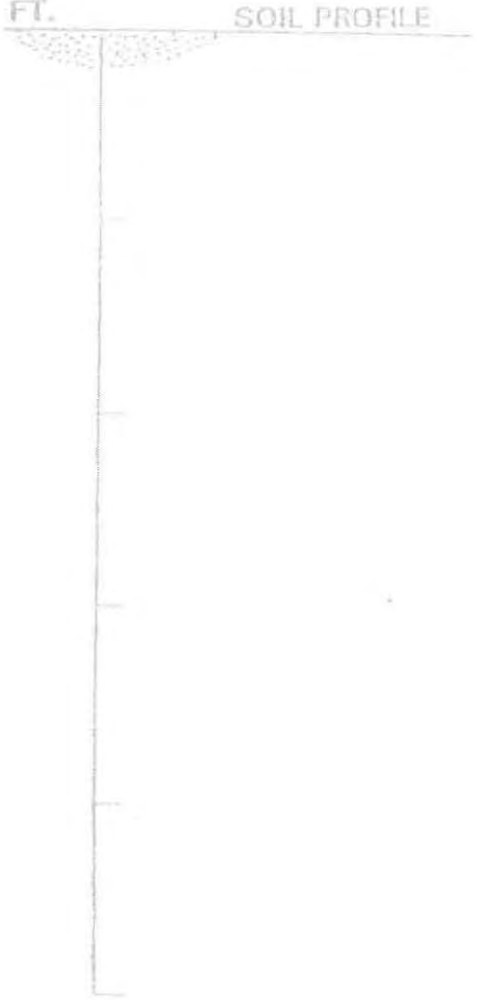
PROJECT: Springhead WELL NO. MW-W-2

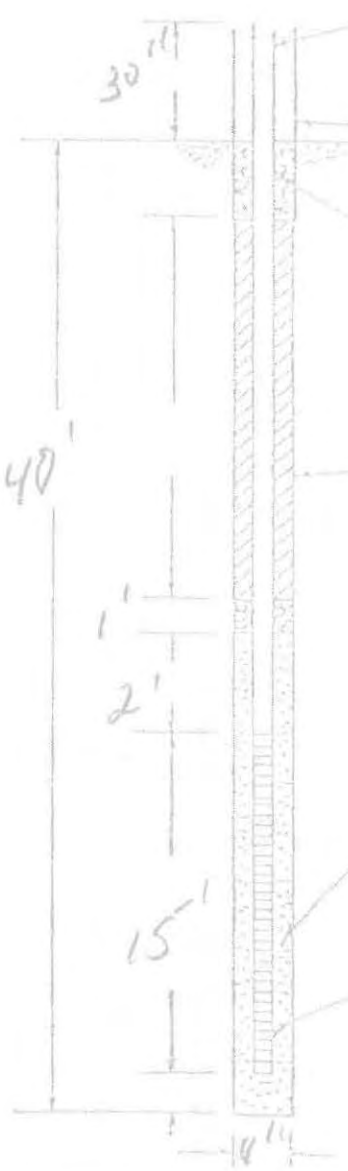
CREW SUPERVISOR: KM DATE INSTALLED: 7/15/16

WELL LOCATION: See print

GROUND ELEV: WELL TOP ELEV:

DEPTH FT. SOIL PROFILE





WELL SIZE & TYPE
2" Piezometer

~~CASING TYPE~~
none

~~CONCRETE~~
Grout

~~BACKFILL~~
Grout

SEAL TYPE
1/4" B-Bars

FILTER TYPE
20 30 sac

WELL TIP TYPE
.010

Ardaman & Associates, Inc.
Geotechnical, Environmental and Materials Consultants

REMARKS: Had @ 30' at Initial

WELL INSTALLATION RECORD

CLIENT: Premier

FILE No. 16-40-1509

PROJECT: Springhead

WELL NO. MW-W-3

CREW SUPERVISOR: KM

DATE INSTALLED: 7/18/16

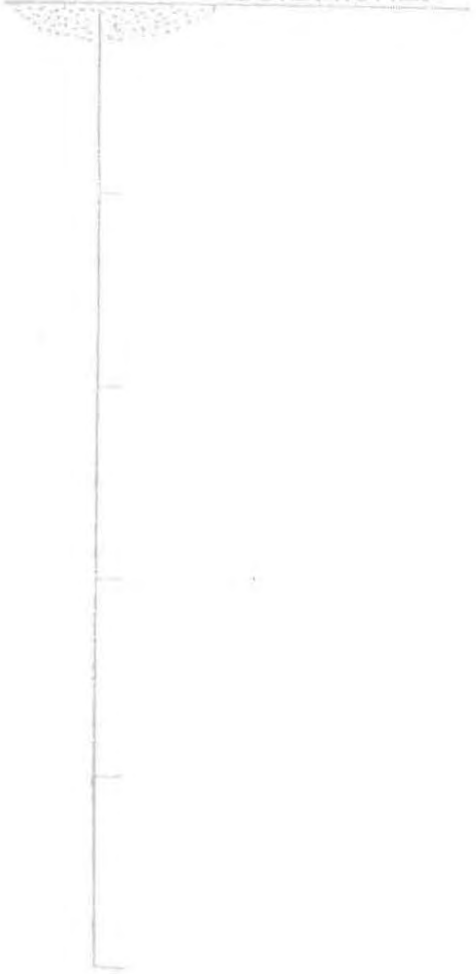
WELL LOCATION: See plot

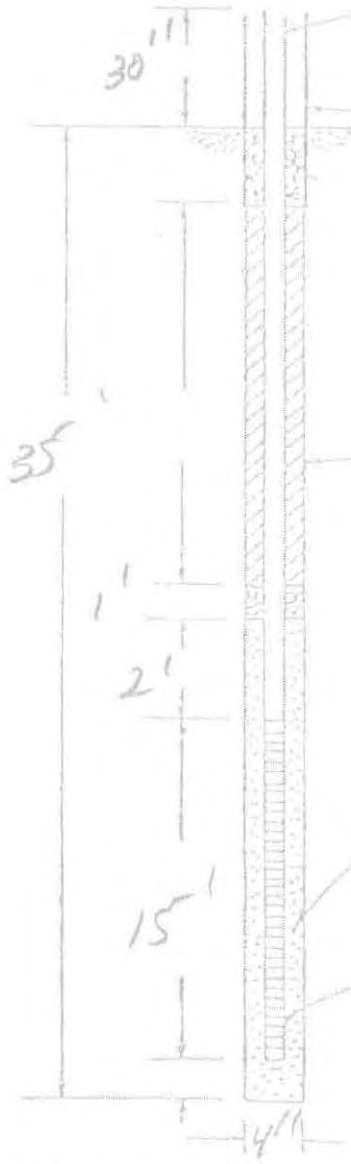
GROUND ELEV:

WELL TOP ELEV:

DEPTH FT.

SOIL PROFILE





WELL SIZE & TYPE

2" Piezometer

CASING TYPE

none

~~CONCRETE~~

Spot

~~BACKFILL~~

Spot

SEAL TYPE

1/4" B-Balls

FILTER TYPE

20-30 Sand

WELL TIP TYPE

.010

REMARKS: H2O @ 29' at Install

Anderson & Associates, Inc.

Geotechnical, Environmental and Materials Consultants

WELL INSTALLATION RECORD

CLIENT: Premier FILE No. 16-40-1509

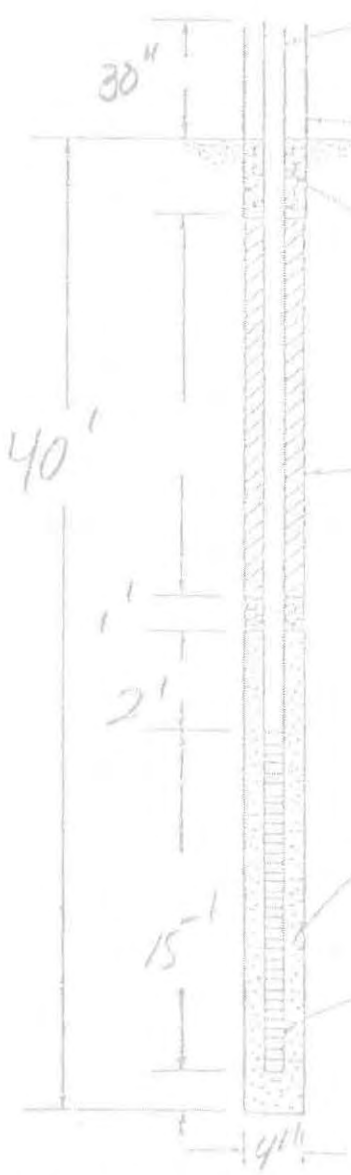
PROJECT: Springhead WELL NO. MW-5-1

CREW SUPERVISOR: KM DATE INSTALLED: 7/18/16

WELL LOCATION: See Print / Per Plan

GROUND ELEV: WELL TOP ELEV:

DEPTH FT. SOIL PROFILE



WELL SIZE & TYPE
2" Piezometer

~~CASING TYPE~~
none

~~CONCRETE~~
grout

~~BACKFILL~~
grout

SEAL TYPE
1/4" 18-BAGS

FILTER TYPE
20-30 Sand

WELL TIP TYPE
.010

Ardaman & Associates, Inc.
Geotechnical, Environmental and Materials Consultants

REMARKS: H_2O @ 30' at Install

WELL INSTALLATION RECORD

CLIENT: Premier FILE No. 16-40-1504

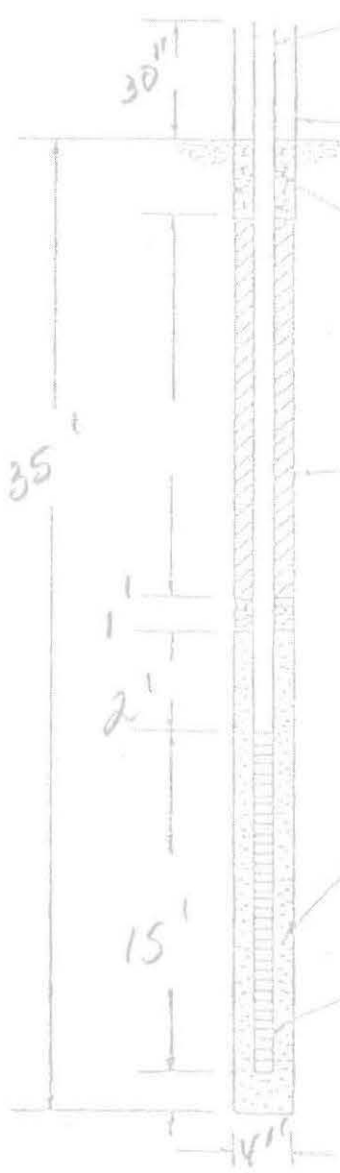
PROJECT: Springhead WELL NO. MW-S-2

CREW SUPERVISOR: KM DATE INSTALLED: 7/18/16

WELL LOCATION: See print

GROUND ELEV: _____ WELL TOP ELEV: _____

DEPTH FT. SOIL PROFILE



WELL SIZE & TYPE: 2" Piezometer

CASING TYPE: none

~~CONCRETE~~ grout

~~BACKFILL~~ grout

SEAL TYPE: 1/4" B-Balls

FILTER TYPE: 20-30 Sand

WELL TIP TYPE: .010

Anderson & Associates, Inc.
Geotechnical, Environmental and Materials Consultants

REMARKS: H2O @ 30' @ Install

WELL INSTALLATION RECORD

CLIENT: Premier FILE No. 16-40-1509

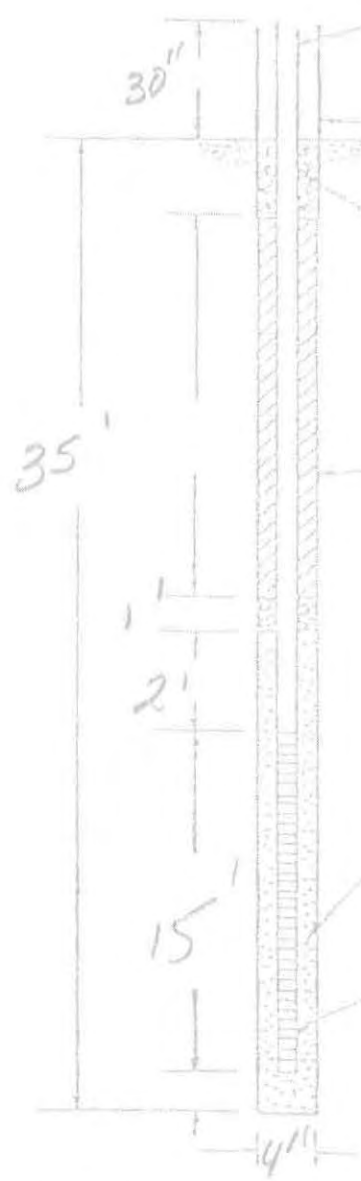
PROJECT: Springhead WELL NO. MW-S-3

CREW SUPERVISOR: KM DATE INSTALLED: 7/18/16

WELL LOCATION: See print

GROUND ELEV: WELL TOP ELEV:

DEPTH FT. SOIL PROFILE



WELL SIZE & TYPE
2" Piezometer

~~CASING TYPE~~
none

~~CONCRETE~~
grout

~~BACKFILL~~
grout

SEAL TYPE
1/4" B-Ball S

FILTER TYPE
20-30 Sand

WELL TIP TYPE
.010

REMARKS: H_2O @ 28' AT INSTALLATION

Ardaman & Associates, Inc.
Geotechnical, Environmental and Materials Consultants

WELL INSTALLATION RECORD

CLIENT: Premier FILE No. H-40-1509

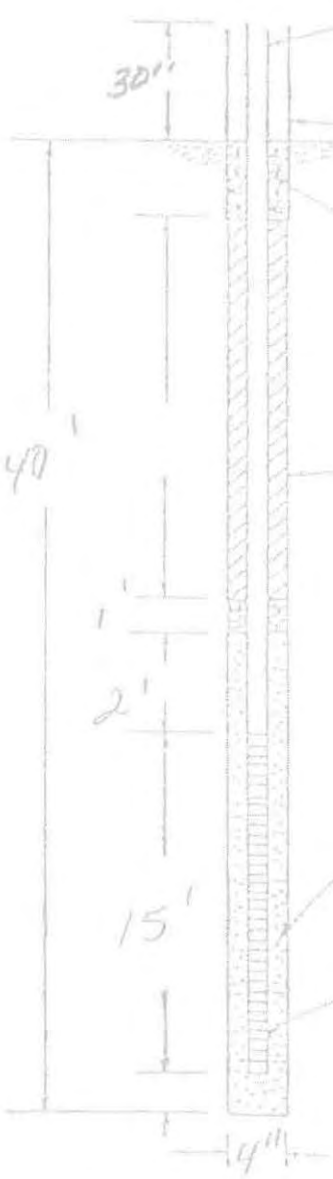
PROJECT: Springhead WELL NO. MW-E-1

CREW SUPERVISOR: KM DATE INSTALLED: 7/19/16

WELL LOCATION:

GROUND ELEV: WELL TOP ELEV:

DEPTH FT. SOIL PROFILE



WELL SIZE & TYPE
2" Piezometer

~~CASING TYPE~~
none

~~CONCRETE~~
Grout

~~BACKFILL~~
Grout

SEAL TYPE
1/4" B-Balls

FILTER TYPE
20-30 Sand

WELL TIP TYPE
.010

Ardaman & Associates, Inc.
Geotechnical, Environmental and Materials Consultants

REMARKS: Dry @ Installation

WELL INSTALLATION RECORD

CLIENT: Premier FILE No. 16-40-1508

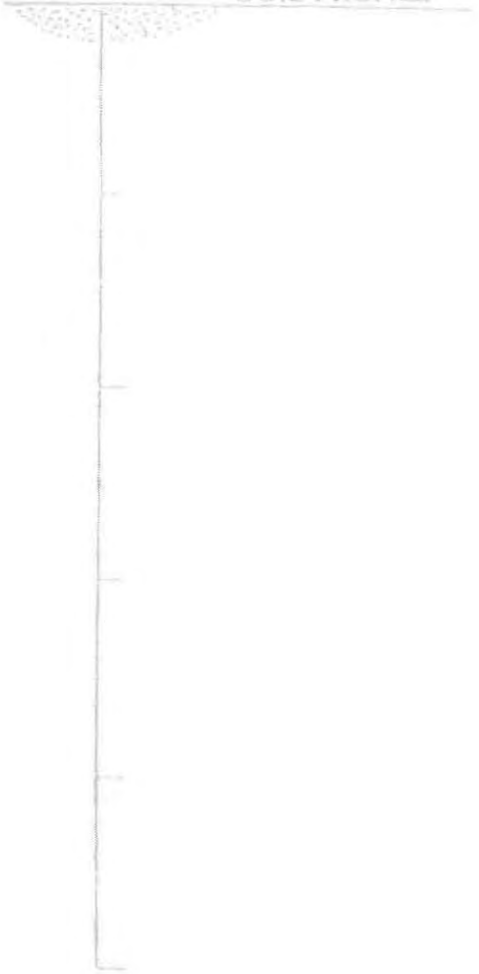
PROJECT: Springhead WELL NO. MW-E-2

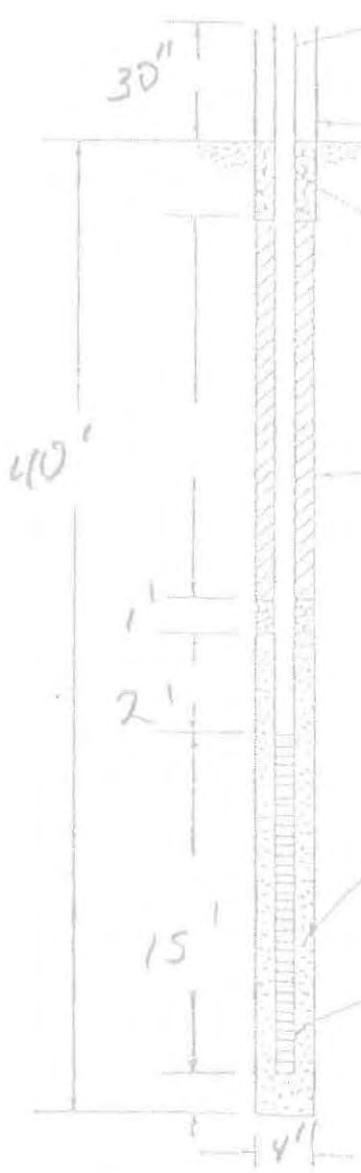
CREW SUPERVISOR: KM DATE INSTALLED: 7/19/16

WELL LOCATION: Pat Plan

GROUND ELEV: WELL TOP ELEV:

DEPTH FT. SOIL PROFILE





WELL SIZE & TYPE

2" Piezometer

CASING TYPE

none

CONCRETE

500 ft

BACKFILL

grout

SEAL TYPE

1/4" B. Balls

FILTER TYPE

20-30 Sand

WELL TIP TYPE

.010

Anderson & Associates, Inc.
Geotechnical, Environmental and Materials Consultants

REMARKS: Dry at installation

WELL INSTALLATION RECORD

CLIENT: Premier FILE No. 16-40-1509

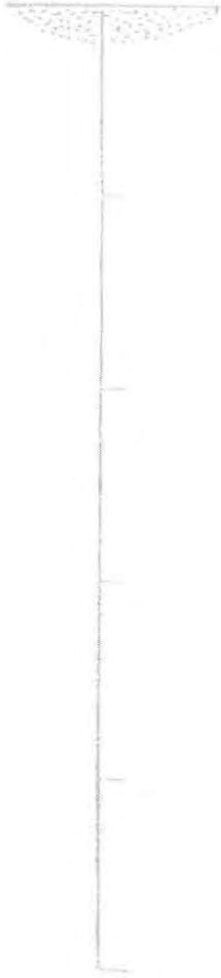
PROJECT: Springhead WELL NO. MW-E-3

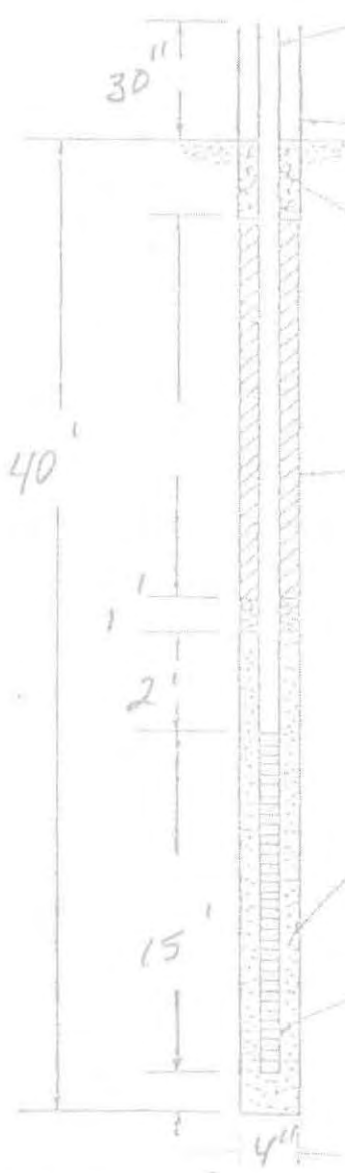
CREW SUPERVISOR: KM DATE INSTALLED: 7/19/16

WELL LOCATION: Per Plan

GROUND ELEV: WELL TOP ELEV:

DEPTH FT. SOIL PROFILE





WELL SIZE & TYPE

2" Piezometer

~~CASING TYPE~~

none

CONCRETE ☐

Grout

~~BACKFILL~~

Grout

SEAL TYPE

1/4" B-Balls

FILTER TYPE

20-30 Sand

WELL TIP TYPE

.010

REMARKS: Dry at Time of Install

Ardaman & Associates, Inc.
Geotechnical, Environmental and Materials Consultants

NORTHWEST FLORIDA WATER MANAGEMENT DISTRICT
PERMIT FOR CONSTRUCTION OF A WELL

Permit #: W201604043
Application #: 61442
Florida Unique ID:
62-524 Quad #:
Delineation #:
CUP/WUP Application #:

Owner, Legal Name if Corporation: Golden Oak Land Group LLC

Owner Address: 4708 Capital Circle Northwest , Tallahassee, FL 32303 **Telephone No.:**

Well Location: 550 Ox Bottom Road, Tallahassee 32312

Parcel ID: 1419200010000 **Lot:** **Block:** **Unit:** **62 52 :**

Section/Township/Range: 30/02N/01E **County:** Leon **Subdivision:**

Type of Work: Construction **Reason for Repair, Modification, Abandonment:**

Number of Proposed Wells: 10 **Intended Use of Well(s):** Monitor-Permanent

Distance from Septic System (ft.): N/A **Facility Description:** Vacant Propert **Estimated Start Date.** 0

Estimated Well Depth (ft.): **Estimated Casing Depth (ft.):** 20 **Primary Casing Diameter (in.):** 2

Production Interval Type: **Production Interval From:** 35 **To:** 20 **Primary Casing Material:** PVC

Secondary Casing Type: **Secondary Diameter (in.):** **Secondary Casing Material:**

Construction Method: ug **Total No. of Existing Wells on Site:** **No. of Existing Unused Wells on Site:**

Is this well or any existing well or water withdrawal on the owner's contiguous property covered under a Consumptive/Water Use Permit (CUP/WUP) or CUP/WUP application? No **CUP/WUP No.:** **District Well ID No.:**

Latitude: 303300.9 **Longitude:** 841607.13 **Data Obtained From:** GIS **Datum:** NAD8

Comments: - 35' Monitor wells

Proposed Grouting Interval:

Casing Type: Primary **Grout From (ft.):** 17 **Grout To (ft.):** **Seal Material:** Neat Cement

Submitted by: Kevin McDougald License No:
3175 West Tharpe Street, Tallahassee, FL 32
Telephone:

Approval Granted By: Application Received Date 07/12/2016 Issue Date: 07/12/2016

Expiration Date: 10/10/2016 Hydrologist Approval: Exemption Requested: No

Payment(s) Received Receipt#: 15719 - Payment Amount: $30

THIS PERMIT IS NOT VALID UNTIL A PERMIT NUMBER IS PRESENT IN THE BOX AT THE UPPER RIGHT CORNER OF THIS FORM. THIS PERMIT SHALL BE AVAILABLE AT THE WELL SITE DURING ALL CONSTRUCTION, REPAIR, MODIFICATION, OR ABANDONMENT ACTIVIES. THIS PERMIT IS VALID FOR 90 DAYS FROM DATE OF ISSUE.

Permit #: W201604043 / Application#: 261442
Owner Name: Golden Oak Land Group LLC
Owner Address: 4708 Capital Circle Northwest , Tallahassee, FL 32303
Well Location: 550 Ox Bottom Road, Tallahassee 32312
Well County: Leon

Permit Conditions:

1. The annulus of the well casing shall be grouted using neat Portland cement; bentonite grout is prohibited other than to form a seal between the well screen and the overlying Portland cement grout, or as an additive, up to five percent by weight, to the Portland cement. (Condition Code: 15)

2. Grouting required from bottom of casing to land surface using neat Portland cement. (Condition Code: 21)

3. Well must have an inner casing diameter at land surface of 4-inches or less. (Condition Code: 22)

4. Wells under this permit must be of the same casing diameter. (Condition Code: 23)

5. Wells under this permit must have a total depth of 50 feet or less. (Condition Code: 24)

6. Contractor must seal terminus of the well casing at land surface with one cubic foot of neat Portland cement. (Condition Code: 41)

7. All of the wells under this permit must be specifically used for monitoring purposes at chemical storage sites or chemical cleanup sites. (Condition Code: 57)

8. Contractor may submit a single completion report for all wells of similar construction (diameter and depth) for which work was completed under this permit. (Condition Code: 58)

9. Contractor must submit separate completion reports for any wells with dissimilar total depths and/or cased depths, for which work was completed under this permit. (Condition Code: 59)

10. The contractor shall create a borehole with a nominal two-inch annulus around the well casing. (Condition Code: 60)

11. Bentonite or fine sand may be used to form a seal, not to exceed five feet, between the well screen and the Portland cement. (Condition Code: 62)

12. The well may be finished below-grade if the well head is equipped with a water-tight seal and the well-head finish includes an appropriate access box. (Condition Code: 64)

13. The well owner, upon receipt of a site rehabilitation completion order has 60 days to have this well properly plugged and abandoned in accordance with Chapter 40A-3 of the Florida Administrative Code. (Condition Code: 65)

APPENDIX B

SOIL BORING PROFILES FROM 2015 STUDY

FIGURE KEY

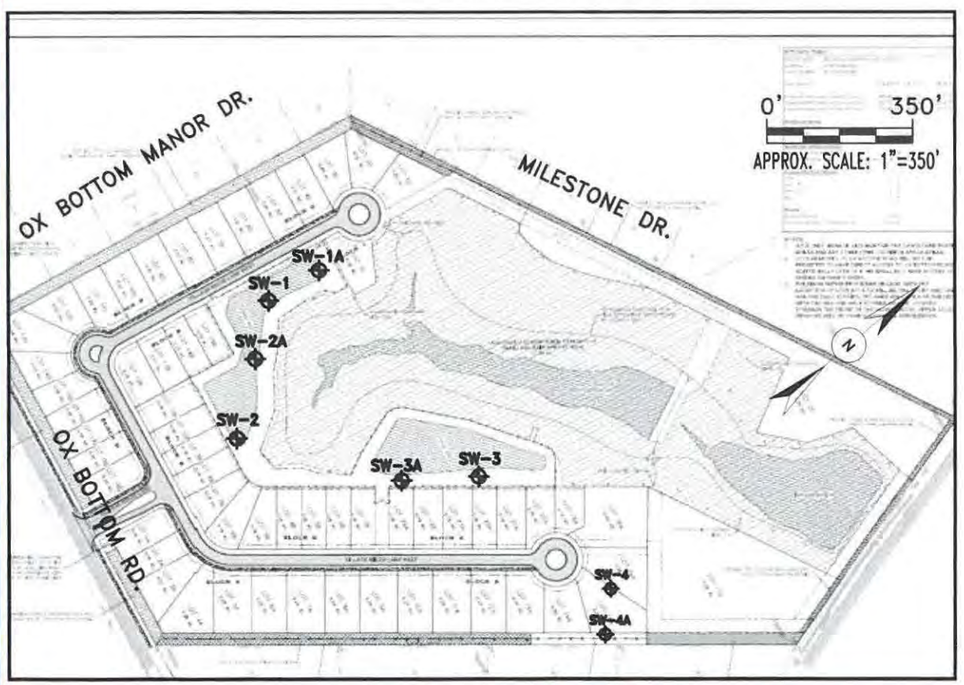
SW	APPROXIMATE STANDARD PENETRATION TEST (SPT) BORING LOCATION
N	STANDARD PENETRATION TEST (SPT) "BLOW COUNTS" (ASTM D-1586)
EOB	END OF BORING
GNE	GROUNDWATER NOT ENCOUNTERED
▼	GROUNDWATER DEPTH ESTIMATED ON DATE DRILLED
NM	NATURAL MOISTURE CONTENT IN PERCENT (ASTM D-2216)
-200	PERCENT PASSING NO. 200 SIEVE (PERCENT FINES)(ASTM D-1140)
*-200	PERCENT FINES FROM SIEVE ANALYSIS (ASTM D-421 & 422)
SP-SM, SM, SC	UNIFIED SOIL CLASSIFICATION SYSTEM
A-3, A-2-4	AASHTO SOIL CLASSIFICATION SYSTEM
DRILLERS:	IDI, JMC(OBSERVER), JDA(OBSERVER)
DRILL RIG:	IDI'S TRACK RIG (MANUAL HAMMER)

PRELIMINARY ESTIMATES OF INFILTRATION RATES

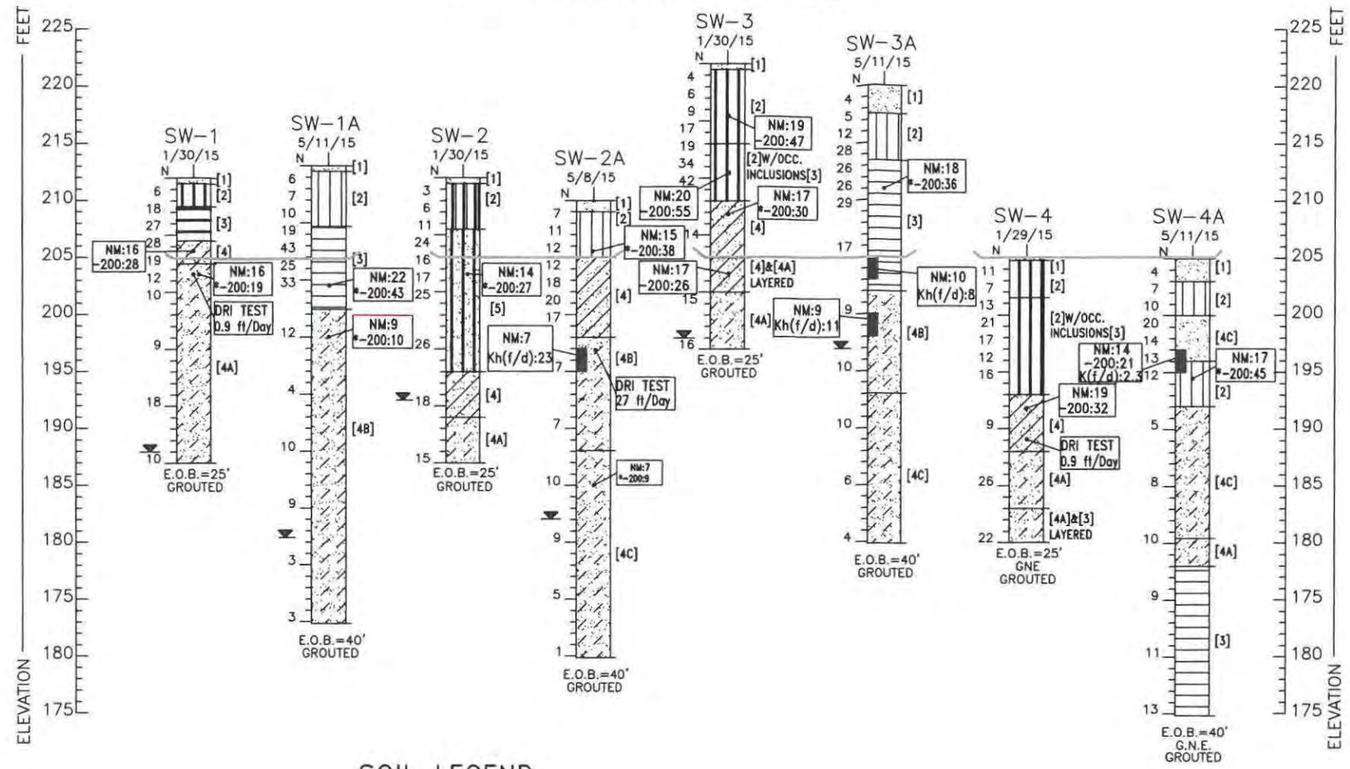
SOIL STRATA ENCOUNTERED	ESTIMATED INFILTRATION RATE (IN/HR)	SOIL STRATA ENCOUNTERED	ESTIMATED INFILTRATION RATE (IN/HR)
[2]	0.01	[4A]	0.35
[3]	0.01	[4]&[4A]	0.20
[2]W/[3]	0.01	[4A]&[3]	0.10
[4]	0.04	[5]	0.04

TEST BORING LOCATION PLAN

IMAGE SOURCE: UCC SHEET C-101: DATED 11/26/14



SOIL BORING PROFILES



SOIL LEGEND

- [1] DARK BROWN CLAYEY, SILTY FINE SAND W/SURFICIAL ROOTS; TOPSOIL (SM-SC; A-2-4)
- [2] LIGHT BROWN VERY CLAYEY FINE SAND TO VERY SANDY LEAN CLAY (SC TO CL; A-6)
- [3] MARBLED LIGHT GRAY OR TAN FAT CLAY W/TAN & LIGHT GRAY FINE SAND (CH W/ SM; A-7)
- [4] LIGHT BROWN CLAYEY MEDIUM TO FINE SAND W/OCCASIONAL INCLUSIONS OF LIGHT GRAY TO PINK FAT CLAY (SC W/OCC. CH; A-2-4/A-2-6 W/A-7)
- [4A] LIGHT BROWN TO TAN SLIGHTLY CLAYEY MEDIUM TO FINE SAND W/LAYERS OF TAN SANDY FAT CLAY (SM-SC W/CH; A-2-4 W/A-7)
- [4B] LIGHT BROWN TO TAN SLIGHTLY CLAYEY MEDIUM TO FINE SAND (SM-SC ; A-2-4)
- [4C] LIGHT BROWN TO TAN SLIGHTLY CLAYEY MEDIUM TO FINE SAND W/LAYERS OF TAN SANDY FAT CLAY AND OCCASIONAL CEMENTED SAND NODULES (SM-SC W/CH; A-2-4 W/A-7)
- [5] LIGHT GRAY TO BROWNISH-GRAY CLAYEY SAND W/INCLUSIONS OF FAT CLAY (SC W/CH; A-2-6 W/A-7)

ENGINEERING CLASSIFICATION

I COHESIONLESS SOILS

DESCRIPTION	BLOW COUNT "N"
VERY LOOSE	0 TO 4
LOOSE	4 TO 10
MEDIUM DENSE	10 TO 30
DENSE	30 TO 50
VERY DENSE	>50

II COHESIVE SOILS

DESCRIPTION	UNCONFINED COMPRESSIVE STRENGTH, QU, TSF	BLOW COUNT "N"
VERY SOFT	<1/4	0 TO 2
SOFT	1/4 TO 1/2	2 TO 4
MEDIUM STIFF	1/2 TO 1	4 TO 8
STIFF	1 TO 2	8 TO 15
VERY STIFF	2 TO 4	15 TO 30
HARD	>4	>30

WHILE THE BORINGS ARE REPRESENTATIVE OF SUBSURFACE CONDITIONS AT THEIR RESPECTIVE LOCATIONS AND FOR THEIR RESPECTIVE VERTICAL REACHES, LOCAL VARIATIONS CHARACTERISTICS OF THE SUBSURFACE MATERIALS OF THE REGION ARE ANTICIPATED AND MAY BE ENCOUNTERED. THE BORING LOGS AND RELATED INFORMATION ARE BASED ON THE DRILLER'S LOGS AND VISUAL EXAMINATION OF SELECTED SAMPLES IN THE LABORATORY. THE DELINEATION BETWEEN SOIL TYPES SHOWN ON THE LOGS IS APPROXIMATE AND THE DESCRIPTION REPRESENTS OUR INTERPRETATION OF SUBSURFACE CONDITIONS AT THE DESIGNATED BORING LOCATIONS ON THE PARTICULAR DATE DRILLED.

GROUNDWATER ELEVATIONS SHOWN ON THE BORING LOGS REPRESENT GROUNDWATER SURFACES ENCOUNTERED ON THE DATES SHOWN. FLUCTUATIONS IN WATER TABLE LEVELS SHOULD BE ANTICIPATED THROUGHOUT THE YEAR. ABSENCE OF WATER SURFACE DATA ON CERTAIN BORINGS IMPLIES THAT NO GROUNDWATER DATA IS AVAILABLE, BUT DOES NOT NECESSARILY MEAN THAT GROUNDWATER WILL NOT BE ENCOUNTERED AT THESE LOCATIONS OR WITHIN THE VERTICAL REACHES OF THESE BORINGS IN THE FUTURE.

Ardaman & Associates, Inc.
3175 W. Tharpe Street
Tallahassee, Florida 32303
(850) 576-6131

SHEET TITLE:

PRELIMINARY SUBSURFACE SOIL EXPLORATION
PROPOSED SPRINGHEAD SUBDIVISION SWMF'S
TALLAHASSEE, LEON COUNTY, FLORIDA

DRAWN BY: STEVEN REECY	CHECKED BY: STEVEN REECY	DATE: JUNE 15, 2017
FILE NO: 113-15-40-1026A	APPROVED BY: W.S. JORDAN, P.E.	FIGURE: 1

Geotechnical Investigation

- **Ardaman and Associates – 2/13/17**

Ardaman & Associates, Inc.

Geotechnical, Environmental and
Materials Consultants

February 13, 2017
File No. 113-17-40-1688

Premier Construction
4708 Capital Circle NW
Tallahassee, Florida 32303

Attention: Mr. Steve Ghazvini
c: Mr. Sean Marston, P.E., UCC Engineering

Subject: Supplemental Mounding Analysis for Pond 100
Proposed Brookside Village Subdivision
Ox Bottom Road
Tallahassee, Leon County, Florida

Dear Mr. Ghazvini:

Ardaman and Associates, Inc. (Ardaman) is pleased to provide this supplemental mounding analysis for the proposed Trench layout for Pond 100 at the referenced site. This mounding analysis was conducted at the request of UCC Engineering.

Previous Findings

As you are aware, in our November 30, 2015 report, *Subsurface Soil Exploration and Geotechnical Engineering Evaluation for Two Prospective Stormwater Management Facilities at the Proposed Brookside Village Subdivision (A&A File No. 15-40-1026A),* Ardaman conducted a subsurface soil exploration and geotechnical evaluation for two (2) prospective stormwater management facilities (SWMFs) at the referenced site. Following our mounding analysis for one of these SWMFS, Pond 100, we concluded that a 100-foot trench should infiltrate at a rate of 5,916 ft^3/day or 59.16 ft^3/day per lineal foot of trench with an appropriate safety factor of 2.0.

In our mounding analysis for Pond 100, we made the following assumptions:

- A value of hydraulic conductivity was derived for the trench by calculating a weighted average based on the portion of the sidewall in contact with Strata 2, 3, and 5 (which were estimated to have an average hydraulic conductivity of 0.04 ft/day); Stratum 4 soils (which were estimated to have an average hydraulic conductivity of 0.6 ft/day); and the portion of the sidewall comprised of Strata 4A, 4B, and 4C (which were estimated to have an average hydraulic conductivity of 5.5 ft/day, (1/2 of the estimated value of 11 ft/day). The resultant weighted estimate of hydraulic conductivity for Pond 100 was 4.67 ft/day. This estimated value incorporated a 2.0 safety factor.

- Additional mounding analysis input parameters included the following: Bottom of Pond Elevation: +203-feet, Seasonal High Groundwater Elevation: +195-feet. Elevation Top of Aquaclude: +173-feet. Average top of sand layer Elevation: +198-feet. Hydraulic Conductivity: Kh = 4.67 ft/day. Length of Trench: 100-feet, Width of Trench: 3-feet.

Recent Findings

Following submittal of our November, 2015 report, Ardaman conducted a study of the groundwater flow direction in our September 22, 2016, *Groundwater Flow Direction Report*. During the development of this document, we noted that the value for the depth of seasonal high groundwater is over-estimated in the November 30, 2015 (initial) report. When the initial November, 2015 report was generated, the seasonal high groundwater table was estimated based, in part, on the groundwater elevations observed across the entire site with a bias toward the higher levels found near Pond 200 to be conservative. Further note that the ground surface elevation at each boring location was estimated based on a topographic survey. However, as was discovered in the recent Groundwater Flow Direction Report, the depth to groundwater is significantly depressed in the areas located in close proximity of the ravine, such as Pond 100. In simple terms, the depth to groundwater is now known to be significantly lower at Pond 100, and at other locations in close proximity to the ravine.

Revised Mounding Analysis Assumptions

Based on the revised estimate of depth to groundwater near Pond 100, we have therefore revised our mounding analysis for Pond 100. In our revised mounding analysis, we made the following assumptions:

- The resultant weighted estimate of hydraulic conductivity for Pond 100 remains unchanged at 4.67 ft/day. This estimated value incorporated a 2.0 safety factor.

- Additional mounding analysis input parameters remain unchanged with the exception of depth of groundwater. These included the following: Bottom of Pond Elevation: +203-feet. Elevation Top of Aquaclude: +173-feet. Average top of sand layer Elevation: +198-feet. Hydraulic Conductivity: Kh = 4.67 ft/day. Length of Trench: 100-feet, Width of Trench: 3-feet.

- Based on our findings in our Groundwater Flow Direction Report dated September 22, 2016, we now estimate the Seasonal High Groundwater Elevation to be approximately: +184-feet, or 11-feet lower than our previous estimate. This estimate was based on measured piezometer readings which were surveyed for elevation, rather than estimated.

As in our November 30, 2015 report, we again evaluated the performance of prospective infiltration trenches using a model to simulate trench performance using the Computer Program PONDS Version 3.2.0265 (Copyright 2012).

We conducted a mounding analysis in an effort to estimate the infiltration rate in a 100-foot long trench installed in Ponds 100 to derive an approximate infiltration rate per lineal foot of trench constructed with a width of 3-feet and a depth of at least 3-feet into the sand layer. Note that for modeling purposes the aquaclude was set at the elevation corresponding to the deepest test boring advanced in each pond area (test borings SW-1A, SW-2A and SW-3A).

Results of Mounding Analysis

Based on the revised seasonal high groundwater elevation, mounding analysis (attached) revealed that the 100-foot trench infiltrated at a rate of 11,552 ft^3/day or 115.52 ft^3/day per lineal foot of trench. This is a significant improvement over our original estimate of 5,916 ft^3/day or 59.16 ft^3/day per lineal foot of trench at Pond 100. Note that our original estimate for the infiltration rate at Pond 200 will remain unchanged because our original estimate for the elevation of the seasonal high water table is appropriate.

Recommendations

Based on the above, the recommendations outlined in our original November 20, 2015 report, which appear to be incorporated into UCC's final design, are still recommended. We recommend the following for trench design criteria:

- A single trench in each pond, because parallel trenches would reduce the efficiency of infiltration due to cross-loading. The trench is permitted to have angles. At least two hydraulic field tests are required in a minimum 25' long test trench in each pond.

- Geotechnical Engineer representative present at all times that the work is ongoing, to verify and document minimum 3' depth penetration into Strata 4A, 4B, and 4C.

- Backfill trench as the excavation progresses, and lightly "puddle compact" the sand fill, to pre-settle the fill and preclude later "hollowing" of the top of the trench. Backfill sand must be clean, uniformly graded medium to fine sand with less than 8% passing the US No. 200 sieve, and with minimum permeability 40 inches per hour. Minimum tests required are 2 permeability and -200 sieve tests from the pit or stockpile for acceptance (or rejection), and one set of tests per 50 lineal feet of trench backfill.

- Mound the backfill sand at least 6" above adjacent pond bottom grade, and top with 3" thickness No. 57 gravel to dissipate horizontal flow velocities in the pond bottom.

In addition to the above, we provide the following recommendation:

- We estimated that a 100-foot trench will infiltrate at a rate of 11,552 ft^3/day or 115.52 ft^3/day per lineal foot of trench in our mounding analysis. Note that this estimate incorporates a 2.0 safety factor. Therefore, the actual infiltration rate may be significantly higher due to the safety factor or lower due to variability in soil type and permeability between borings We therefore recommend that the design engineer consider utilizing a minimal trench length located in accordance with the recommendations outlined above, with the understanding that additional trench can be added afterwards as needed.

Closure

The recommendations submitted in this report are based upon the data obtained from the soil borings originally presented in our November 30, 2015 report, *Subsurface Soil Exploration and Geotechnical Engineering Evaluation for Two Prospective Stormwater Management Facilities at the Proposed Brookside Village Subdivision (A&A File No. 15-40-1026A)*. This report does not reflect any variations which may occur between the borings, or over the course of time. The nature and extent of variations may not become evident until construction. If site or soil variations appear evident, it will be necessary to reevaluate the recommendations of this report after performing further on-site observations during the construction period and noting the characteristics of such variations.

In the event any changes occur in the design, nature, or locations of the proposed ponds, Ardaman and Associates, Inc. must review the applicability of the conclusions and recommendations in this report. Recommendations in this report shall not be applicable if all the above is not fulfilled by the client or the consultant involved in the project.

This evaluation does not address the possibility of *eventual* sinkhole development at the site. This exploration and analysis covers the shallow soil and limestone deposits explored at specific locations and to specific depths. It is not intended to include deeper soil or rock strata where cavities and caverns may exist.

This report has been prepared in accordance with generally accepted geotechnical engineering practices. No other warranty, expressed or implied, is made. If you have any questions regarding the above information, please contact the undersigned.

Sincerely,
ARDAMAN & ASSOCIATES, INC.
Florida Certificate of Authorization No.: 5950

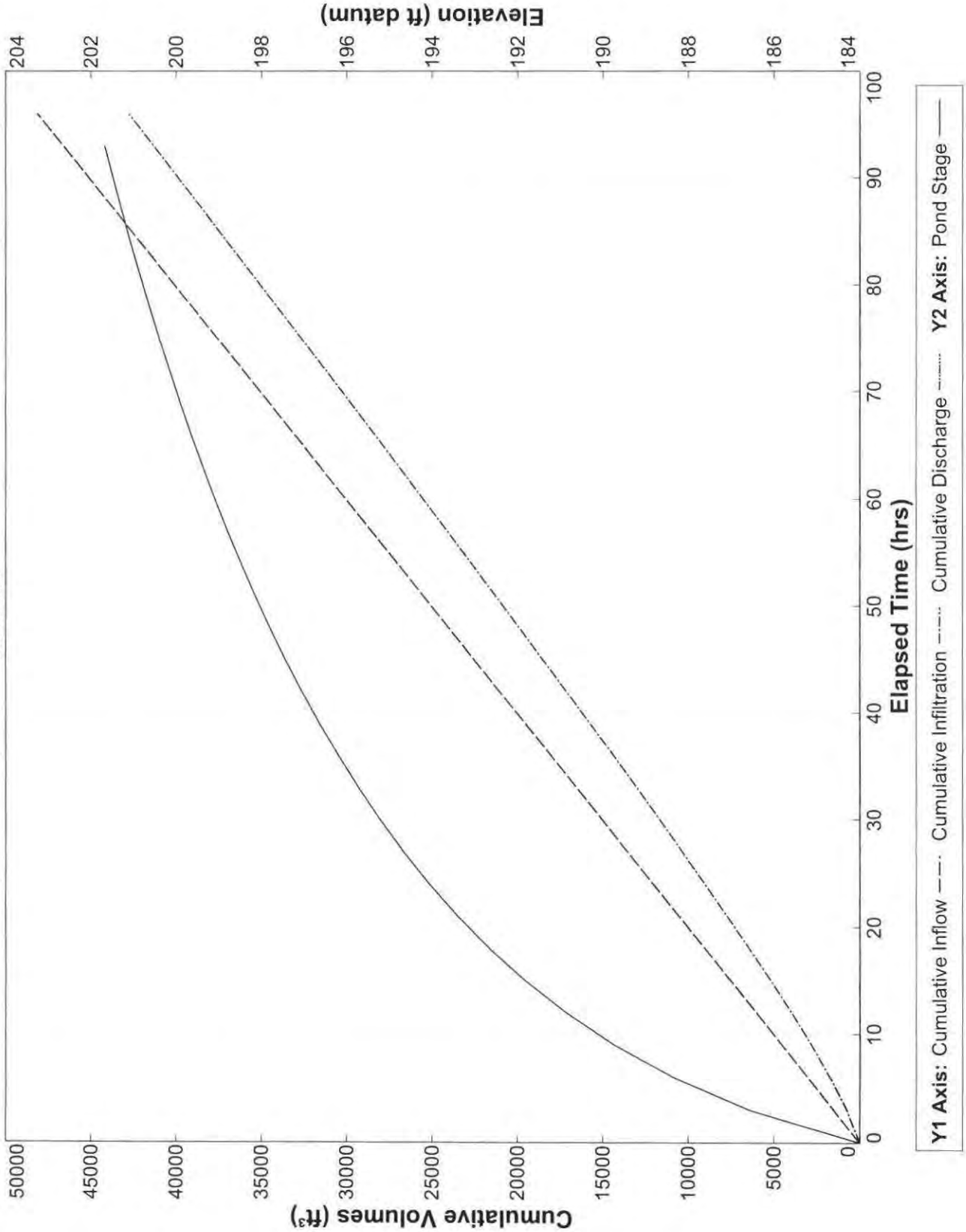
Steven W. Reecy, P.E.
Senior Project Engineer
Florida License No. 52071

Michael S. Wilson, P.E.
Branch Manager/Vice President
Florida License No. 46088

Pond 100 ⇒ 115.52 $ft^3/day/ft$

Plot of Cumulative Volumes and Pond Stage vs Elapsed Time

Scenario 1



PONDS Version 3.2.0265
Retention Pond Recovery - Refined Method
Copyright 2012
Devo Seereeram, Ph.D., P.E.

Project Data

Project Name:	Springhead
Simulation Description:	Trench Rates
Project Number:	15-1026A
Engineer :	Reecy
Supervising Engineer:	
Date:	02-07-2017

Aquifer Data

Base Of Aquifer Elevation, [B] (ft datum):	173.00
Water Table Elevation, [WT] (ft datum):	184.00
Horizontal Saturated Hydraulic Conductivity, [Kh] (ft/day):	4.67
Fillable Porosity, [n] (%):	25.00

Vertical infiltration was not considered.

Geometry Data

Equivalent Pond Length, [L] (ft):	100.0
Equivalent Pond Width, [W] (ft):	3.0

Ground water mound is expected to intersect the pond bottom

Stage vs Area Data

Stage (ft datum)	Area (ft^2)
173.00	300.0
193.00	300.0
197.00	300.0
200.00	300.0
203.00	300.0
203.01	20000.0

Ditch Data

Ditch (or interceptor trench) parallel to length axis is inactive

Ditch (or interceptor trench) parallel to width axis is inactive

Discharge Structures

Discharge Structure #1 is inactive

Discharge Structures (cont'd.)

Discharge Structure #2 is inactive

Discharge Structure #3 is inactive

Scenario Input Data

Scenario 1 ::

Hydrograph Type:	Perc Pond
Modflow Routing:	Routed with infiltration

Loading rate (gpd):	90000
Duration (days):	4
Number of increments:	32

Initial ground water level (ft datum)	184.00 (default)

Detailed Results :: *Scenario 1* ::

Elapsed Time	Instantaneous Inflow Rate	Outside Recharge	Stage Elevation	Infiltration Rate	Combined Instantaneous Discharge	Cumulative Inflow	Cumulative Infiltration	Combined Cumulative	
0.000	0.1393	0.00000	184.00000	0.00000	0	0.000	0.00000	0	N.A.
3.000	0.1393	0.00000	186.55410	0.07906	0	1503.910	737.69210	0	S
6.000	0.1393	0.00000	188.33390	0.09532	0	3007.820	1707.65400	0	S
9.000	0.1393	0.00000	189.71680	0.10428	0	4511.730	2796.67900	0	S
12.000	0.1393	0.00000	190.85210	0.11009	0	6015.641	3960.02300	0	S
15.000	0.1393	0.00000	191.81640	0.11421	0	7519.551	5174.63400	0	S
18.000	0.1393	0.00000	192.65520	0.11728	0	9023.461	6426.88700	0	S
21.000	0.1393	0.00000	193.39800	0.11968	0	10527.370	7707.97900	0	S
24.000	0.1393	0.00000	194.06440	0.12160	0	12031.280	9011.95000	0	S
27.000	0.1393	0.00000	194.66890	0.12317	0	13535.190	10334.51000	0	S
30.000	0.1393	0.00000	195.22200	0.12449	0	15039.100	11672.50000	0	S
33.000	0.1393	0.00000	195.73170	0.12561	0	16543.010	13023.50000	0	S
36.000	0.1393	0.00000	196.20430	0.12657	0	18046.920	14385.63000	0	S
39.000	0.1393	0.00000	196.64480	0.12741	0	19550.830	15757.39000	0	S
42.000	0.1393	0.00000	197.05720	0.12814	0	21054.740	17137.59000	0	S
45.000	0.1393	0.00000	197.44480	0.12879	0	22558.650	18525.22000	0	S
48.000	0.1393	0.00000	197.81030	0.12937	0	24062.560	19919.46000	0	S
51.000	0.1393	0.00000	198.15620	0.12989	0	25566.470	21319.62000	0	S
54.000	0.1393	0.00000	198.48430	0.13036	0	27070.380	22725.10000	0	S
57.000	0.1393	0.00000	198.79630	0.13079	0	28574.290	24135.41000	0	S
60.000	0.1393	0.00000	199.09370	0.13118	0	30078.200	25550.11000	0	S
63.000	0.1393	0.00000	199.37770	0.13153	0	31582.110	26968.81000	0	S
66.000	0.1393	0.00000	199.64950	0.13186	0	33086.020	28391.18000	0	S
69.000	0.1393	0.00000	199.91000	0.13216	0	34589.930	29816.95000	0	S
72.000	0.1393	0.00000	200.16000	0.13244	0	36093.840	31245.83000	0	S
75.000	0.1393	0.00000	200.40050	0.13270	0	37597.750	32677.61000	0	S
78.000	0.1393	0.00000	200.63190	0.13294	0	39101.660	34112.08000	0	S
81.000	0.1393	0.00000	200.85510	0.13316	0	40605.570	35549.06000	0	S
84.000	0.1393	0.00000	201.07040	0.13337	0	42109.480	36988.38000	0	S
87.000	0.1393	0.00000	201.27840	0.13357	0	43613.390	38429.88000	0	S
90.000	0.1393	0.00000	201.47950	0.13375	0	45117.300	39873.44000	0	S
93.000	0.1393	0.00000	201.67430	0.13393	0	46621.210	41318.93000	0	S
96.000	0.1393	0.00000	201.86300	----	—	48125.130	42766.24000	0	N.A.

INFILTRATION RATE = $0.13375 \frac{ft^3/s}{100 ft} = 11551.7 \frac{ft^3/day}{100 ft} = 115.52 \, ft^3/day/ft$

Summary of Results *:: Scenario 1 ::*

	Time (hours)	Stage (ft datum)	Rate (ft^3/s)	Volume (ft^3)
Stage				
Minimum	0.000	184.00		
Maximum	96.000	201.86		
Inflow				
Rate - Maximum - Positive	3.000		0.1393	
Rate - Maximum - Negative	None		None	
Cumulative Volume - Maximum Positive	96.000			48125.1
Cumulative Volume - Maximum Negative	None			None
Cumulative Volume - End of Simulation	96.000			48125.1
Infiltration				
Rate - Maximum - Positive	93.000		0.1339	
Rate - Maximum - Negative	None		None	
Cumulative Volume - Maximum Positive	96.000			42766.2
Cumulative Volume - Maximum Negative	None			None
Cumulative Volume - End of Simulation	96.000			42766.2
Combined Discharge				
Rate - Maximum - Positive	None		None	
Rate - Maximum - Negative	None		None	
Cumulative Volume - Maximum Positive	None			None
Cumulative Volume - Maximum Negative	None			None
Cumulative Volume - End of Simulation	96.000			0.0
Discharge Structure 1 - inactive				
Rate - Maximum - Positive	disabled		disabled	
Rate - Maximum - Negative	disabled		disabled	
Cumulative Volume - Maximum Positive	disabled			disabled
Cumulative Volume - Maximum Negative	disabled			disabled
Cumulative Volume - End of Simulation	disabled			disabled
Discharge Structure 2 - inactive				
Rate - Maximum - Positive	disabled		disabled	
Rate - Maximum - Negative	disabled		disabled	
Cumulative Volume - Maximum Positive	disabled			disabled
Cumulative Volume - Maximum Negative	disabled			disabled
Cumulative Volume - End of Simulation	disabled			disabled
Discharge Structure 3 - inactive				
Rate - Maximum - Positive	disabled		disabled	
Rate - Maximum - Negative	disabled		disabled	
Cumulative Volume - Maximum Positive	disabled			disabled
Cumulative Volume - Maximum Negative	disabled			disabled
Cumulative Volume - End of Simulation	disabled			disabled
Pollution Abatement:				
36 Hour Stage and Infiltration Volume	N.A.	N.A.		N.A.
72 Hour Stage and Infiltration Volume	N.A.	N.A.		N.A.

APPENDIX I

Wetland Enhancement Report

- **Florida Environmental and Land Services**

FLORIDA ENVIRONMENTAL
& LAND SERVICES, INC.
221-4 Delta Court | Tallahassee, Florida 32303
Tel (850) 385.6255 | fax (850) 385.6355

October 7, 2016
Revised on June 29, 2017

Mr. Sean Marston
Urban Catalyst Consultants
2840 Pablo Avenue
Tallahassee, FL 32308

Re: Brookside Village Residential Subdivision Wetland Impact Analysis
Parcel ID 14-19-20-001-0000

Dear Mr. Marston:

As requested, Florida Environmental and Land Services, Inc (FELSI) has reviewed the proposed conditions at the Brookside Village Residential Subdivision Impoundment #1. The project will entail raising the elevation of the dam, creating some additional temporary storage within the wetland behind the dam.

Current Conditions

Currently the impoundment is created by an earthen dam with a pipe structure that allows water to pass through and continue down the system. The opening for the pipe is currently set at 172.07'. Water backs up behind the dam to create a shallow ponded area.

View of current conditions upstream of the dam.

The banks are steep slopes of >20% and the wetland line occurs around the 171 to 191 foot contour lines, which is often top of bank. Little vegetation is present within the wetland line, down to the water because of the steep slopes. The vegetation located at the tops of these slopes and within the uplands is sparse. Typical species includes live oak, shortleaf pine, sweetgum, and water oak, American beautybush (*Callicarpa americana*), yellow jessamine (*Gelsemium sempervirens*), and highbush blueberry (*Vaccinium corymbosum*). Invasive exotics in this community included glossy privet (*Ligustrum lucidum*), Japanese climbing fern (*Lygodium japonicum*), camphor tree (*Cinnamomum camphora*) and coral Ardisia (*Ardisia crenata*).

Proposed Conditions

The proposed normal pool is 172.0, which is almost the same as the existing pipe invert (172.07). The proposed maximum stage (100 yr-8 hour event) is 178.33, creating the potential for an additional 6.33' of water storage. The proposed maximum stage for a 25 year-8 hour event is 177.37. The water would return to normal within 48 hours based upon the modeling (see included report prepared by UCC). Raising the water to this elevation should have little effect on the adjacent wetlands because the wetlands are mostly unvegetated and associated with steep slopes and the storage duration is relatively short. In most areas, the impounded water does not reach top of bank. Please refer to the Figure included.

View of an example of the steep slope adjacent to the impoundment area.

Opinion

In my opinion, the impoundment of the additional volume of water (6.33') for approximately 48 hours will have no measurable effect on the condition of the wetlands adjacent to the impoundment area.

Please let me know if you have any questions.

Sincerely,

Elva Peppers

Elva Peppers
Project Manager

Sim	Node Name	Relative Time [hrs]	Stage [ft]	Warning Stage [ft]
100y-24h	IMP #1	0.0000	172.00	179.00
100y-24h	IMP #1	0.2511	172.00	179.00
100y-24h	IMP #1	0.5050	172.00	179.00
100y-24h	IMP #1	0.7556	172.00	179.00
100y-24h	IMP #1	1.0021	172.00	179.00
100y-24h	IMP #1	1.2546	172.00	179.00
100y-24h	IMP #1	1.5105	172.00	179.00
100y-24h	IMP #1	1.7605	172.00	179.00
100y-24h	IMP #1	2.0105	172.00	179.00
100y-24h	IMP #1	2.2605	172.00	179.00
100y-24h	IMP #1	2.5105	172.00	179.00
100y-24h	IMP #1	2.7605	172.00	179.00
100y-24h	IMP #1	3.0105	172.00	179.00
100y-24h	IMP #1	3.2512	172.00	179.00
100y-24h	IMP #1	3.5001	172.00	179.00
100y-24h	IMP #1	3.7503	172.02	179.00
100y-24h	IMP #1	4.0030	172.04	179.00
100y-24h	IMP #1	4.2528	172.09	179.00
100y-24h	IMP #1	4.5020	172.14	179.00
100y-24h	IMP #1	4.7510	172.20	179.00
100y-24h	IMP #1	5.0008	172.27	179.00
100y-24h	IMP #1	5.2504	172.35	179.00
100y-24h	IMP #1	5.5010	172.45	179.00
100y-24h	IMP #1	5.7509	172.56	179.00
100y-24h	IMP #1	6.0006	172.67	179.00
100y-24h	IMP #1	6.2501	172.78	179.00
100y-24h	IMP #1	6.5002	172.89	179.00
100y-24h	IMP #1	6.7505	173.00	179.00
100y-24h	IMP #1	7.0010	173.10	179.00

Sim	Node Name	Relative Time [hrs]	Stage [ft]	Warning Stage [ft]
100y-24h	IMP #1	7.2505	173.18	179.00
100y-24h	IMP #1	7.5004	173.26	179.00
100y-24h	IMP #1	7.7506	173.34	179.00
100y-24h	IMP #1	8.0006	173.40	179.00
100y-24h	IMP #1	8.2502	173.48	179.00
100y-24h	IMP #1	8.5001	173.60	179.00
100y-24h	IMP #1	8.7506	173.72	179.00
100y-24h	IMP #1	9.0003	173.83	179.00
100y-24h	IMP #1	9.2502	173.93	179.00
100y-24h	IMP #1	9.5004	174.03	179.00
100y-24h	IMP #1	9.7508	174.11	179.00
100y-24h	IMP #1	10.0006	174.20	179.00
100y-24h	IMP #1	10.2504	174.29	179.00
100y-24h	IMP #1	10.5001	174.41	179.00
100y-24h	IMP #1	10.7504	174.54	179.00
100y-24h	IMP #1	11.0004	174.67	179.00
100y-24h	IMP #1	11.2501	174.80	179.00
100y-24h	IMP #1	11.5001	174.95	179.00
100y-24h	IMP #1	11.7502	175.15	179.00
100y-24h	IMP #1	12.0003	175.64	179.00
100y-24h	IMP #1	12.2503	176.12	179.00
100y-24h	IMP #1	12.5002	176.42	179.00
100y-24h	IMP #1	12.7507	176.61	179.00
100y-24h	IMP #1	13.0001	176.70	179.00
100y-24h	IMP #1	13.2509	176.75	179.00
100y-24h	IMP #1	13.5015	176.79	179.00
100y-24h	IMP #1	13.7501	176.82	179.00
100y-24h	IMP #1	14.0011	176.83	179.00
100y-24h	IMP #1	14.2505	176.85	179.00

Sim	Node Name	Relative Time [hrs]	Stage [ft]	Warning Stage [ft]
100y-24h	IMP #1	14.5011	176.86	179.00
100y-24h	IMP #1	14.7503	176.88	179.00
100y-24h	IMP #1	15.0018	176.92	179.00
100y-24h	IMP #1	15.2516	176.98	179.00
100y-24h	IMP #1	15.5019	177.03	179.00
100y-24h	IMP #1	15.7590	177.06	179.00
100y-24h	IMP #1	16.0066	177.07	179.00
100y-24h	IMP #1	16.2524	177.09	179.00
100y-24h	IMP #1	16.5058	177.07	179.00
100y-24h	IMP #1	16.7548	177.05	179.00
100y-24h	IMP #1	17.0021	177.01	179.00
100y-24h	IMP #1	17.2520	176.97	179.00
100y-24h	IMP #1	17.5021	176.93	179.00
100y-24h	IMP #1	17.7503	176.89	179.00
100y-24h	IMP #1	18.0013	176.85	179.00
100y-24h	IMP #1	18.2531	176.81	179.00
100y-24h	IMP #1	18.5033	176.77	179.00
100y-24h	IMP #1	18.7521	176.72	179.00
100y-24h	IMP #1	19.0022	176.67	179.00
100y-24h	IMP #1	19.2511	176.63	179.00
100y-24h	IMP #1	19.5007	176.58	179.00
100y-24h	IMP #1	19.7503	176.52	179.00
100y-24h	IMP #1	20.0012	176.47	179.00
100y-24h	IMP #1	20.2552	176.42	179.00
100y-24h	IMP #1	20.5052	176.39	179.00
100y-24h	IMP #1	20.7535	176.37	179.00
100y-24h	IMP #1	21.0064	176.36	179.00
100y-24h	IMP #1	21.2510	176.34	179.00
100y-24h	IMP #1	21.5013	176.30	179.00

Sim	Node Name	Relative Time [hrs]	Stage [ft]	Warning Stage [ft]
100y-24h	IMP #1	21.7513	176.25	179.00
100y-24h	IMP #1	22.0018	176.18	179.00
100y-24h	IMP #1	22.2514	176.11	179.00
100y-24h	IMP #1	22.5010	176.03	179.00
100y-24h	IMP #1	22.7508	175.92	179.00
100y-24h	IMP #1	23.0012	175.80	179.00
100y-24h	IMP #1	23.2509	175.67	179.00
100y-24h	IMP #1	23.5002	175.54	179.00
100y-24h	IMP #1	23.7505	175.41	179.00
100y-24h	IMP #1	24.0009	175.29	179.00
100y-24h	IMP #1	24.2501	175.16	179.00
100y-24h	IMP #1	24.5005	175.02	179.00
100y-24h	IMP #1	24.7500	174.85	179.00
100y-24h	IMP #1	25.0013	174.68	179.00
100y-24h	IMP #1	25.2512	174.51	179.00
100y-24h	IMP #1	25.5001	174.35	179.00
100y-24h	IMP #1	25.7502	174.20	179.00
100y-24h	IMP #1	26.0006	174.05	179.00
100y-24h	IMP #1	26.2514	173.91	179.00
100y-24h	IMP #1	26.5011	173.78	179.00
100y-24h	IMP #1	26.7509	173.66	179.00
100y-24h	IMP #1	27.0005	173.54	179.00
100y-24h	IMP #1	27.2516	173.42	179.00
100y-24h	IMP #1	27.5017	173.31	179.00
100y-24h	IMP #1	27.7501	173.21	179.00
100y-24h	IMP #1	28.0023	173.12	179.00
100y-24h	IMP #1	28.2512	173.03	179.00
100y-24h	IMP #1	28.5013	172.95	179.00
100y-24h	IMP #1	28.7527	172.87	179.00

Sim	Node Name	Relative Time [hrs]	Stage [ft]	Warning Stage [ft]
100y-24h	IMP #1	29.0022	172.81	179.00
100y-24h	IMP #1	29.2515	172.75	179.00
100y-24h	IMP #1	29.5003	172.70	179.00
100y-24h	IMP #1	29.7507	172.66	179.00
100y-24h	IMP #1	30.0023	172.62	179.00
100y-24h	IMP #1	30.2507	172.58	179.00
100y-24h	IMP #1	30.5002	172.55	179.00
100y-24h	IMP #1	30.7502	172.52	179.00
100y-24h	IMP #1	31.0001	172.50	179.00
100y-24h	IMP #1	31.2518	172.47	179.00
100y-24h	IMP #1	31.5022	172.45	179.00
100y-24h	IMP #1	31.7529	172.43	179.00
100y-24h	IMP #1	32.0014	172.42	179.00
100y-24h	IMP #1	32.2504	172.40	179.00
100y-24h	IMP #1	32.5004	172.39	179.00
100y-24h	IMP #1	32.7505	172.37	179.00
100y-24h	IMP #1	33.0004	172.36	179.00
100y-24h	IMP #1	33.2566	172.35	179.00
100y-24h	IMP #1	33.5011	172.34	179.00
100y-24h	IMP #1	33.7529	172.33	179.00
100y-24h	IMP #1	34.0044	172.32	179.00
100y-24h	IMP #1	34.2563	172.31	179.00
100y-24h	IMP #1	34.5078	172.30	179.00
100y-24h	IMP #1	34.7511	172.30	179.00
100y-24h	IMP #1	35.0061	172.29	179.00
100y-24h	IMP #1	35.2542	172.29	179.00
100y-24h	IMP #1	35.5059	172.28	179.00
100y-24h	IMP #1	35.7549	172.27	179.00
100y-24h	IMP #1	36.0075	172.27	179.00

Sim	Node Name	Relative Time [hrs]	Stage [ft]	Warning Stage [ft]
100y-24h	IMP #1	36.2545	172.27	179.00
100y-24h	IMP #1	36.5046	172.26	179.00
100y-24h	IMP #1	36.7578	172.26	179.00
100y-24h	IMP #1	37.0021	172.25	179.00
100y-24h	IMP #1	37.2567	172.25	179.00
100y-24h	IMP #1	37.5100	172.25	179.00
100y-24h	IMP #1	37.7534	172.24	179.00
100y-24h	IMP #1	38.0100	172.24	179.00
100y-24h	IMP #1	38.2534	172.24	179.00
100y-24h	IMP #1	38.5100	172.24	179.00
100y-24h	IMP #1	38.7634	172.23	179.00
100y-24h	IMP #1	39.0017	172.23	179.00
100y-24h	IMP #1	39.2550	172.23	179.00
100y-24h	IMP #1	39.5084	172.23	179.00
100y-24h	IMP #1	39.7500	172.22	179.00
100y-24h	IMP #1	40.0067	172.22	179.00
100y-24h	IMP #1	40.2500	172.22	179.00
100y-24h	IMP #1	40.5067	172.22	179.00
100y-24h	IMP #1	40.7617	172.22	179.00
100y-24h	IMP #1	41.0000	172.22	179.00
100y-24h	IMP #1	41.2534	172.21	179.00
100y-24h	IMP #1	41.5067	172.21	179.00
100y-24h	IMP #1	41.7600	172.21	179.00
100y-24h	IMP #1	42.0034	172.21	179.00
100y-24h	IMP #1	42.2600	172.21	179.00
100y-24h	IMP #1	42.5034	172.21	179.00
100y-24h	IMP #1	42.7600	172.21	179.00
100y-24h	IMP #1	43.0134	172.21	179.00
100y-24h	IMP #1	43.2517	172.20	179.00

Sim	Node Name	Relative Time [hrs]	Stage [ft]	Warning Stage [ft]
100y-24h	IMP #1	43.5050	172.20	179.00
100y-24h	IMP #1	43.7584	172.20	179.00
100y-24h	IMP #1	44.0000	172.20	179.00
100y-24h	IMP #1	44.2567	172.20	179.00
100y-24h	IMP #1	44.5000	172.20	179.00
100y-24h	IMP #1	44.7567	172.20	179.00
100y-24h	IMP #1	45.0117	172.20	179.00
100y-24h	IMP #1	45.2500	172.20	179.00
100y-24h	IMP #1	45.5034	172.20	179.00
100y-24h	IMP #1	45.7567	172.19	179.00
100y-24h	IMP #1	46.0100	172.19	179.00
100y-24h	IMP #1	46.2534	172.19	179.00
100y-24h	IMP #1	46.5100	172.19	179.00
100y-24h	IMP #1	46.7534	172.19	179.00
100y-24h	IMP #1	47.0100	172.19	179.00
100y-24h	IMP #1	47.2634	172.19	179.00
100y-24h	IMP #1	47.5017	172.19	179.00
100y-24h	IMP #1	47.7550	172.19	179.00
100y-24h	IMP #1	48.0084	172.19	179.00
100y-24h	IMP #1	48.2500	172.19	179.00
100y-24h	IMP #1	48.5067	172.19	179.00
100y-24h	IMP #1	48.7500	172.18	179.00
100y-24h	IMP #1	49.0067	172.18	179.00
100y-24h	IMP #1	49.2617	172.18	179.00
100y-24h	IMP #1	49.5000	172.18	179.00
100y-24h	IMP #1	49.7534	172.18	179.00
100y-24h	IMP #1	50.0067	172.18	179.00
100y-24h	IMP #1	50.2600	172.18	179.00
100y-24h	IMP #1	50.5034	172.18	179.00

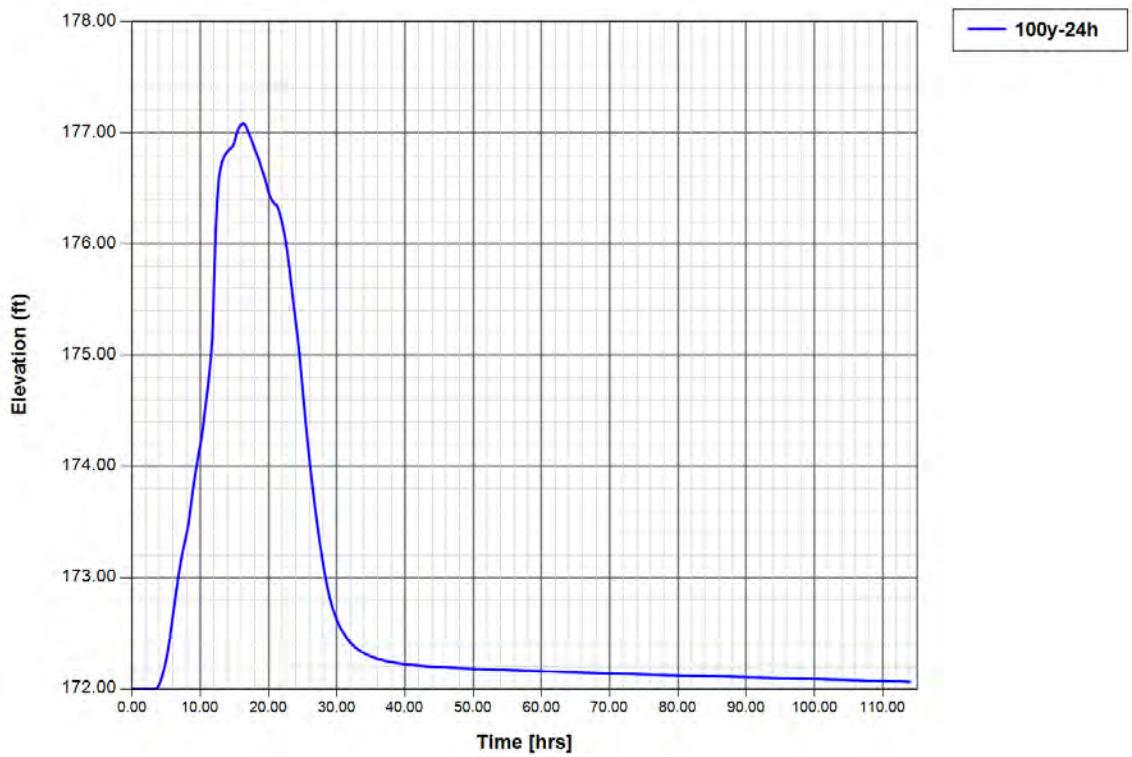
Node: IMP #1

Scenario: Icpr3
Type: Stage/Area
Base Flow: 0.00 cfs
Initial Stage: 172.00 ft
Warning Stage: 179.00 ft

Stage [ft]	Area [ac]	Area [ft2]
172.00	0.2000	8712
173.00	0.2200	9583
174.00	0.4100	17860
175.00	0.5100	22216
176.00	0.7000	30492
177.00	0.8400	36590
178.00	1.0300	44867
179.00	1.1900	51836

Comment:

Node Stage: IMP #1 [Icpr3]



JOINT EXHIBIT OF THE PARTIES 17

Brookside Village Subdivision

Conservation Easement

Management Plan

LSP 150035

Tax ID: 14-19-20-001-0000

I. General

The Brookside Village Subdivision site and development plan delineates two separate Conservation Easement Areas (CA) on the parcel, Conservation Easement Area "A" comprising of 11.18 acres. CA "A" includes several environmental features such as, Wetlands, Waterbodies, Water Course, FEMA Flood zone, Native Forest, Significant grade and Severe Grade. CA "A" is central located within the project and includes steep ravines leading to a sandy bottom creek which flows into two manmade impoundments. These impoundments are connected in series and discharge into Moore Pond. The breakdown of the environmental features of the site are included below.

Natural Features Table

Natural Feature	Acres or Sq. Ft	% of Site
Wetland	2.90	8.25
Waterbody	0.93	2.64
Watercourse	0.33	0.94
Floodplain	2.07	5.89
Significant Grade	3.58	10.18 (Note: 50% preserved)
Severe Grade	4.93	14.02
Native Forests	4.83	13.73

The goals of the establishment of the CA are listed below:

1. The long term protection of the environmental features located within Conservation Easement Areas A; and, conservation easement area and will be remaining ½ the existing tree vegetation to allow additional exposure to sunlight which will create a denser buffer. In addition evergreen shrubs will be installed to provide buffer requirements. Trees to be removed must be approved by LCDSEM prior to removal.
2. Operate and maintain Impoundment #1 and Impoundment #2.
3. Minimize the proliferation of identified invasive exotic plant species within the Conservation Areas. The goal is to achieve less than 1% cover of invasive exotic plants within conservation easement areas.
4. Create Walking Trails for use by members of the Brookside Village Homeowners Association.

II. Maintenance Entity

The developer, Golden Oak Land Group LLC (Tom Asbury) whose address is 4708 Capital Circle NW, Tallahassee, FL. 32303, is the responsible maintenance entity. The responsibility will be transferred to the Brookside Village Home Owners Association, once established, for the long termed care and maintenance of the environmental features located with the CA. The Brookside Subdivision covenants and restrictions will detail the responsibilities of the Association for the care and maintenance of the environmental components of the CA.

III. Components of the Conservation Areas

A. Wetlands/Water Body/Water Course

The wetland line was established by Florida Land and Environmental Services as part of the permitting for this project. The wetland line is entirely included within Conservation Area "A". The wetland includes some forested seepage slopes which originate from the bottom side of the Native Forest. The seepage slopes connect to a sandy bottom creek leading to two man-made impoundments. The upper impoundment is named Impoundment #1 and the lower impoundment is Impoundment #2. Both of these water bodies area hydraulically connected and Impoundment #2 ultimately discharges to Moore Pond. Impoundment #1 provides some water quality treatment but mainly operates as a storage facility. Impoundment #2 provides more of the water quality treatment. The vegetated non-forested wetlands are found in the vicinity of the Impoundment #2 and include wetland grasses and sedges such as Maidencane (Panicum hemitonmon) and Caric sedges (Carex spp.). Additional wetland plantings are added to Impoundment #2 to provide additional water quality treatment.

B. FEMA Flood zone

The project is located within the FEMA Flood Zone A, which is an area of unknown flood elevation. Since two man-made impoundments are located at the low points of the site the flood elevation determination was based off the dam elevation of the impoundments. The flood elevation associated with the upstream impoundment was 176 ft., and the flood elevation associated with the downstream impoundment was 163 ft. Once the on-site 100 year flood elevation is reached at the downstream impoundment it discharges to Moore Pond which has a flood elevation of 146.00.

C. Significant Grades

The significant grades occur in both Conservation Areas, these are areas where the grades range between 10-20 percent. Only 50-percent of the significant grades can be impacted with development the remainder to be located within the Conservation Areas.

D. Severe Grades

The severe grades are steep grades above 20%, these grades must be protected from development within a conservation easement.

E. Native Forest

The Guide to Natural Communities of Florida (Florida Natural Area Inventory, 1990) describes the beech magnolia forest community as slope forests which are "well-developed, closed canopy forests of upland hardwoods on steep slopes, bluffs and ravines". The slope forests are adjacent to the watercourse centrally located on the parcel. The canopy cover is closed and shrub/groundcover is low. Dominant canopy species observed included American beech (Fagus grandifolia), white oak (Quercus alba), southern magnolia (Magnolia grandiflora), southern red oak (Quercus falcata), and American holly (/lex opaca). Observed shrub and groundcover included wild olive (Osmanthus americanus), eastern hophornbeam (Ostrya virginiana), horse sugar (Symplocos tinctoria), flowering dogwood (Comus florida), several species of greenbriar (Smilax species), wax myrtle (Myrica cerifera), Indian pink (Spigelia marilandica), Christmas fern (Polystichum acrostichoides) and partridgeberry (Mitchella repens). This area is considered native forest under the Leon County Development Code Section 10-1.101 and the Leon County Natural Plant Community Criteria Publication (Version 1-0ctober 31 , 2007).

IV. Long- Term Care and Maintenance

Long term maintenance / management of the environmental features located within the Conservation Easement Areas are necessary to protect its long termed viability of its biological attributes. The goal of this management plan is to maintain as less than one (1) percent coverage of invasive exotic species in the CA and otherwise maintain the healthy biological functioning of the environmental features contained within. The following invasive exotic species have been identified in the CA.

- Ardisia crenata (Coral ardesia) – This is the predominant invasive exotic species
- Camphor (Cinnamomum Camphora)
- Ligustrum lucidum (Glossy Privet)

With the exception of Ardesia crenata, the other invasive exotic species that have been identified are present but in much smaller concentrations. Although only three species have been identified in the CA long-term care and maintenance is to include control of any invasive exotics identified on Leon County's list of Invasive Exotic Plants. Long-Term care and maintenance will consist of several integrated methodologies to remove and retard invasive growth. The methodologies will consist of both mechanical and chemical techniques. Mechanical removal techniques for Ardesia crenata will include pulling and uprooting plants, taking care to bag limbs and berries. Mechanical removal techniques for invasive exotics shall employ the use of hand tools only. Approved herbicides can be applied by a licensed pesticide applicator who is familiar with indigenous plant populations.

Management activity shall be limited to cutting of the dead trees and limbs where they pose a hazard to people or structures within or adjacent to the easement area. However they must not be removed from the site if fallen trees or limbs are blocking the trail they may be cut and moved to adjacent trailside areas. No healthy trees will be permitted to be removed. Also provide for the removal of trash and debris left behind from trail users. Leon County shall be consulted prior to any tree limb removal or application of any chemical treatment within the CA.

The two water impoundments should be monitored after heavy rain events to ensure that the control structures are operating as designed. Accumulated vegetation debris and trash shall be removed from the top of the control structures to ensure proper operation. In addition the debris and sediment shall be removed from the emergency spillway to ensure proper operation.

V. Monitoring

Initial efforts shall be made to achieve less than 1% cover of invasive exotics prior to receiving final environmental approval. At a minimum, this shall include employment of treatment and/or control practices throughout the entire easement areas with the aim of reaching are intended goal. Yearly monitoring/maintenance reports are required to be submitted until less than 1% cover of invasive exotic plants are achieved. Successful control shall be achieved within three years.

Table 1 – Monitoring and Maintenance Schedule

Species		Monitoring and Treatment	
Ardisia crenata	Coral Ardisia	February - September	Observe/treat mechanically or chemically as needed
Camphor	Cinnamomum Camphora	February - September	Observe/treat mechanically or chemically as needed

Ligustrum lucidum	Glossy Privet	February - September	Observe/treat mechanically or chemically as needed

Table 2 Maintenance and Monitoring Estimates.

Date	Task	Cost
Year -1 - February - September	Observation / Monitoring*	$500.00
Year -2 - February - September	Observation / Monitoring*	$500.00
Year -3 - February - September	Observation / Monitoring*	$500.00
Year 3 - November	Monitoring Report	$1,500.00
* Treat invasive exotics mechanically, if needed		

Identified species as well as those not observed should be diminished as a result of the nuisance plant removal that has been proposed. The CA assures the protection of the environmental features and the schedule for the monitoring of the feature to provide for continued healthy functioning.

A monitoring report for the conservation area is required at the time of the stormwater operating permit renewal (Generally every three years). The operating report must be submitted as part of the renewal submittal.

VI. Passive Recreation

Passive recreation will be allowed on the constructed hiking trail through the conservation easement. Hiking trails are provided for pedestrians only and the trails shall not cover more that 1% of the conservation easement area. Hiking through the conservation will be on the established trail and no sub trails are to be created. The hiking trail design must be approved by Leon County Development Support and Environmental Management prior to construction and will be a mulched path generally located outside of wetlands. The trail is constructed to minimize erosion into the downstream creeks and impoundments. During the required monitoring the trail is to be observed and any areas experiencing erosion are to be repaired.

JOINT EXHIBIT OF THE PARTIES 18

DECLARATION AND COVENANTS, CONDITIONS, AND RESTRICTIONS FOR BROOKSIDE VILLAGE

THIS DECLARATION, is made and executed on this ____ day of August, 2017 by Golden Oak Land Group, LLC, hereinafter referred to as the Declarant.

WITNESSETH:

WHEREAS, Declarant is the record fee simple title owner of real property in Tallahassee, Leon County, Florida, which is more particularly described on the attached Exhibit "A", and

WHEREAS, These covenants rescind and replace any prior restrictive covenants placed on the Property; and

ARTICLE I—Definitions

(a) "Association" shall mean the Brookside Village Homeowners Association, Inc. a Florida corporation not for profit, its successors and assigns.

(b) "Declarant" is Golden Oak Land Group, LLC.

(c) "Property" shall mean that certain real property described in Exhibit "A" attached hereto and any additions hereto which may hereafter be brought within the jurisdiction of the Association.

(d) "Lot" shall mean any lot shown on the plat attached hereto as Exhibit "B".

(e) "Owner" shall mean any record owner of a fee interest or individual fee interest in a Lot, whether one or more persons or entities, including contract sellers, but excluding any person or entity having an interest in a Lot, whether one or more persons or entities, including contract sellers, but excluding any person or entity having an interest in a Lot as security for the performance of an obligation.

(f) "Member" shall mean a member of the Association as defined in Article III herein below.

(g) "Easement Areas" shall mean those easements for ingress and egress, roadways, pedestrian walkways, bikeways, utilities, drainage, holding ponds, and parks, as shown on the recorded plat of the Property, and which include those Homeowners Association Easement Areas shown on the plat attached hereto as party of Exhibit "B".

ARTICLE II—Property Rights

(a) Every owner shall have a right and easement of enjoyment in and to the Easement Areas which shall be appurtenant to and shall pass with the title to every Lot, subject to the following conditions:

(1) The dedication of the roadways and drainage ponds to Leon County;

(2) The right of the Association to make and enforce reasonable rules and regulations relating to the Easement Areas;

(3) The right of the Association or any other owner of record to dedicate all or any part of the Easement Areas to any public agency or authority; No such dedication by the Association shall occur unless, at a meeting of the Members of the Association, called for such purpose, two-thirds (2/3) of those votes cast at such a meeting of the Members are cast in favor of the proposed dedication; and

(4) No Owner shall have any greater rights in that easement and right of way described in the Plat than granted to an Owner in said Plat.

(b) Any Owner may delegate his right of enjoyment to the Easement Areas to members of his family, his tenants or contract purchasers who reside on the property, and to his invitees.

(c) No property owner shall erect a fence in a drainage easement in a way that would impede the flow of water through the easement. The Association shall be granted any easements necessary over individual properties by Owners to access and maintain the Landscape Buffer and drainage easements.

ARTICLE III—Membership

Every person or entity who is a record owner of a fee interest or undivided fee interest in any lot which is subject to the Declaration, including contract sellers, shall be a member of the Association. Membership shall be appurtenant to and not severable from ownership of any Lot which is subject to the Declaration. Membership shall terminate immediately upon the transfer of all member's fee interest(s) or undivided fee interest(s) in any Lot(s) subject to the Declaration. The Association shall not issue any certificates of membership.

ARTICLE IV—Voting Rights

(a) The Association shall have two classes of voting membership as follows:

Class A. Class A Members shall be all Members with the exception of the Declarant. Class A Members shall be entitled to one vote for each Lot owned. If two or more Members own a fee interest in any Lot then their vote shall be exercised as they so determine, but in no event shall such Class A Members be allowed more than one vote for each Lot which is co-owned by them.

Class B. The Class B Member shall be the Declarant. The Declarant shall be entitled to three votes for each Lot owned by Declarant. The Declarant's Class B membership shall be converted to Class A membership on the date when the Declarant owns of record a fee interest in no more than five or fewer Lots subject to the Declaration.

(b) Notwithstanding anything to the contrary contained herein, the Board of Directors shall be elected by the members on a one Lot one vote basis at an election to be held after 50% of the Lots have been sold or deeded by the Declarant.

ARTICLE V—COVENANTS FOR ASSESSMENTS

(a) The Declarant, for each Lot owned within the properties, hereby covenants, and each Owner of any Lot by acceptance of a deed therefore, whether or not it shall be so expressed in such deed, is deemed to covenant and agree to pay to the Association annual assessments or charges and special assessments for capital improvements and lawn care and landscape maintenance provided by a third party for each Lot. The lawn care and landscaping will include mowing, blowing, edging, pruning, and weeding of flower beds. Owner must provide access to front and back yard for lawn care. The assessments are to be established and collected as hereinafter provided. The annual and special assessments, together with interest, costs, and reasonable attorney's fees, shall be charged on an Owner's Lot and shall be a continuing lien upon the Lot against which each such lot assessment is made. Each such assessment, together with interest, costs, and reasonable attorney's fees, shall also be the personal obligation of the Owner of such Lot at the time when the assessment fell due. The personal obligation for delinquent assessments shall not pass to the Owner's successors in title unless expressly assumed by them.

(b) The assessments levied by the Association shall be used exclusively to promote the recreation, health, safety, and welfare of the Owners and for the improvement and maintenance of the common areas, individual Lots lawns and landscape maintenance, front entrance landscaping, signage and Easement Areas.

(c) The annual assessment for each Lot is $810.00 per year and shall be collected in quarterly or yearly installments at the election of the Association. Changes in the annual assessment will be by a Majority vote by members who are voting in person or by proxy at a meeting duly called for this purpose.

(d) In addition to the annual assessments authorized above, the Association may levy, in any assessment year, a special assessment applicable to that year only for the purpose of defraying, in whole or in part, the cost of any maintenance, construction, reconstruction, repair or replacement of an improvement upon the Easement Areas, excluding the roadways and drainage ponds, including fixtures and personal property related thereto, provided that any such special assessment must have the assent of two-thirds (2/3) of the votes of members who are voting in person or by proxy at a meeting duly called for this purpose. Once approved by the Members, a special assessment shall be collected in the manner determined by the Board of Directors. A special assessment must be fixed at a uniform rate for all Lots.

(e) Written notice of any meeting called for the purpose of taking any actions authorized under Article V, paragraph (d) hereinabove shall be mailed or delivered to all Members not less than 30 days or more than 60 days in advance of the meeting. At such meeting, the presence of members or of proxies entitled to cast a majority of all the votes of the Members shall constitute a quorum.

(f) In the event an owner of any Lot shall fail to maintain the premises and the improvements situated thereon in a manner satisfactory to the Board of Directors, the Association, through the Board of Directors and after approval by majority vote of the Board of Directors, shall have the right, through agents or contractors or otherwise, to enter upon

said Lot and to repair, maintain, and restore the Lot and the exterior of any building and any other improvements erected thereon. The cost of such maintenance shall be added to and become part of the assessment to which such Lot is subject.

(g) There is a 10% past due charge added for any assessment not paid within 30 days after the due date. Any assessment not paid within thirty (30) days after the due date shall bear interest from the due date at the rate of 10 percent per annum. The Association may bring an action at law against the Owner personally for non-payment of the assessment, or it may foreclose the lien against the lot. No Owner may waive or otherwise escape liability for the assessments provided for herein by non-use of the Easement Areas or Abandonment of a Lot.

(h) As long as the Declarant retains ownership of Lots they will pay no assessments or dues on said Lots. Declarant will cover shortfall in the operation budget for Brookside Village up to the per Lot dues or assessment amount as long as no Dues are paid. Developer-owned lots will be subject to that portion of the assessment representing maintenance costs when more than 50 percent of the lots have been sold or deeded away by the developer and to that portion of the assessment representing the contribution to a reserve account when more than 75 percent of the lots have been sold or deeded away by the developer. Once the Declarant acquires a Certificate of Occupancy for a home on a Lot, the Lot's new Owner shall be assessed the full assessment that year on a pro rata basis.

(i) Attorney's fees will be awarded to the prevailing party in litigation to require the association, or other corporate entity, to perform its obligation in regard to annual assessments and the maintenance or repair of streets and other common facilities.

(j) Provide for an award of attorney's fees to the prevailing party in litigation to

require the developer to incorporate the association or to perform any other action or obligation imposed on the developer pursuant to the restrictive covenants.

(k) Developer will deed the drainage facilities and other required common areas to the homeowner's association or other responsible corporate entity before more than 70 percent of the subdivision lots have been sold or deeded by the developer.

(l) If amending the required provisions set forth in subsections 10-7.610.1(a) through 1.(m) of Leon County Code of Ordinances written consent and joinder of the county is required.

ARTICLE VI—Architectural Control

(a) No Owner shall erect or maintain any building, fence, light post, mailbox, wall, or other structure, nor commence or make any exterior addition to or alteration of the shape, color or appearance of the exterior of existing improvements, nor make any material alteration, addition or deletion to the landscaping of any Lot, unless and until the plans and specifications showing the nature, kind, shape, height, materials, color, location and all other details shall have been submitted to and approved in writing by an Architectural Control Committee of the Board of Directors as to the quality of materials, harmony of external design and color, and the location in relation to surrounding structures and topography. The Architectural Control Committee must also approve the site plan for each dwelling or improvement with respect to its proximity to dwellings or improvements on adjacent Lots and the effect it will have on the privacy of adjacent Lot Owners. Except with respect to the minimum requirements set forth in Article VI, paragraph (c) herein below, if the Architectural Control Committee fails to take action on the Owner's plans and specifications within 30

days after its receipt of same, its approval will not be required.

(b) The Declarant, or its designee, shall comprise the Architectural Control Committee until such time as it owns no lots in the subdivision or otherwise resigns.

(c) The minimum building and architectural control requirements applicable to the property are as follows:

(1) The minimum size of a residential dwelling constructed on a Lot shall be two thousand (2000) heated square feet or larger for lots 4A – 15A and two thousand five hundred (2500) heated square feet or larger for lots 2C & 17A and one thousand six hundred (1,600) heated square feet or larger for all remaining lots. Porches, garages, and deck areas, even if heated, shall not be included in this minimum square footage requirement. In the event a structure contains more than one story, the ground floor must contain not less than 1,000 heated square feet.

(2) No building or other structure of any type constructed on a Lot shall exceed one and one half stories in height with no windows above the first story facing the rear of the property line.

(3) Each single family detached unit shall have an enclosed garage capable of accommodating two automobiles. Garage doors shall be kept closed except when exiting and entering. Motor vehicles shall not be parked on unpaved front yard portions of the parcel. Parking on the street is prohibited with the exception of short term guest parking.

(4) All fences must be approved by the Architectural Control Committee. In addition, all Fences must be painted white within 90 days of installation.

(5) Each residential dwelling shall be connected to an underground utility

system with the City of Tallahassee or Talquin Utilities, the cost of which is to be borne by the Owner.

(6) All residential dwellings shall have a front elevation which architectural detail is consistent with other dwellings located on the Property.

(7) All shingles must be approved by the Architectural Control Committee, including color and type.

(8) Landscaping consistent with other dwellings located on the Property is required with respect to each new residential dwelling.

(9) All disturbed areas of land between the front of a residential dwelling and the curb shall be sodded in an uninterrupted pattern or mulched in a controlled manner. All other disturbed land areas on each Lot must at least be seeded and/or mulched in such a way that erosion and sediment runoff is controlled.

(10) All mailboxes shall be approved by the Architectural Control Committee.

(11) All structures erected on a lot shall comply with all applicable building codes. In no event shall a residential dwelling be constructed nearer to the front lot line than 15 feet or nearer to the rear lot line that 10 feet or nearer to any side street lot line than 15 feet. The minimum side lot line setback shall be 5 feet.

(12) All satellite dishes must be installed in the back yard of the homes unless an alternate location is submitted to and approved by ACC.

(13) Each residential dwelling shall have a driveway of appropriate dimensions which shall be constructed of concrete.

(14) No window air conditioning units shall be permitted.

ARTICLE VII—Land Use Restrictions

(a) No house, Lot, or any part thereof may be subdivided. No house shall be occupied or used except for residential purposes, except that home offices incidental to residential purposes are permitted, and except further that the Declarant and its successors or assigns may use houses as model homesites and for display and sales offices. All residential dwellings must be single-family detached dwellings.

(b) No noxious or offensive activities shall be carried on, in, upon or around any house or in or upon any Easement Areas, nor shall anything be done thereon which may be or may become any annoyance or a nuisance to other Owners.

(c) No structure of a temporary character, trailer, shack, barn or other out building shall be erected or used on any Lot at any time, either temporarily or permanently unless approved by the Architectural Control Committee, provided, however, Declarant may maintain offices or storage facilities during the construction and sales periods. Likewise, a contractor may maintain a temporary storage facility to store the contractor's materials during construction.

(d) No sign or billboard of any kind shall be displayed to the public view on any Lot or any portion of the Easement Areas except two (2) trailhead signs located in the conservation easement & one (1) sign of customary and reasonable dimension advertising the house for sale or rent or except signs used by Declarant, its successors or assigns to advertise the property during the construction and sales periods of lots.

(e) All rubbish, trash and garbage shall be regularly removed from each Lot and shall not be allowed to accumulate thereon. All trash and garbage shall be kept in sanitary

closed containers.

(f) No Owner may construct or use and operate an external radio or television antenna without the prior written consent of the Architectural Control Committee.

(g) No disabled vehicle shall be parked or stored on any of the Easement Areas, nor parked or stored on any Lot except in a garage. No boat, trailer, camper, or recreational vehicle shall be parked or stored on any of the Easement Areas nor parked or stored on any Lot except in a garage or at a location behind the residence. However, in no event shall vehicles be visible from a street which runs adjacent to the property.

(h) Household pets such as dogs or cats are permitted but shall not be kept, maintained, bred, or raised for commercial purposes.

(i) The Property Owners shall have the right to lease their houses provided that the lease is made subject to the covenants, conditions, restrictions, limitations and uses contained in this Declaration and those contained in the Articles of Incorporation and Bylaws of the Association.

(j) No Basketball goals shall be permitted to be attached to any part of the dwelling. Temporary basketball goals with wheels are permitted only while being used. When not in use basketball goals are required to be stored on the side of the home or in the garage. Permanent Basketball goals will not be permitted.

ARTICLE VIII—Dedication of Easement Areas

Declarant, its successors and assigns reserve the right to dedicate all or part of the Easement Areas to any public agency or governmental unit, and all easements in favor of the Owners created by this Declaration are subject to this condition.

ARTICLE IX—Enforcement

The Association, or any Owner, shall have the right to enforce, by any proceeding at law or in equity, all restrictions, condition, covenants, reservations, liens and charges now or hereafter imposed by the provisions of this Declaration. Failure by the Association or by any Owner to enforce any covenants, restriction, condition, reservation, lien or charge herein contained shall in no event be deemed a waiver of the right to do so.

ARTICLE X—Duration and Amendment

The covenants, conditions and restrictions of this Declaration shall run with and bind the Property for a term of thirty (30) years from the date this Declaration is recorded, after which time they shall be automatically extended for successive periods of ten (10) years. This Declaration may be amended at any time with consent and approval of not less than two-thirds (2/3) of the Owners. For the purposes of amendment of this Declaration, co-owners of a Lot shall be considered as one owner. To become effective, an amendment must be recorded. However, the Declarant reserves and shall have the sole right: (a) to amend these Covenants and Restrictions for the purpose of curing any ambiguity in or any inconsistency between the provisions contained herein; (b) to include in any contract of deed, subsequent Declaration of Covenants and Restrictions, or other instrument hereafter made, any additional covenants and restrictions applicable to the said land which do not lower standards of the covenants and restrictions herein contained; and (c)

to grant reasonable variances from the provisions of this Declaration, or any portion hereof, in order to overcome practical difficulties and to prevent unnecessary hardship in the application of the provisions contained herein, provided, however, that said variances shall not materially injure any of the property or improvements of an adjacent property. No variance granted pursuant to the authority granted herein shall constitute a waiver of any provision of this Declaration as applies to any other person or real property.

IN WITNESS WHEREOF, the Declarant has caused this Declaration of Restrictive Covenants to be executed the date and year first above written.

Signed, sealed and delivered

in the presence of:

_____ **Golden Oak Land Group, LLC**
Signature

_____ _____
Printed Name **By: Tom Asbury**

_____ **Its: Manager**
Signature

_____
Printed Name

STATE OF FLORIDA

COUNTY OF LEON

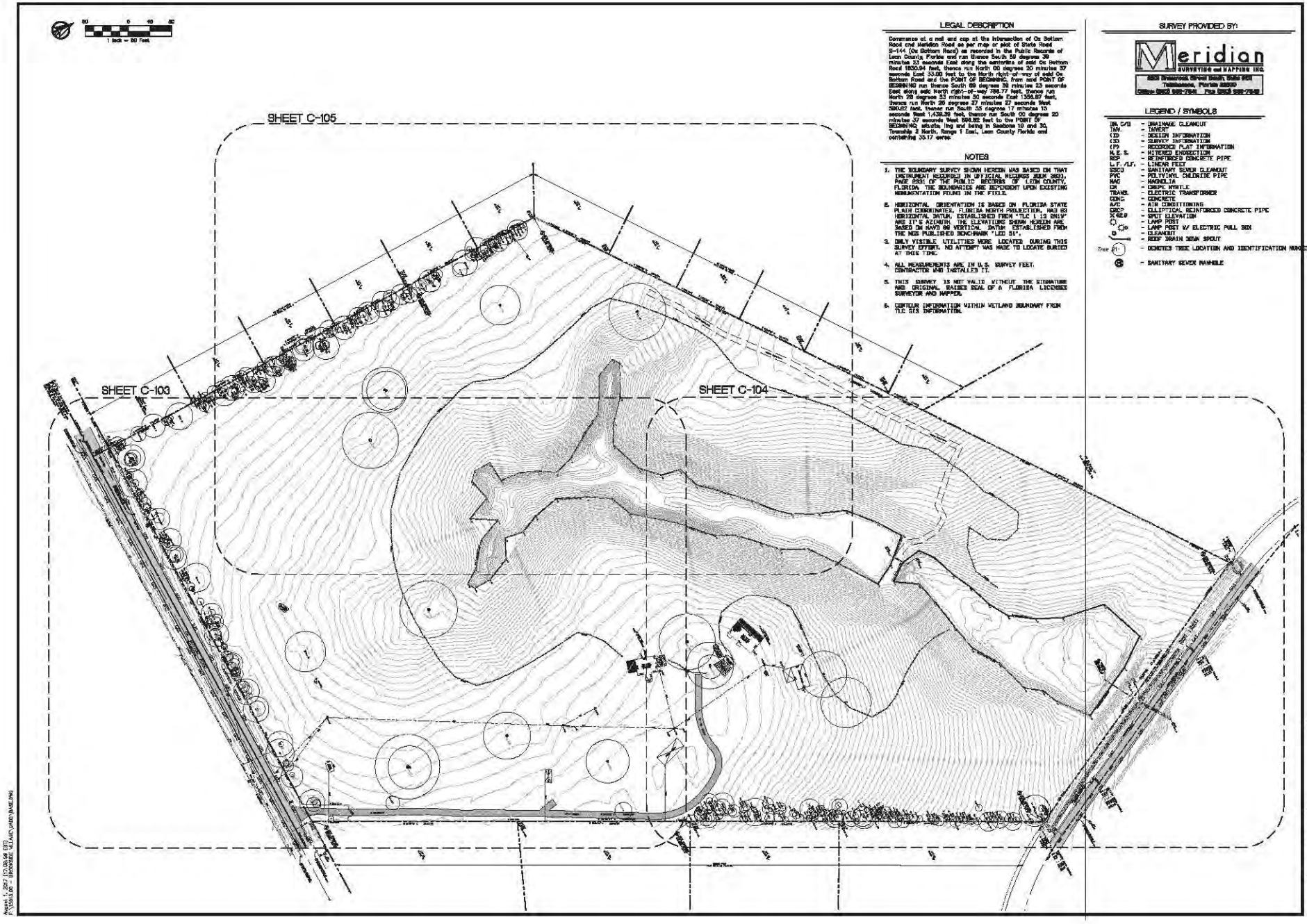
Tom Asbury, Manager of **Golden Oak Land Group, LLC** known to be the person described in and who executed the foregoing instrument, who acknowledged before me that he executed the same, that I relied upon the following form of identification of the above-named person: _____ and that an oath was/ was not taken.

WITNESS my hand and official seal in the County and State last aforesaid this _____ day of _____2016**.**

_____

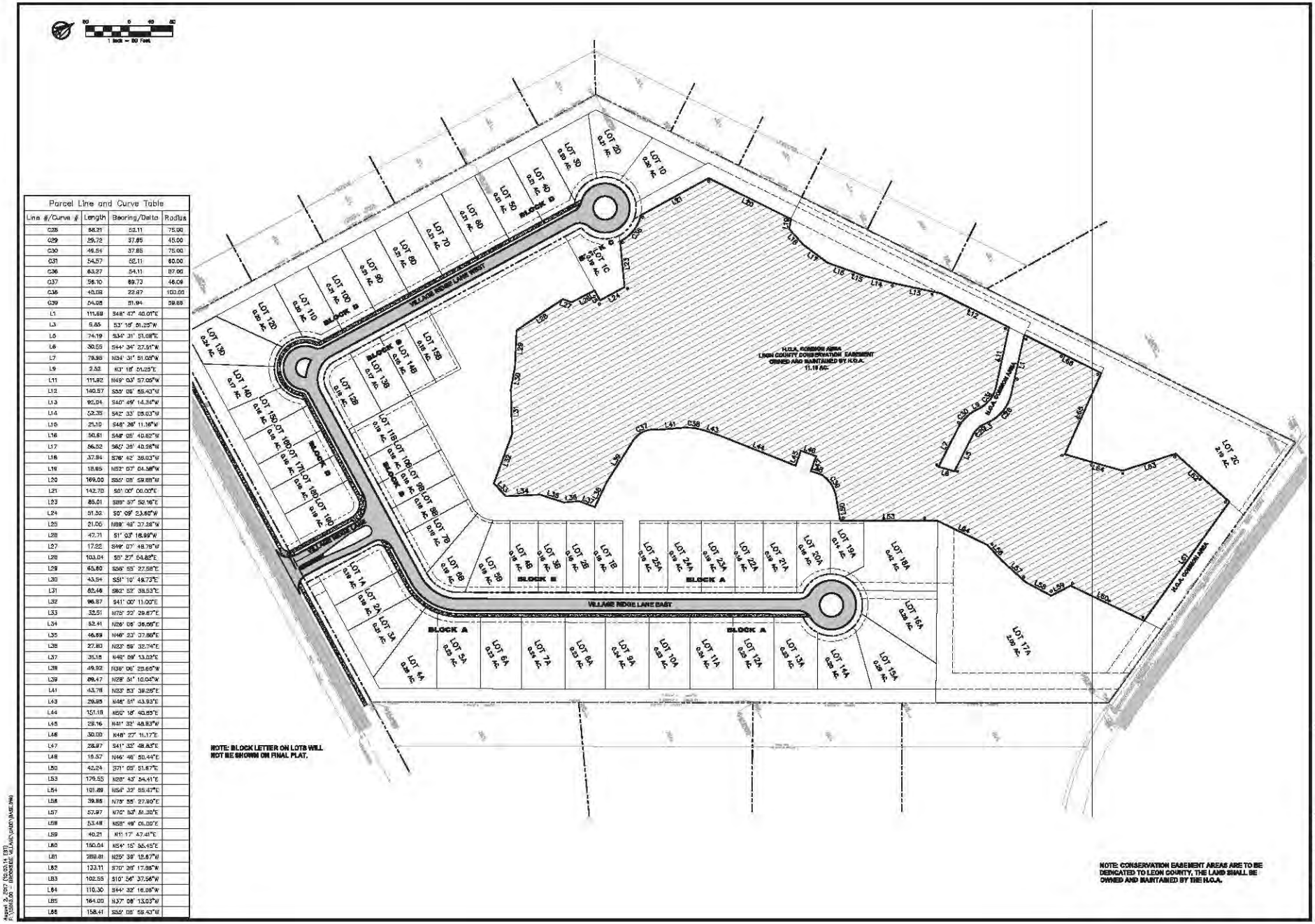
NOTARY PUBLIC

Exhibit A



1 inch = 80 Feet
SHEET C-105
SHEET C-103
SHEET C-104
LEGAL DESCRIPTION
Commence at a nail and cap at the intersection of Ox Bottom Road and Meridian Road as per map or plat of State Road S-144 (Ox Bottom Road) as recorded in the Public Records of Leon County, Florida and run thence South 89 degrees 39 minutes 23 seconds East along the centerline of said Ox Bottom Road 1830.94 feet, thence run North 00 degrees 20 minutes 37 seconds East 33.00 feet to the North right-of-way of said Ox Bottom Road and the POINT OF BEGINNING, from said POINT OF BEGINNING run thence South 89 degrees 39 minutes 23 seconds East along said North right-of-way 788.77 feet, thence run North 28 degrees 53 minutes 50 seconds East 1356.87 feet, thence run North 28 degrees 27 minutes 27 seconds West 590.82 feet, thence run South 55 degrees 17 minutes 15 seconds West 1,438.39 feet, thence run South 00 degrees 20 minutes 37 seconds West 598.82 feet to the POINT OF BEGINNING, situate, lying and being in Sections 19 and 30, Township 2 North, Range 1 East, Leon County Florida and containing 35.17 acres.
NOTES
1. THE BOUNDARY SURVEY SHOWN HEREON WAS BASED ON THAT INSTRUMENT RECORDED IN OFFICIAL RECORDS BOOK 2831, PAGE 2331 OF THE PUBLIC RECORDS OF LEON COUNTY, FLORIDA. THE BOUNDARIES ARE DEPENDENT UPON EXISTING MONUMENTATION FOUND IN THE FIELD.
2. HORIZONTAL ORIENTATION IS BASED ON FLORIDA STATE PLAIN COORDINATES, FLORIDA NORTH PROJECTION, NAD 83 HORIZONTAL DATUM, ESTABLISHED FROM "TLC 1 13 DN19" AND IT'S AZIMUTH. THE ELEVATIONS SHOWN HEREON ARE BASED ON NAVD 88 VERTICAL DATUM ESTABLISHED FROM THE NGS PUBLISHED BENCHMARK "LED 51".
3. ONLY VISIBLE UTILITIES WERE LOCATED DURING THIS SURVEY EFFORT. NO ATTEMPT WAS MADE TO LOCATE BURIED AT THIS TIME.
4. ALL MEASUREMENTS ARE IN U.S. SURVEY FEET. CONTRACTOR WHO INSTALLED IT.
5. THIS SURVEY IS NOT VALID WITHOUT THE SIGNATURE AND ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.
6. CONTOUR INFORMATION WITHIN WETLAND BOUNDARY FROM TLC GIS INFORMATION.
SURVEY PROVIDED BY:
Meridian
SURVEYING and MAPPING INC.
LEGEND / SYMBOLS
DR. C/O - DRAINAGE CLEANOUT
INV. - INVERT
(D) - DESIGN INFORMATION
(S) - SURVEY INFORMATION
(P) - RECORDED PLAT INFORMATION
M.E.S. - MITERED ENDSECTION
RCP - REINFORCED CONCRETE PIPE
L.F./L.F. - LINEAR FEET
SSCO - SANITARY SEWER CLEANOUT
PVC - POLYVINYL CHLORIDE PIPE
MAG - MAGNOLIA
CM - CREPE MYRTLE
TRANS. - ELECTRIC TRANSFORMER
CONC. - CONCRETE
A/C - AIR CONDITIONING
ERCP - ELLIPTICAL REINFORCED CONCRETE PIPE
X 42.0 - SPOT ELEVATION
- LAMP POST
- LAMP POST W/ ELECTRIC PULL BOX
- CLEANOUT
- ROOF DRAIN DOWN SPOUT
Tree 81 - DENOTES TREE LOCATION AND IDENTIFICATION NUMBER
- SANITARY SEWER MANHOLE
URBAN CATALYST CONSULTANTS, INC.
2640 PABLO AVENUE
TALLAHASSEE, FLORIDA, 32308
PHONE: (850) 926-4241
WWW.UCCENG.COM
FL CA 00030572
DATE
BY
REVISIONS
BROOKSIDE VILLAGE
RESIDENTIAL SUBDIVISION
EXISTING CONDITIONS
(OVERALL)
LEON COUNTY
FLORIDA
SEAN K. MARSTON, P.E.
LICENSE NUMBER 55987
DRAWN BY: W.E.C.
CHECKED BY: S.K.M.
DATE: 08/02/17
HORZ. SCALE: 1"=80'
VERT. SCALE:
SHEET C-102
PROJECT No. 15015.00

Exhibit B



Parcel Line and Curve Table			
Line #/Curve #	Length	Bearing/Delta	Radius
C28	68.21	52.11	75.00
C29	29.72	37.85	45.00
C30	49.54	37.85	75.00
C31	54.57	52.11	60.00
C36	63.27	54.11	67.00
C37	56.10	69.73	46.09
C38	40.08	22.87	100.00
C39	54.08	51.94	59.66
L1	111.69	S48° 47' 40.01"E	
L3	9.85	S3° 18' 51.25"W	
L5	74.19	S34° 31' 51.08"E	
L6	30.55	S44° 34' 27.51"W	
L7	79.96	N34° 31' 51.08"W	
L9	2.52	N3° 18' 51.25"E	
L11	111.92	N49° 03' 57.05"W	
L12	140.57	S55° 06' 55.43"W	
L13	92.04	S40° 49' 14.34"W	
L14	52.35	S42° 33' 05.03"W	
L15	21.10	S48° 26' 11.16"W	
L16	50.61	S48° 05' 40.62"W	
L17	56.52	S65° 39' 40.26"W	
L18	37.84	S76° 42' 38.03"W	
L19	18.85	N52° 07' 04.58"W	
L20	169.00	S55° 08' 59.88"W	
L21	142.70	S0° 00' 00.00"E	
L23	85.01	S89° 57' 52.16"E	
L24	51.52	S0° 09' 23.60"W	
L25	21.05	N89° 49' 37.28"W	
L26	47.71	S1° 03' 18.99"W	
L27	17.22	S49° 07' 48.78"W	
L28	103.04	S5° 27' 54.82"E	
L29	65.60	S56° 55' 27.58"E	
L30	43.54	S51° 10' 49.73"E	
L31	82.46	S62° 52' 38.53"E	
L32	96.87	S41° 00' 11.00"E	
L33	32.51	N75° 22' 29.67"E	
L34	52.41	N26° 06' 36.56"E	
L35	46.69	N46° 23' 37.86"E	
L36	27.80	N23° 59' 32.74"E	
L37	31.18	N49° 09' 13.02"E	
L38	49.92	N36° 06' 25.65"W	
L39	89.47	N28° 51' 10.04"W	
L41	43.78	N23° 53' 39.26"E	
L43	29.95	N46° 51' 43.93"E	
L44	151.18	N50° 18' 40.85"E	
L45	29.16	N41° 32' 48.83"W	
L46	30.00	N48° 27' 11.17"E	
L47	28.97	S41° 32' 48.83"E	
L48	16.57	N46° 46' 50.44"E	
L50	42.24	S71° 05' 51.67"E	
L53	179.55	N28° 43' 54.41"E	
L54	101.89	N54° 32' 55.47"E	
L56	39.86	N75° 55' 27.90"E	
L57	57.97	N70° 53' 51.30"E	
L58	53.48	N58° 49' 01.00"E	
L59	40.21	N11° 17' 47.41"E	
L60	150.04	N54° 15' 55.45"E	
L61	289.81	N25° 39' 12.67"W	
L62	133.11	S70° 26' 17.98"W	
L63	102.55	S10° 56' 37.56"W	
L64	110.30	S44° 32' 16.08"W	
L65	164.00	N37° 08' 13.03"W	
L66	158.41	S55° 08' 59.43"W	

URBAN CATALYST CONSULTANTS, INC.
2640 PABLO AVENUE
TALLAHASSEE, FLORIDA, 32308
PHONE: (850) 999-4241
WWW.UCCENG.COM
FL CA 00030572

DATE	BY	REVISIONS

BROOKSIDE VILLAGE
RESIDENTIAL SUBDIVISION
PRELIMINARY PLAT
(OVERALL)
LEON COUNTY FLORIDA

SEAN K. MARSTON, P.E.
LICENSE NUMBER 55687

DRAWN BY: W.E.C.
CHECKED BY: S.K.M.
DATE: 08/02/17
HORZ. SCALE: 1"=50'
VERT. SCALE:

SHEET C-109
PROJECT No. 15015.00

August 2, 2017 10:00:14 EST
P:\15015.00 - BROOKSIDE VILLAGE\CADD\PLATE.DWG

000016

JOINT EXHIBIT OF THE PARTIES 19

Brookside Village
Engineers Opinion of
Common Area Maintenance Cost

1. Regular Ground Maintenance

   a. Landscape Crew every 2 weeks - (May-October) $200/visit — $2,400.00

   b. Landscape Crew once week - (November-April) $200/visit — $1,200.00

2. Buffer Maintenance

   a. First two years total replacement cost - of trees and shrubs — $2,000.00

3. Impoundment Maintenance

   a. Routine mowing of berms are included In the regular ground maintenance cost

   b. Control structures built to FDOT standards - With 100 year life span. If catastrophic failure Total replacement cost — $15,000 (ea.)

4. Conservation Area Management

   a. Yearly Monitoring and Observation - Invasive removal — $2,000.00

   b. Permit Renew report every three years - — $2,500.00

Digitally signed by Sean K Marston
DN: c=US, o=IdenTrust ACES Business Representative, ou=Urban Catalyst Consultants, cn=Sean K Marston, 0.9.2342.19200300.100.1.1=A01097C00000156331F80610001A455
'Date: 2017.08.03 16:26:06 -04'00

SEAN K. MARSTON
LICENSE
No. 55987
STATE OF FLORIDA
PROFESSIONAL ENGINEER

Urban Catalyst Consultants

JOINT EXHIBIT OF THE PARTIES 20

BYLAWS OF
BROOKSIDE VILLAGE HOMEOWNERS ASSOCIATION, INC.

ARTICLE I

Name and Location. The name of the corporation is **BROOKSIDE VILLAGE HOMEOWNERS ASSOCIATION, INC.**, hereinafter referred to as the "Association." The principal office of the corporation shall be 4708 Capital Circle NW, Tallahassee, Florida 32303**,** but meetings of members and directors may be held at such places within the State of Florida, County of Leon, as may be designated by the Board of Directors.

ARTICLE II

Section 1. "Association" shall mean and refer to **BROOKSIDE VILLAGE HOMEOWNERS ASSOCIATION, INC.,** its successors and assigns.

Section 2. "Properties" shall mean and refer to that certain real property described in the Declaration of Covenants, Conditions and Restrictions, and such additions thereto as may hereafter be brought within the jurisdiction of the Association.

Section 3. "Common Area" shall mean all real property, if any, owned by the Association for the common use and enjoyment of the owners.

Section 4. "Lot" shall mean and refer to any plot of land shown upon any recorded or unrecorded subdivision map of the Properties with the exception of the Common Area.

Section 5. "Owner" shall mean and refer to the record owner, whether one or more persons or entities, of the fee simple title to any Lot which is a part of the Properties, including contract sellers, but excluding those having such interest merely as security for the performance of an obligation.

Section 6. "Declarant" shall mean and refer to _____, its successors and assigns if such successors or assigns should acquire more than one undeveloped lot from the Declarant for the purpose of development.

Section 7. "Declaration" shall mean and refer to the Declaration of Covenants, Conditions and Restrictions applicable to the Properties recorded in the Office of the Clerk of Circuit Court, Leon County, Florida.

Section 8. "Member" shall mean and refer to those persons entitled to membership as provided in the Declaration.

ARTICLE III

Section 1. Annual Meetings. The first annual meeting of the members shall be held within one year from the date of incorporation of the Association, and each subsequent regular annual meeting of the members shall be held on the same day of the same month of each year thereafter, at the hour of 7 o'clock p.m. If the day of the annual meeting of the members is a legal holiday, the meeting will be held at the same hour on the first day following which is not a legal holiday.

Section 2. Special Meetings. Special meetings of the members may be called at any time by the president or by the Board of Directors, or upon written request of the members who are entitled to vote one-fourth (1/4) of all of the votes of the Class A membership.

Section 3. Notice of Meetings. Written notice of each meeting of the members shall be given by, or at the direction of, the secretary or person authorized to call the meeting, by mailing a copy of such notice, postage prepaid, at least 15 days before such meeting to each member entitled to vote thereat, addressed to the member's address last appearing on the books of the Association or supplied by such member to the Association for the purpose of notice. Such notice shall specify the place, day and hour of the meeting, and, in the case of a special meeting, the purpose of the meeting.

Section 4. Quorum. The presence at the meeting of members entitled to cast, or of proxies entitled to cast, one-third (1/3) of the votes of each class of membership shall constitute a quorum for any action except as otherwise provided in the Articles of Incorporation, the Declaration, or these Bylaws. If, however, such quorum shall not be present or represented at any meeting, the members entitled to vote thereat shall have power to adjourn the meeting from time to time, without notice other than announcement at the meeting, until quorum as aforesaid shall be present or be represented.

Section 5. Proxies. At all meetings of members, each member may vote in person or by proxy. All proxies shall be in writing and filed with the secretary. Every proxy shall be revocable and shall automatically cease upon conveyance by the member of his lot.

ARTICLE IV
Board of Directors; Selection; Term of Office

Section 1. Number. The affairs of this Association shall be managed by a Board of three (3) directors, who need not be members of the Association.

Section 2. Term of Office. At the first annual meeting the members shall elect one director for a term of one year, one director for a term of two years and one director for a term of three years; and at each annual meeting thereafter the members shall elect one director for a term of three years.

Section 3. Removal. Any director may be removed from the Board, with or without cause, by a majority vote of the members of the Association. In the event of death, resignation or removal of a director, his successor shall be selected by the remaining members of the Board and shall serve for the unexpired term of his predecessor.

Section 4. Compensation. No director shall receive compensation for any service he may render to the Association. However, any director may be reimbursed for his actual expenses incurred in the performance of his duties.

Section 5. Action Taken Without a Meeting. The director shall have the right to take any action in the absence of a meeting which they could take at a meeting by obtaining the written approval of all the directors. Any action so approved shall have the same effect as though taken at a meeting of the directors.

ARTICLE V
Nomination and Election of Directors

Section 1. Nomination. Nomination for election to the Board of Directors shall be made by a Nominating Committee. Nominations may also be made from the floor at the annual meeting. The Nominating Committee shall consist of a chairman, who shall be a member of the Board of Directors, and two or more members of the Association. The Nominating Committee shall be appointed by the Board of Directors prior to each annual meeting of the members, to serve from the close of such annual meeting until the close of the next annual meeting and such appointment shall be announced at each annual meeting. The Nominating Committee shall make as many nominations for election to the Board of Directors and two or more members of the Association. The Nominating Committee shall be appointed by the Board of Directors prior to each annual meeting of the members, to serve from the close of such annual meeting until the close of the next annual meeting. The Nominating Committee shall make as many nominations for election to the Board of Directors as it shall in its discretion determine, but not less than the number of vacancies that are to be filled. Such nominations may be made from among members or non-members.

Section 2. Election. Election to the Board of Directors shall be by secret written ballot. At such election the members or their proxies may cast, in respect to each vacancy, as many votes as they are entitled to exercise under the provisions of the Declaration. The persons receiving the largest number of votes shall be elected. Cumulative voting is not permitted.

ARTICLE VI
Meetings of Directors

Section 1. Regular Meetings. Regular meetings of the Board of Directors shall be held monthly without notice, at such place and hour as may be fixed from time to time by resolution of the Board. Should said meeting fall upon a legal holiday, then that meeting shall be held at the same time on the next day which is not a legal holiday.

Section 2. Special Meetings. Special meetings of the Board of Directors shall be held when called by the president of the Association, or by any two directors, after not less than three (3) days notice to each director.

Section 3. Quorum. A Majority of the number of directors shall constitute a quorum for the transaction of business. Every act or decision done or made by a majority of the directors present at a duly held meeting at which quorum is present shall be regarded as the act of the Board.

ARTICLE VII

Section 1. Powers. The Board of Directors shall have power to:

(a) Adopt and publish rules and regulations governing the use of the Common Area and facilities, and the person conduct of the members and their guests thereon, an to establish penalties for the infraction thereof;

(b) Suspend the voting rights and right to use of the recreational facilities of a member during any period in which such member shall be in default in the payment of any assessment levied by the Association. Such rights may also be suspended after notice and hearing, for a period not to exceed 60 days for infraction of published rules and regulations;

(c) Exercise for the Association all powers, duties and authority vested in or delegated to this Association and not reserved to the membership by other provisions of these Bylaws, the Articles of Incorporation or the Declaration.

(d) Declare the office of a member of the Board of Directors to be vacant in the event such member shall be absent from three (3) consecutive regular meetings of the Board of Directors; and

(e) Employ a manager, an independent contract, or such other employees as they deem necessary, and to prescribe their duties.

Section 2. Duties. It shall be the duty of the Board of Directors to:

(a) Cause to be kept a complete record of all its acts and corporate affairs and to present a statement thereof to the members at the annual meeting of the members, or any special meeting when such statement is requested in writing by two-thirds (2/3) of the Class A members who are entitled to vote;

(b) Supervise all officers, agents and employees of this Association, and to see that their duties are properly performed;

(c) As more fully provided in the Declaration; to:

1. Fix the amount of the annual assessment against each lot at least thirty (30) days in advance of each annual assessment period; and

2. Send written notice of each assessment to every Owner subject thereto at least thirty (30) days in advance of each annual assessment period; and

3. Foreclose the lien against any property for which assessments are not paid within thirty (30) days after due date or to bring an action at law against the owner personally obligated to pay the same.

(d) Issue, or to cause an appropriate officer to issue, upon demand by any person, a certificate setting forth whether or not any assessment has been paid. A reasonable charge may be made by the board for the issuance of these certificates. If a certificate states an assessment has been paid, such certificate shall be conclusive evidence of such payment;

(e) Procure and maintain adequate liability and hazard insurance on property owned by the Association;

(f) Cause of all officers or employees having fiscal responsibilities to be bonded, as it may deem appropriate;

(g) Cause the Common Area to be maintained.

ARTICLE VIII

Section 1. Enumeration of Offices. The officers of this Association shall be a president and vice-president, who shall at all times be members of the Board of Directors, a secretary, and a treasurer, and such other officers as the Board may from time to time by resolution create.

Section 2. Election of Officers. The election of officers shall take place at the first meeting of the Board of Directors following each annual meeting of the members.

Section 3. Term. The officers of this Association shall be elected annually by the Board and each shall hold office for one (1) year unless he shall sooner resign, or shall be removed, or otherwise be disqualified to serve.

Section 4. Special Appointments. The Board may elect such other officers as the affairs of the Association may require, each of whom shall hold office for such period, have such authority, and perform such duties as the Board may, from time to time determine.

Section 5. Resignation and Removal. Any officer may be removed from office with out without cause by the Board. Any officer may resign at any time giving written notice to the Board, the president or the secretary. Such resignation shall take effect on the date of receipt of such notice or at any other time specified therein, and unless otherwise specified therein, the acceptance of such resignation shall not be necessary to make it effective.

Section 6. Vacancies. A vacancy in any office may be filled by appointment by the Board. The officer appointed to such vacancy shall serve for the remainder of the term of the officer he replaces.

Section 7. Multiple Offices. The offices of secretary and treasurer may be held by the same person. No person shall simultaneously hold more than one of any of the other offices except in the case of special offices created pursuant to Section 4 of this Article.

(a) President. The president shall preside at all meetings of the board of Directors; shall see that orders and resolutions of the board are carried out; shall sign all leases, mortgages, deeds and other written instruments and shall co-sign all checks and promissory notes.

(b) **Vice President.** The vice-president shall act in the place and stead of the president in the event of his absence, inability or refusal to act, and shall exercise and discharge such other duties as may be required of him by the Board.

(c) **Secretary.** The secretary shall record the votes and keep the minutes of all meetings and proceedings of the Board and of the members; keep the corporate seal of the Association and affix it on all papers requiring said seal; serve notice of meetings of the Board and of the members; keep appropriate current records showing the members of the Association together with their addresses, and shall perform such other duties as required by the Board.

(d) **Treasurer**. The Treasurer shall receive and deposit in appropriate bank accounts all monies of the Association and shall disburse such funds as directed by resolution of the Board of Directors; shall sign all checks and promissory notes of the Association; keep proper books of accounts; cause an annual audit of the Association books to be made by a public accountant at the completion of each fiscal year and shall prepare an annual budget

and a statement of income and expenditures to be presented to the membership at its regular annual meeting, and deliver a copy of each to the members.

ARTICLE IX
Committees

The Association shall appoint an Architectural Control Committee, as provided in the Declaration, and a Nominating Committee, as provided in these Bylaws. In addition, the Board of Directors shall appoint other committees as deemed appropriate in carrying out its purpose.

ARTICLE X
Books and Records

The books, records and papers of the Association shall at all times, during reasonable business hours, be subject to inspection by any member. The Declaration, the Articles of Incorporation and the Bylaws of the Association shall be available for inspection by any member at the principal office of the Association, where copies may be purchased at reasonable cost.

ARTICLE XI
Assessments

As more fully provided in the Declaration each member is obligated to pay to the Association annual and special assessments which are secured by a continuing lien upon the property against which the assessment is made. Any assessments which are not paid when due shall be delinquent. If the assessment is not paid within thirty (30) days after the due date, the assessment shall bear interest from the date of delinquency at the rate of eighteen percent per annum, and the Association may bring an action at law against the owner personally obligated to pay the same or foreclose the lien against the property, and interest, costs and reasonable attorneys' fees of any such action shall be added to the amount of such assessment. No owner may waive or otherwise escape liability for the assessment provided for herein by non-use of the Common Area or abandonment of his lot.

ARTICLE XII
Corporate Seal

The Association shall have a seal in circular form having within its circumferences the words:

BROOKSIDE VILLAGE HOMEOWNERS ASSOCIATION, INC., a corporation not for profit.

ARTICLE XIII
Amendments

Section 1. These bylaws may be amended, at a regular or special meeting of the members, by a vote of two-thirds of all members, except that the Federal Housing Administration or the Veterans Administration shall have the right to veto amendments while there is Class B membership.

Section 2. In the case of any conflict between the Articles of Incorporation and these Bylaws, the articles shall control; and in the case of any conflict between the Declaration and these Bylaws the Declaration shall control.

ARTICLE XIV
Miscellaneous

The fiscal year of the Association shall begin on the first day of January and end on the 31st day of December every year, except that the first fiscal year shall begin on the date of incorporation.

JOINT EXHIBIT OF THE PARTIES 21

ARTICLES OF INCORPORATION
OF
BROOKSIDE VILLAGE HOMEOWNERS ASSOCIATION, INC.

I

The Name of the corporation shall be **BROOKSIDE VILLAGE HOMEOWNERS ASSOCIATION, INC.**

II

The duration of the corporation shall be perpetual.

III

The purpose for which the corporation is organized is to provide for the preservation of the values, amenities, attractiveness and desirability of real property known as **BROOKSIDE VILLAGE** located in Leon County Florida.

IV

The principal office of the corporation shall be located at 4708 Capital Circle NW, Tallahassee, Florida 32303.

V

The initial board of directors shall be four in number. Their names and addresses are as follows:

Jason Ghazvini	4708 Capital Circle NW Tallahassee, Florida 32303
Behzad Ghazvini	4708 Capital Circle NW Tallahassee, Florida 32303

Tom Asbury	4708 Capital Circle NW Tallahassee, Florida 32303
Thomas Asbury, Jr.	4708 Capital Circle NW Tallahassee, Florida 32303

VI

The manner of election of directors is referred to in the Bylaws.

VIII

The name and address of the incorporator is Behzad Ghazvini, 4708 Capital Circle NW, Tallahassee, Florida 32303.

IX

The name of the initial registered agent of the corporation is Behzad Ghazvini, 4708 Capital Circle NW, Tallahassee, Florida 32303

X

Every person that is a record owner of a lot in **BROOKSIDE VILLAGES** shall be a member of the Association. Membership is appurtenant to and may not be separated from ownership of any lot.

XI

In the event of dissolution of the corporation, the assets shall be dedicated to a public body or conveyed to a non profit organization with similar purposes.

XII

As long as there is Class B membership, the following actions will require the prior approval of FHA or VA: annexation of additional properties, mergers and consolidations, mortgaging of common area, dedication of common area, dissolution and amendment of these articles.

XIII

The Articles may be amended by the vote of at least 2/3 of the members.

_____

BEHZAD GHAZVINI

CERTIFICATE DESIGNATING PLACE OF BUSINESS OR DOMICILE FOR THE SERVICE OF PROCESS WITHIN THIS STATE, NAMING AGENT WITH WHOM PROCESS MAY BE SERVED.

Pursuant to Chapter 48.091, Florida Statutes, the following is submitted in compliance with said Act:

First—that **BROOKSIDE VILLAGE HOMEOWNERS ASSOCIATION, INC.** desiring to organize under the laws of the State of Florida with its principal office indicated in the articles of incorporation in the City of Tallahassee, County of Leon, State of Florida, has named Behzad Ghazvini, 4708 Capital Circle NW, Tallahassee, Florida 32303 as its agent to accept service of process within this state.

ACKNOWLEDGEMENT

Having been named to accept service of process for the above corporation, at the place designated in this certificate, I hereby accept to act in this capacity and agree to comply with the provision of said Act relative to being available at said location.

_____

BEHZAD GHAZVINI

JOINT EXHIBIT OF THE PARTIES 22

Certificate Number: LCM 150024
Date Issued: 09/30/15
Expiration Date: 10/24/17

LEON COUNTY
PRELIMINARY CERTIFICATE OF CONCURRENCY

Applicant.....Urban Catalyst Consultants
Owner.....Golden Oak Land Group LLC.
Project Name.....Brookside Village
Project Location.....Ox Bottom Road
Current Zoning....Residential Preservation
Future Land Use Description.....Residential Preservation
Parcel ID Number.....14-19-20-001-0000

Type of Land Use

Residential Single Family Detached 64 Units

Conditions:

This Preliminary Certificate of Concurrency is issued pursuant to Article VI of Chapter 10 of the Leon County Code of Laws. Based upon the information submitted by the applicant, this certifies that a development with the land use densities and intensities specified at the location specified above will have adequate infrastructure capacity tentatively reserved for water, wastewater, solid waste, recreation, mass transit, stormwater, and transportation to serve the needs of development. School capacity is not reserved at the time of the issuance of a Preliminary Certificate of Concurrency. Concurrency applicants for residential development after June 6, 2008 are required to provide proof from the Leon County School Board that school concurrency has been satisfactorily addressed.

The information provided by the applicant has not been verified as accurate by staff. Upon notification from the Development Services Division that a complete application for a Development Order is received from the applicant, staff will begin the assessment of the information received from the applicant. This permit in no way gives the proposed development any final authorization to develop, nor does it absolve the applicant from fulfilling the requirements of any Federal, State, County, or City Laws or regulations related to land use or land development.

Roger Gaffney AICP CTP
Development Services Division

8/15/17
Date

JOINT EXHIBIT OF THE PARTIES 23(a)

ARM Public Comment (Composite)

From: Bob Burton <bob.burton@wildwoodchurchonline.org>
To: Shawna Martin <MartinS@leoncountyfl.gov>
Date: 02/03/2016 10:40 AM
Subject: Brookside Village Site Plan

I reside at 6076 Heartland Circle. My lot has a common border with the proposed development's Lot 100 as well as a portion of Lot 18. I have three primary concerns.

First is that of density intrusion. The proposed development has a common property line on the east side of the development with the Moore Pond subdivision. On the Moore Pond side are four lots whereas on the Brookside Village side is 16 lots. Behind three of the Moore Pond lots are 15 Brookside lots. I believe this density difference is exactly what the RP zoning was intended to prevent. A potential solution would be for the Brookside development to create larger lots on the common property line with Moore Pond. .

A second concern is the lack of a sufficiently wide buffer between Brookside and Moore Pond. If the development were to proceed I believe a wider buffer that is more densely landscaped than the current site plan application proposes is necessary. The proposed buffer specifies approximately 3 trees per 100 feet plus some shrubs. A potential solution is to increase the buffer width and significantly increase the number of evergreen trees.

The third concern is the lack of a swale or berm to prevent storm water from flowing from the proposed development nto the Moore Pond subdivision without treatment and controlled discharge. The TOPO provided of the proposed development appears to allow water from lots 14, 15, 16, 17, 18 and 100 to flow onto the Moore Pond subdivision without treatment and controlled discharge. In 2008 my home had 3 inches of water in the living room due to a very heavy amount of rain in a short amount of time. Much of that water came from the property in the proposed development. A potential solution is to create either swales or berms to guide the water runoff to the small SWMF adjacent to lot 18.

In summary, I hope that the developer will be requested to submit site plan modifications that sufficiently address these three concerns.

Sincerely,

Robert Burton
850-321-9314

From: "danieljgrant@aol.com" <danieljgrant@aol.com>
To: <ParkT@leoncountyfl.gov>, <Dwayne.snyder@talgov.com>, <mcdevittd@leoncou...
Date: 02/28/2016 11:21 AM
Subject: Proposed Brokside Development

My name is Daniel Grant and I am a resident of Moore Pond. I attended the 2nd ARM meeting on 2.3.16 regarding Brookside Development tucked among Moore Pond, Rosehill & Ox Bottom neighborhoods.

The 1st ARM meeting was a few months ago. At that meeting, staff and neighbors raised several issues including:

- Irreparable damage to Moore Pond due to storm water runoff
- Density intrusion
- Lack of adequate landscaping buffers

Between the 1st ARM meeting a few months ago and yesterday's ARM meeting, the developer made absolutely no concessions:

- The developer offered no additional scientific data to prove that no runoff would reach Moore Pond
- The developer offered no reduction in the number of units
- The developer offered no increase in landscape buffers

Storm water runoff. Moore Pond has approximately 50 developed units with a combined value of over $50 million, the culmination of lifetime work and investment of its residents. Brookside is located in a closed basin that runs directly into Moore Pond.

Over the past 20 years since Moore Pond was developed, there have been several instances of damaging runoff into Moore Pond from the property on which Brookside is proposed. This damaging runoff was before the land that encompasses Brookside had 90% of the trees cut down, and that was before 64 houses were planned to be jammed into 8 acres of the 35 acre tract that comprises Brookside.

I raised the issue at the meeting yesterday of the developer buying a $50 million bond to ensure the quality of Moore Pond. The developer failed to affirm any intentions to do so.

Density intrusion. Moore Pond lots average around 3 acres each. There will be 64 Brookside lots that are about 1/8 acre each. That is a scale differential of 24 to 1 (3 divided by 1/8 = 24).

To get a sense of how this affects Moore Pond residents, imagine 6 neighbors in another part of town living on ½ acre lots, a more typical lot size across Leon County. Collectively these 6 neighbors live on 3 acres.

Imagine a 3 acre development contiguous to them that had 288 homes jammed into 3 acres. That is the scale differential that Moore Pond residents face with Brookside. Close your eyes for a second – envision living on your 1/2 acre lot and staring into a 3 acre development across the street with 288 houses!

Is this density intrusion? So far the staff has said no. The Brookside application states that there are 1.82 lots per acre. However, the application shows clearly that there will be 64 lots on about 8 acres. The remainder of the 35 acre development is comprised of conservation easements and 2 larger lots. To say Brookside has 1.82 lots per acre is sophistry.

Staff has said that Brookside technically meets the provisions of Historical Preservation zoning requirements. That is like saying one is technically alive while in an irreversible coma. It stretches credulity.

Ask yourself the question, and be objective, "Are 64 lots on 8 acres compatible with 50 lots on 150 acres (Moore Pond)?" If you struggle with the answer, I am willing to spend my own money to conduct a survey of Leon County residents and pose this same question to them if staff, commissioners and administrators will accept the public's reaction to this question and use it to dictate terms on the Brookside development.

Brookside development will not be compatible with its neighbors unless it reduces the 64 lots of 1/8 acres each to 8 lots of 1 acre each. Even this modification leaves Moore Pond residents with a contiguous development with lots 1/3 the size of their lots.

Brookside development is zoned Residential Preservation, which is "intended to protect existing stable and viable residential areas from incompatible uses and density intrusions." (italics mine). This simple sentence should give staff that evidence it needs to force the developer to increase lot sizes to 1 acre.

Landscape buffers. Code stipulates that there be a 10 foot buffer between Brookside development and Heartland Circle (Brookside is contiguous to Heartland Circle for several hundred feet). That is, there will be a thinly landscaped strip of 10 feet depth that separates Moore Pond residents from looking onto a 64 small house development jammed into 8 acres. At yesterday's ARM meeting, I asked the developer if he would consider a 100 foot landscape buffer. He said no.

The noise and lighting and visual pollution that accompanies this type of development will be shielded by a 10 foot, thinly landscaped buffer. This is analogous to putting Teal Lane or Kay Avenue next to Moore Pond. Since I have rental houses on both of these streets, I know what it's like to see hundreds of garbage and recycling bins and cars up and down the street. This scenario is not compatible with Moore Pond, Rosehill, and Ox Bottom Manor. I urge you to drive on Teal Lane or Kay Avenue and envision that next to Moore Pond, Rosehill, and Ox Bottom Manor.

Levittown. In the past 3 years, there have been hundreds of small, homogenous homes built in developments in northeast Leon County. Between Meridian Road and Thomasville Road and along Thomasville Road are literally hundreds and hundreds of small, barely differentiated houses.

Brookside will be more of the same. The character of the premier residential communities in northeast Leon County is being decimated one zoning decision at a time.

While we need affordable housing and diverse developments (Ox Bottom Manor and Summerbrooke certainly have diversity in housing sizes), what we dont need are Levittowns. We do not need more and more developments that only have 1600 to 2000 square feet homes that all basically look the same.

Staff Needs Your Help. To Commissioners and Administrators, staff needs your help. They need to know that you believe this development is not compatible with Moore Pond, Rosehill, and Ox Bottom Manor. Since the developer made no concessions in the past 2 months, he apparently believes that he can win the day in jamming these 64 houses onto 8 acres next to Moore Pond, Rosehill, and Ox Bottom Manor. And while staff has raised many issues during the 2 ARM meetings, there have been absolutely no changes to the development that would make it compatible to its surrounding neighborhoods.

Staff has observed that Brookside has density issues and has encouraged the developer to reduce the number of units. And while staff has the legal authority, and responsibility, to enforce the density

restriction, staff would certainly be bolstered by recognition from commissioners and administrators that Brookside, with 64 units jammed into 8 acres, does not meet the intent of Historical Preservation zoning.

Possible Solutions
Given the character of Moore Pond, Rosehill, and Ox Bottom Manor neighborhoods, all adversely impacted by the proposed development, the best solution is to not allow Brookside development. The 35 acres in question would make an attractive recreational respite for the 4,000 plus voters in the surrounding areas should the County decide to purchase the property.

Beyond the ideal solution, the proposed development should at minimum have:
1. Lots no smaller than 1 acre to be somewhat compatible to Rosehill and Moore Pond neighborhoods.
2. A 100 foot, densely vegetated buffer to Moore Pond and Heartland Circle.
3. A $50 million bond to protect and preserve Moore Pond.

The developer can earn a sizeable return on his investment by building more expensive homes on much larger lots in Brookside. This approach has worked well in other areas, e.g., Pilkem Ridge.

I thank you for your time and consideration.

Sincerely,

Daniel J. Grant

Moore Pond Homeowners Association
3968 N. Monroe Street ~ Tallahassee, FL ~ 32303
Phone: (850) 562-8708 ~ Fax: (850) 364-8628

May 2, 2017

Ms. Shawna Martin
Senior Planner
Development Services Division
Department of Development Support and Environmental Management
Renaissance Center, 2nd Floor
435 North Macomb Street
Tallahassee, FL 32301-1019

RE: Moore Pond HOA Negotiated Conditions of Approval
Brookside Village Residential Subdivision
Type "B" Site and Development Plan Review (FDPA Track)
Project ID#: LSP150035

Dear Ms. Martin:

The Moore Pond HOA is opposed to the Brookside development because we find it violates the Residential Preservation zoning ordinance, is inconsistent with surrounding residential types, potentially devalues our property values, and adds unnecessary congestion and traffic concerns to the Ox Bottom Road community of homeowners.

During the past year, we have submitted letters to the County detailing our concerns and have met with the developer and his engineer on numerous occasions to share our concerns with them. The purpose of this letter is to make you aware of the discussions we have held with the developer and to ask the County to include conditions of approval consistent with our discussions should Leon County Staff and the Development Review Committee conclude this project warrants approval.

Over the last few months, you and your staff at Leon County and the developer have taken time to meet with us to address and work out solutions to some environmental concerns we have with the project. In the end, the Moore Pond HOA and the developer have determined that the following conditions should be included in the final project (all of which should now be reflected on the final plans and submittals by the developer).

<u>Quantity and Quality of Stormwater Discharge</u>

1. Peak stormwater flow rates leaving the Brookside Village site will be restricted by installation of a 12-inch diameter discharge pipe from the lower impoundment and maintaining a spillway elevation no lower than the current lower impoundment berm elevation.
2. The development will provide for discharge from the developed area for small, frequent storm events by installing a sand filter in the bottom of Pond 200. The sand filter shall be sized such that the required volume is retained by Pond 200 per the Leon County Land Development Code requirements for Closed Basins.
3. Water quality treatment for discharge from the site will be enhanced by improvements to the lower impoundment (Impoundment #2) to include raising the berm, providing for an emergency spillway and providing wetland plantings between elevations 157.37 and 163.

Density

1. Proposed residential lots along the eastern property line and adjacent to Moore Pond Lots 22, 23, 24 and 25, Block 'B', will have expanded width so as to minimize the impacts along the property line adjacent to Moore Pond. Lots 4A and 15A (on the April 19, 2017 submittal) shall have a width of 105' and 114', respectively. Lots 5A through 13A will alternate lot widths of 80' and 75', and lot 14A shall have a width of 100'.
2. An enhanced 25' Type C Buffer will be created along the eastern property line adjacent to Moore Pond Lots 22, 23, 24 and 25, Block 'B'. The buffer will be 25' wide, each 100 linear feet of the buffer will be planted with 7 evergreen canopy trees, 6 evergreen understory trees and 24 evergreen shrubs, it will include an 8' privacy fence and, only adjacent to Moore Pond Lots 24, 25 and a portion of lot 23, Block 'B', a 3' high berm.
3. The canopy trees planted in the Type C Buffer described in 2 above will be a minimum of 45 gallon trees and the planted vegetation will otherwise be larger and more mature so as to speed the infill process.
4. All homes on lots 4A through 15A (on the April 19, 2017 submittal), the lots along the eastern property line and adjacent to the Moore Pond subdivision will mandate a minimum 2,000 square feet of heated and cooled living space.

Despite these commitments by the developer, the environmental impact of a development of this size is unpredictable. There are many unknown factors that cannot be adequately predicted. Therefore, we reserve the right to hold the county and developer accountable for any adverse impacts on Moore Pond.

Additionally, none of the foregoing or the underlying discussions with the developer constitutes a concession the proposed development meets the Residential Preservation zoning requirements and/or that the proposed development is "consistent with" the adjacent Moore Pond (or other) parcels as set forth in Section 10-6.617, the Residential Preservation category. We feel that the project truly does not meet those criteria.

This letter reflects the collaborative efforts of all involved to derive an acceptable solution if indeed the County moves forward with approving this project. We appreciate the time and efforts of the developer in this regard, as well as the agreement by the developer to the above-described conditions. The cooperative nature of the discussions and the willingness to consider the impacts of the development certainly advanced the progress towards resolution.

The Moore Pond HOA will remain vigilant throughout the progress of the development to ensure the conditions are met and that there is no adverse impact on our water resources. We expressly reserve the right to act as necessary against all involved parties in the future to protect its valued water resources and/or to ensure compliance with the agreed conditions.

We respectfully request that these items, which have been agreed in good faith by the developer, are included as conditions of approval should the County grant the developer approval.

Sincerely,

Sonya Deen Hartley
Moore Pond HOA President

Shawna Martin - Re: Next Steps ~ Brookside Village Proposed Residential Subdivision (LSP150035)

From: Rachel Bowden <yogadog@me.com>
To: Shawna Martin <MartinS@leoncountyfl.gov>
Date: 05/06/2017 12:12 PM
Subject: Re: Next Steps ~ Brookside Village Proposed Residential Subdivision (LSP150035)

Shawna,

Thank you for your work on this proposed Brookside development.

I know that residents of Ox Bottom and Rose Hill have been able to find some relief of their concerns with the developer increasing landscape buffer planting.

But we homeowners in Moore Pond are still extremely concerned about our pond's water quality, as the proposed site is just up hill from us.

This developer currently has at least one other failing engineered pond in a Tallahassee neighborhood that may become litigious, and a less than stellar environmental record in total.

Please have your environmental person who wrote 5 pages of concerns about Brookside's potential issues continue to urge this developer to do the right thing.

I fear if we gloss over these issues, we will all regret it later.

Thank you for your continued work.

Sincerely,
Rachel Bowden
6247 Heartland Circle
850/284-3718

P.S. Is it possible to speak with your environmental colleague? I didn't catch her name at the meeting, but I think she's doing an important and thorough job. Thank you again.

On May 4, 2017, at 5:13 PM, Shawna Martin <MartinS@leoncountyfl.gov> wrote:

> Dear Moore Pond, Ox Bottom and Rosehill Residents,
>
> Thanks to all who attended the Application Review Meeting (ARM) yesterday and provided comments. It was really good to hear from you all and it was encouraging to hear from those who had been collaboratively working with the developer to address concerns.
>
> I wanted to provide everyone with update on next steps for the Brookside Village project, especially for those were not able to attend the meeting yesterday. Staff made a determination that the application may proceed to the Development Review Committee (DRC) for final disposition on the project.

A separate application for site and development plan review must be submitted to be placed on the DRC agenda. It is up to the applicant to decide when to submit this application for the DRC; therefore, we cannot give you a date certain at this time. However, an application submittal package is due two weeks prior to a DRC meeting to allow time for staff review and to notify the public of the meeting date/time. Public noticing requirements for DRC meetings include mail notifications, posting of a sign on the property and a newspaper advertisement. In addition the meeting agenda will be posted on the County's website and in ProjectDox.

So, in summation, when the applicant resubmits for the DRC meeting, everyone on this email list or on ProjectDox will be notified right away that the project has been submitted for review and provided with an agenda (date and time) for the DRC meeting. Additionally, property owners and HOAs registered with the County within 800 feet of the project site will receive mail notifications. The DRC meeting is open to public attendance. Comments, letters or other documentation may be received from any member of the public during the meeting; however, we do encourage everyone to provide written comments prior to the meeting for consideration by staff and DRC members.

If there are any questions we can help answer in the meantime, please feel free to contact me directly at 606-1385 or MartinS@leoncountyfl.gov.

Shawna

Shawna Martin
Principal Planner, Development Services

Spring water from Phipps pond, flowing under Heartland Circle directly into Moore Pond. Notice the muddy water

Formerly, crystal clear spring water in the Phipps properties (small pond) that feeds Moore Pond. Now a muddy fluent

From: Susan Morley <sdmorley311@gmail.com>
To: Shawna Martin <martins@leoncountyfl.gov>
Date: 05/03/2017 12:47 PM
Subject: Proposed Brookside Village Development - Adjacent 311 Milestone Drive property

Ms. Martin,

Following up our comments submitted January 4, 2016, and various discussions with planning staff members and the developers, I'm writing to respond to the most recent proposal under consideration in the May 3, 2017 ARM. Specifically, I'm writing in lieu of speaking today to address the proposed road/driveway that will be constructed behind our home on Milestone Drive, and the fencing and buffers discussed to date with the developers. In addition, I'm requesting notification when details are available regarding the actual design and construction of the road/driveway, which I understand will be part of a separate permitting process in conjunction with construction on the connected lot.

Regarding the fence and buffer behind our home, we are advised that the project now includes a 8-foot wooden privacy fence behind our lot, to offset headlight pollution. The developer has indicated that there should be sufficient space in the buffer area behind our homes to permit location of the fence at least 10 feet behind our own and our neighbor's Milestone Drive lots. The fence will extend across the length of our 311 Milestone Drive lot, with the road/driveway behind our property to be located entirely behind that privacy fence.

Regarding landscaping, we understand that the developer will be required as part of project approval to provide a landscaped buffer of fast growing plants on our side of the privacy fence, as well as the Brookside village side. Given this fact, we are not requesting assistance with an additional landscaped buffer on our property. However, if the permit ultimately does not require the buffer on our side of the fence for some reason, or if the space available for this becomes an issue, we have requested that the developer commit to offset this impact by providing buffer landscaping installed on our property, to mask the fence.

We are continuing to discuss maintenance of the buffer and other details with the developer, and feel this will not be an issue.

Finally, as stated above, we are requesting notification not only prior to construction of the fence and installation of the landscape buffer, but also as part of the approval process for the related road/driveway.

While we share the concerns of other neighbors regarding the overall density issue, traffic and other impacts, we appreciate the developers' continued efforts to resolve the specific issues affecting our property and the proposed road/driveway.

Sincerely,

Susan Davis Morley

Shawna Martin
Senior Planner
Development Services Division
Department of Development Support & Environmental Management
Renaissance Center, 2nd Floor
435 North Macomb Street
Tallahassee, Florida 32301-1019

Ms. Martin:

I have owned my home at 323 Milestone Drive in Ox Bottom Manor since 1992. My property immediately borders the proposed Lot 200 of Brookside Village. I am writing to echo the concerns expressed previously by many others, but particularly those of my neighbor at 311 Milestone Drive. The responses to staff comments provided by the developer do not appear to ensure that this development will not adversely affect my property in the future. I feel that it is imperative to put safeguards in place at this stage of the project rather than waiting for some future time when scrutiny of the actions will not be as intense.

The Site Plan narrative states, in part: "Majority of the single family detached units will be located on 1/8-1/4 acre lots…There will be two residential lots that will be larger, these lots are located between the Moore Pond Subdivision and the remainder of the subdivision. The larger lots will be provided access through the proposed development." The two larger lots have been designated Lot 100 and Lot 200. The developer has not provided specificity for the intended use of Lots 100 and 200. This may be acceptable for Lot 100 since the proposed access affects only adjoining Brookside Village lots and the developer appears to have created significant buffering for that lot. However, that is not the case for Lot 200. Because of the presence of the Conservation Area "A", the developer has created an oddly shaped lot that is bounded on one side by several Ox Bottom Manor lots (these lots are not mentioned in the narrative) and one Moore Pond lot and on the other side by Conservation Area "A". Despite the developer's narrative that there would be a 25 foot buffer maintained around the perimeter of Brookside Village and the County's suggestion that the barrier should be at least of "Type A" density, neither is reflected in the site plan. The site plan reflects an access easement that leads to the edge of Lot 200, and even that easement appears to overlap any defined buffer. Accordingly, one is led to speculate that the developer is anticipating an access road of some type within Lot 200 that is immediately adjacent to Ox Bottom lots along the northern border of the development. Without an effective buffer in place, such an access road would have a significant impact on the aesthetic value of my property.

Just to advise you how this could escalate, I have been told by a local Realtor that there is a plan to build an activity center for Brookside Village on the lower part of Lot 200 and this access road would become a common thoroughfare for getting to the activity center. This may be only rumor, since there is no presented public fact to back it up. However, the fact that Lot 200 is unusual for the development and there is no definitive use stated (as there is for other lots}, it is most important that landowners adjoining this property be afforded proper protection against potentially adverse actions.

I offer the following observations to some of the responses to staff comments provided by Mr. Marston on January 20:

1. Development Services Finding #14. "It is highly recommended that the applicant consider designating Lots 100 and 200 as open space to provide recreational opportunities." Due to its unique configuration, especially for Lot 200, and potential negative impact of any other use, I feel this is a valid and favorable recommendation. The response appears to ignore this recommendation and merely mentions the majesty of the conservation area and what is envisioned there without comment on what is envisioned for Lots 100 and 200.
2. Development Services Finding #18. "Proposed development in the RP zoning district that adjoins single-family residential dwellings must provide buffering no less than the Type "A" landscape standard." The original narrative for this project states that a 25 foot buffer would be provided for the full perimeter of the development. The response does not specifically address the northern border of Lot 200 and the buffer plan shows only a 10 foot buffer. Without specificity on the planned use for Lot 200, it is not possible to determine if such a buffer is adequate. Additionally, the same response indicates addition of a 6' wooden privacy fence to the eastern buffer. The eastern buffer is adjacent to four Moore Pond lots. If the developer believes a 6' wooden privacy fence is an appropriate boundary addition for the four lots on the eastern boundary, then a 6' wooden privacy fence should also be an appropriate boundary for ALL Ox Bottom lots adjacent to the property on the other boundaries. This would include the property's entire northern perimeter.
3. Public Works Comment 8. "Site Plan should show all existing and proposed easements." The response says the preliminary plat includes all of the existing and proposed easements. Are easements proposed internal to Lot 200?

My comments would not be complete without reiterating one final observation about the project as a whole. Paragraph 1 of the December 2 Development Services Findings states: "Consistency with surrounding residential type and density shall be a major determinant in granting development approval." One statement in Susan Poplin's Planning Department memorandum of December 1 declares this project to be consistent, without further elucidation. While this may be based on the official measure called "Gross Density", a development of 1350 square foot residential units on 1/8-1/4 acre lots in the middle of Ox Bottom Manor, Moore Pond, and Rosehill subdivisions is clearly not consistent in type nor density. A larger size for dwelling units and fewer lots would enhance the proposed development as well as maintain the integrity of the existing communities. I strongly urge the review board to consider these adjustments when making your final decision. Thank you for the opportunity to express these comments.

Respectfully,

Thomas E. Watkins

From: "Phillip Downs" <pd@dsg-research.com>
To: "Tony Park" <ParkT@leoncountyfl.gov>, <Dwayne.snyder@talgov.com>, <mcdev...
Date: 02/04/2016 9:39 AM
Subject: Brookside development
Attachments: image001.jpg; image002.jpg

TO Commissioners, Administrators, Staff

RE Brookside Development on Ox Bottom Road

DATE 2.4.16

FROM Phillip Downs, 6027 Heartland Circle

I attended the 2nd ARM meeting on 2.3.16 regarding Brookside Development tucked among Moore Pond, Rosehill & Ox Bottom neighborhoods.

The 1st ARM meeting was a few months ago. At that meeting, staff and neighbors raised several issues including:

· Irreparable damage to Moore Pond due to storm water runoff

· Density intrusion

· Lack of adequate landscaping buffers

Between the 1st ARM meeting a few months ago and yesterday's ARM meeting, the developer made absolutely no concessions:

· The developer offered no additional scientific data to prove that no runoff would reach Moore Pond

· The developer offered no reduction in the number of units

· The developer offered no increase in landscape buffers

Storm water runoff. Moore Pond has approximately 50 developed units with a combined value of over $50 million, the culmination of lifetime work and investment of its residents. Brookside is located in a closed basin that runs directly into Moore Pond.

Over the past 20 years since Moore Pond was developed, there have been several instances of damaging runoff into Moore Pond from the property on which Brookside is proposed. This damaging runoff was before the land that encompasses Brookside had 90% of the trees cut down, and that was before 64 houses were planned to be jammed into 8 acres of the 35 acre tract that

comprises Brookside.

I raised the issue at the meeting yesterday of the developer buying a $50 million bond to ensure the quality of Moore Pond. The developer failed to affirm any intentions to do so.

Density intrusion. Moore Pond lots average around 3 acres each. There will be 64 Brookside lots that are about 1/8 acre each. That is a scale differential of 24 to 1 (3 divided by 1/8 = 24).

To get a sense of how this affects Moore Pond residents, imagine 6 neighbors in another part of town living on ½ acre lots, a more typical lot size across Leon County. Collectively these 6 neighbors live on 3 acres.

Imagine a 3 acre development contiguous to them that had 288 homes jammed into 3 acres. That is the scale differential that Moore Pond residents face with Brookside. Close your eyes for a second – envision living on your 1/2 acre lot and staring into a 3 acre development across the street with 288 houses!

Is this density intrusion? So far the staff has said no. The Brookside application states that there are 1.82 lots per acre. However, the application shows clearly that there will be 64 lots on about 8 acres. The remainder of the 35 acre development is comprised of conservation easements and 2 larger lots. To say Brookside has 1.82 lots per acre is sophistry.

Staff has said that Brookside technically meets the provisions of Historical Preservation zoning requirements. That is like saying one is technically alive while in an irreversible coma. It stretches credulity.

Ask yourself the question, and be objective, “Are 64 lots on 8 acres compatible with 50 lots on 150 acres (Moore Pond)?” If you struggle with the answer, I am willing to spend my own money to conduct a survey of Leon County residents and pose this same question to them if staff, commissioners and administrators will accept the public’s reaction to this question and use it to dictate terms on the Brookside development.

Brookside development will not be compatible with its neighbors unless it reduces the 64 lots of 1/8 acres each to 8 lots of 1 acre each. Even this modification leaves Moore Pond residents with a contiguous development with

lots 1/3 the size of their lots.

Brookside development is zoned Residential Preservation, which is “intended to protect existing stable and viable residential areas from incompatible uses and density intrusions.” (italics mine). This simple sentence should give staff that evidence it needs to force the developer to increase lot sizes to 1 acre.

Landscape buffers. Code stipulates that there be a 10 foot buffer between Brookside development and Heartland Circle (Brookside is contiguous to Heartland Circle for several hundred feet). That is, there will be a thinly landscaped strip of 10 feet depth that separates Moore Pond residents from looking onto a 64 small house development jammed into 8 acres. At yesterday’s ARM meeting, I asked the developer if he would consider a 100 foot landscape buffer. He said no.

The noise and lighting and visual pollution that accompanies this type of development will be shielded by a 10 foot, thinly landscaped buffer. This is analogous to putting Teal Lane or Kay Avenue next to Moore Pond. Since I have rental houses on both of these streets, I know what it’s like to see hundreds of garbage and recycling bins and cars up and down the street. This scenario is not compatible with Moore Pond, Rosehill, and Ox Bottom Manor. I urge you to drive on Teal Lane or Kay Avenue and envision that next to Moore Pond, Rosehill, and Ox Bottom Manor.

Levittown. In the past 3 years, there have been hundreds of small, homogenous homes built in developments in northeast Leon County. Between Meridian Road and Thomasville Road and along Thomasville Road are literally hundreds and hundreds of small, barely differentiated houses.

Brookside will be more of the same. The character of the premier residential communities in northeast Leon County is being decimated one zoning decision at a time.

While we need affordable housing and diverse developments (Ox Bottom Manor and Summerbrooke certainly have diversity in housing sizes), what we don’t need are Levittowns. We do not need more and more developments that only have 1600 to 2000 square feet homes that all basically look the same.

Staff Needs Your Help. To Commissioners and Administrators, staff needs your help. They need to know that you believe this development is not compatible with Moore Pond, Rosehill, and Ox Bottom Manor. Since the developer made no concessions in the past 2 months, he apparently believes that he can win the day in jamming these 64 houses onto 8 acres next to Moore Pond, Rosehill,

and Ox Bottom Manor. And while staff has raised many issues during the 2 ARM meetings, there have been absolutely no changes to the development that would make it compatible to its surrounding neighborhoods.

Staff has observed that Brookside has density issues and has encouraged the developer to reduce the number of units. And while staff has the legal authority, and responsibility, to enforce the density restriction, staff would certainly be bolstered by recognition from commissioners and administrators that Brookside, with 64 units jammed into 8 acres, does not meet the intent of Historical Preservation zoning.

Possible Solutions

Given the character of Moore Pond, Rosehill, and Ox Bottom Manor neighborhoods, all adversely impacted by the proposed development, the best solution is to not allow Brookside development. The 35 acres in question would make an attractive recreational respite for the 4,000 plus voters in the surrounding areas should the County decide to purchase the property.

Beyond the ideal solution, the proposed development should at minimum have:

1. Lots no smaller than 1 acre to be somewhat compatible to Rosehill and Moore Pond neighborhoods.

2. A 100 foot, densely vegetated buffer to Moore Pond and Heartland Circle.

3. A $50 million bond to protect and preserve Moore Pond.

The developer can earn a sizeable return on his investment by building more expensive homes on much larger lots in Brookside. This approach has worked well in other areas, e.g., Pilkem Ridge.

Best regards,

phillipsig

Phillip Downs, Ph.D.

Senior Partner | Downs & St. Germain Research

Founder | TallahasseeVoices

Professor of Marketing | Florida State University (retired)

ph. 850-906-3111 | cell 850.545.9255 | fax 850-906-3112

DSG Logo - Email Signature (2)

From: Susan Morley <sdmorley311@gmail.com>
To: Shawna Martin <martins@leoncountyfl.gov>
Date: 02/03/2016 10:18 AM
Subject: Proposed Brookside Village Development - easement

Shawna,

I'm writing concerning the easement and road along the project's northern boundary, following up comments previously submitted. Below are questions we forwarded to the developer's representatives yesterday as a follow up to Monday night's meeting with homeowners (and in advance of a follow up meeting we ultimately postponed, since the ARM has been continued). They've indicated that they are willing to meet with property owners along the northern boundary, to discuss landscaping, fencing, placement of the road, which we appreciate. But until more details about the road and its effects are available, it appears impossible to determine its impact on our property, the conservation area and water quality.

We understand from their response late yesterday that the road will be approximately 12 feet wide, composed of either cement or asphalt. As is reasonable to expect, details we requested about culverts, pipes, grading and filling are dependent on the drainage and slope of the road - but since they did not refer me to any section of the plans, it appears this has yet to be determined. I'm also not sure how this plan ties into the issues identified in the Tallahassee Fire Department's Site Plan Requirements (memo by G. Donaldson, posted 2/1/16) concerning turnaround area for approaching the easement, and the other roadway requirements they describe.

I'm submitting this in advance of today's ARM just to be sure that staff is aware of the pending issues associated with this easement and road - since there are likely to be many speakers in attendance today, this specific issue may not be part of the discussion, but remains a significant one to our neighborhood.

Thank you,

Susan Davis Morley

Begin forwarded message:

> From: Susan Morley <sdmorley311@gmail.com <mailto:sdmorley311@gmail.com>>
> Date: February 2, 2016 at 8:46:33 AM EST
> To: tasbury@homesbypremier.com <mailto:tasbury@homesbypremier.com>, smarston@ucceng.com <mailto:smarston@ucceng.com>
> Subject: Proposed Brookside Village Development - easement
>
> Tom, Sean—
>
> I'm writing to follow up last night's presentation to homeowners from Moore Pond and Ox Bottom Manor - in particular, the discussion of the proposed road along the northern boundary of the property, and associated buffers. I appreciate your offer to meet today to view the area and discuss the proposed road, possible additional fencing and other buffers. In advance of that meeting, below is a recap of the questions we've raised about the specific configuration of the driveway/road, that we don't see reflected in the site plan. Specifically:
>
> 1. What is the width of the proposed driveway/road? Understanding that it may curve with the terrain, etc., what is the minimum width of the driveway/road within the easement area, as well as in the portion of

Lot 200 that runs behind our existing homes?
>
> In the meeting, you stated unequivocally that this is a driveway for a single-family dwelling to be located on Lot 200, and that no other use of that lot is contemplated. And at various points, you referred to a “one car” driveway. But what are the dimensions of this driveway/road and where will it be placed within the easement?
>
> 2. What is the composition of the proposed driveway/road? Will it be paved?
>
> 3. What culverts or other pipes/drainage do you intend to construct in conjunction with this driveway/road? Where will grading or filling be necessary?
>
> A note: there was discussion last night about moving the road away from our property line, and into the conservation area. Just to be clear, this was a suggestion from an attendee from another neighborhood as a possible solution - but at this point, our concerns include the impacts of the road and associated traffic on the native forest and conservation area behind our home, so this is not an optimal solution. Instead, the first step would be to see the exact placement you currently are proposing between the required 10-foot buffer and the conservation area, along with the other details requested above.
>
> Thank you in advance for clarifying these details.
>
> Sincerely,
>
>
> Susan Davis Morley
>

LEON COUNTY DEPARTMENT OF DEVELOPMENT SUPPORT AND ENVIRONMENTAL MANAGEMENT
MEETING SIGN-IN SHEET

PROJECT NAME: LSP150035, Brookside Village

PURPOSE OF MEETING: **Application Review Meeting, Type "B" - FDPA Track**

DATE: December 2, 2015

	REVIEWERS NAME:	INITIALS:	DEPT. OR DIVISION	PHONE #:
1.	DAVID MCDEVITT		Dev. Support & Env. Mgmt	606-1300
2.	SCOTT BROCKMEIER		Development Services	606-1300
3.	RYAN CULPEPPER	R.C.	Development Services	606-1300
4.	WELDON RICHARDSON		Development Services	606-1300
5.	SHAWNA MARTIN	SM	Development Services	606-1300
6.	RYAN GUFFEY	RG	Concurrency Management	606-1300
7.	JOHN KRAYNAK		Environmental Services	606-1300
8.	ANNA PADILLA		Environmental Services	606-1300
9.	CHARLEY SCHWARTZ		Environmental Services	606-1300
10.	MICHAEL HOGAN		Environmental Services	606-1300
11.	NAWFAL EZZAGAGHI	N.E.E.	Environmental Services	606-1300
12.	ERVE MESIDOR		Public Works	606-1500
13.	KIM WOOD	KAW	Public Works	606-1500
14.	ALEX MAHON		Leon County Health Dept.	606-8300
15.	KATHY DAVIS		Leon County Health Dept.	606-8300
15.	LAVISA KULESHOVA		City Gas Services	891-2380
16.	TINA DROSE		City Electric Utilities	891-1226
17.	JUSTIN HOSEY		City Sewer	
18.	BRUCE KESSLER		City Underground Utilities	891-6105
19.	RASARAH BROWDER		Talquin Electric Cooperative	627-7651
20.	RUSSELL SNYDER		Planning Department	891-8632
21.	SUSAN DENNY		Planning Department	891-8600
22.	~~JAY SCHUCK~~ Susan Poplin	SP	Planning Department	891-6420
23.	MARY J. YARBROUGH		Planning Department	891-6428
24.	KATHLEEN DOWNEY		Aquifer Protection	891-1226
25.	GARY DONALDSON		Tallahassee Fire Department	891-7179
26.	ANDREA ROSSER		Star Metro	891-5482
27.	BRIAN WATERMAN		Star Metro	891-5564
28.	MARTHA CHAUNCEY		Leon County School Board	617-1800
29.	MICHELLO WILLIAMS		Fla. Dept of Transportation	922-1912
30.				

APPLICANTS/AGENTS & COMPANY: (PLEASE PRINT)	PROJECT:	PHONE:
1. Billy Colbert / UC²	Brookside	999-4241
2. Sean Marston / UC²	Brookside	999-4241
3. Jeremy Floyd		891-6427
4. TOM ASBURY	BROOKSIDE	545 2726
Jill Weisman	DSEM	606-1376

LEON COUNTY DEPARTMENT OF DEVELOPMENT SUPPORT AND ENVIRONMENTAL MANAGEMENT
MEETING SIGN-IN SHEET

PROJECT NAME: LSP150035, Brookside Village

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DATE: December 2, 2015

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6.	RYAN GUFFEY	RG	Concurrency Management	606-1300
7.	JOHN KRAYNAK		Environmental Services	606-1300
8.	ANNA PADILLA		Environmental Services	606-1300
9.	CHARLEY SCHWARTZ		Environmental Services	606-1300
10.	MICHAEL HOGAN		Environmental Services	606-1300
11.	NAWFAL EZZAGAGHI	N.E.E.	Environmental Services	606-1300
12.	ERVE MESIDOR		Public Works	606-1500
13.	KIM WOOD	KAW	Public Works	606-1500
14.	ALEX MAHON		Leon County Health Dept.	606-8300
15.	KATHY DAVIS		Leon County Health Dept.	606-8300
15.	LAVISA KULESHOVA		City Gas Services	891-2380
16.	TINA DROSE		City Electric Utilities	891-1226
17.	JUSTIN HOSEY		City Sewer	
18.	BRUCE KESSLER		City Underground Utilities	891-6105
19.	RASARAH BROWDER		Talquin Electric Cooperative	627-7651
20.	RUSSELL SNYDER		Planning Department	891-8632
21.	SUSAN DENNY		Planning Department	891-8600
22.	~~JAY SCHUCK~~ Susan Poplin	SP	Planning Department	891-6420
23.	MARY J. YARBROUGH		Planning Department	891-6428
24.	KATHLEEN DOWNEY		Aquifer Protection	891-1226
25.	GARY DONALDSON		Tallahassee Fire Department	891-7179
26.	ANDREA ROSSER		Star Metro	891-5482
27.	BRIAN WATERMAN		Star Metro	891-5564
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Jill Weisman	DSEM	606-1376

Leon County, Development Support and Environmental Management
435 N. Macomb Street, 2nd Floor, Renaissance Center
Tallahassee, FL 32301-1019

SPEAKER'S CARD

Date: 04 FEB 16

NAME: GENE CARCKLAND

ADDRESS: 6281 BLACKFOX WAY

CITY, STATE, ZIP: TALLAHASSEE, FL 32312

PHONE CONTACT: (H) (W) 850.933.0033

NAME OF PROJECT: BROOKSIDE VILLAGE

Item Number:

Comments (optional):

Leon County, Development Support and Environmental Management
435 N. Macomb Street, 2nd Floor, Renaissance Center
Tallahassee, FL 32301-1019

SPEAKER'S CARD

Date: FEB. 3, 2016

NAME: CHRIS KEENA

ADDRESS: 163 COTTLION CIRCLE

CITY, STATE, ZIP: TALLAHASSEE, FL 32312

PHONE CONTACT: (H) 893.0549 (W) 222-2373

NAME OF PROJECT: BROOKSIDE VILLAGE

Item Number: PROJECT ID: LSP150035

Comments (optional):

Leon County, Development Support and Environmental Management
435 Macomb Street, 2nd Floor, Renaissance Center
Tallahassee, FL 32301-1019

SPEAKER'S CARD

Date: 2/3/2016

NAME: John Blank

ADDRESS: 6079 Heartland Circle

CITY, STATE, ZIP: Tall.

PHONE CONTACT: (H) 894-1971 (W) 383-1166

NAME OF PROJECT: _____

Item Number: _____

Comments (optional): _____

Leon County, Development Support and Environmental Management
435 N. Macomb Street, 2nd Floor, Renaissance Center
Tallahassee, FL 32301-1019

SPEAKER'S CARD

Date: 2-3-16

NAME: Terry Davis

ADDRESS: 6040 Oxbottom Manor Dr.

CITY, STATE, ZIP: Tall FL 32312

PHONE CONTACT: (H) 850/893-5371 (W)

NAME OF PROJECT: Brookside Village Residential

Item Number: _____

Comments (optional): _____

Leon County Development Support and Environmental Management
435 N. Macomb Street, 2nd Floor, Renaissance Center
Tallahassee, FL 32301-1019

SPEAKER'S CARD

Date: FEBRUARY 3

NAME: CHRIS KISE

ADDRESS: 6788 HEATHLAND CIRCLE

CITY, STATE, ZIP: TLH 32312

PHONE CONTACT: (H) (W) 513-3367

NAME OF PROJECT: BROOKSIDE

Item Number: PROJECT ID LSP 150035

Comments (optional):

Leon County Development Support and Environmental Management
435 N. Macomb Street, 2nd Floor, Renaissance Center
Tallahassee, FL 32301-1019

SPEAKER'S CARD

Date: 2/3/2016

NAME: Tom Watkins

ADDRESS: 323 Milestone Drive

CITY, STATE, ZIP: Tallahassee FL 32312

PHONE CONTACT: (H) 8506689790 (W) 8505082084

NAME OF PROJECT: Brookstone

Item Number: _____

Comments (optional): _____

Leon County Development Support and Environmental Management
435 N. Macomb Street, 2nd Floor, Renaissance Center
Tallahassee, FL 32301-1019

SPEAKER'S CARD

Date: FEB 3, 2016

NAME: GENE T. SHERRON

ADDRESS: 6131 HEARTLAND CIR

CITY, STATE, ZIP: TLH, FL 32312

PHONE CONTACT: (H) 850-893-6051 (W) 850-545-7434

NAME OF PROJECT: BROOKSIDE

Item Number:

Comments (optional): MOORE POND HOMEOWNER'S ASSOCIATION BOARD MEMBER

Leon County Development Support and Environment Management
435 N. Macomb Street, 2nd Floor, Renaissance Center
Tallahassee, FL 32301-1019

SPEAKER'S CARD

Date: 02/03/2016

NAME: BRUCE MEINTJIES

ADDRESS: 6807 HEARTLAND CIRCLE

CITY, STATE, ZIP: TALLAHASSEE FL 32312 7524

PHONE CONTACT: (H) 850 212 5656 (W)

NAME OF PROJECT: MOORE POND

Item Number: _____

Comments (optional): _____

Leon County Development Support and Environmental Management
435 Macomb Street, 2nd Floor, Renaissance Center
Tallahassee, FL 32301-1019

SPEAKER'S CARD

Date: _____

NAME: Steve Andrews

ADDRESS: 822 NORTH MONROE

CITY, STATE, ZIP: _____

PHONE CONTACT: (H) ~~[illegible]~~ 850-681-6416 (M)

NAME OF PROJECT: _____

Item Number: 1

Comments (optional): _____

Leon County, Development Support and Environmental Management
435 N. Macomb Street, 2nd Floor, Renaissance Center
Tallahassee, FL 32301-1019

SPEAKER'S CARD

Date: 2 4 14

NAME: Phillip Downs

ADDRESS: 6027 Heartland Circle

CITY, STATE, ZIP: Tallahassee 32312

PHONE CONTACT: (H) 850 545 9255 (W)

NAME OF PROJECT: Brookside Village

Item Number: _____

Comments (optional): _____

Leon County, Development Support and Environmental Management
435 N. Macomb Street, 2nd Floor, Renaissance Center
Tallahassee, FL 32301-1019

Application Review Meeting (ARM) Speaker's Card

Date: 5/3/17

Name: Wesley White

Address: 317 Thomberg Dr

City, State, Zip: TAL, FL 32312

Phone contact: (H) 591-8700 (W)

Name of Project:

Item Number:

Comments (optional): Not in favor

Leon County Development Support and Environment Management
435 N. Macomb Street, 2nd Floor, Renaissance Center
Tallahassee, FL 32301-1019

2

Application Review Meeting (ARM) Speaker's Card

Date: 5/03/17

Name: John Rhea

Address: 307 Milestone Dr.

City, State, Zip: Tallahassee FL 32312

Phone contact: (H) 850-668-3331 (W)

Name of Project: Brookside

Item Number:

Comments (optional):

Chose not to speak

(3)

Leon County, Development Support and Environmental Management
435 N. Macomb Street, 2nd Floor, Renaissance Center
Tallahassee, FL 32301-1019

Application Review Meeting (ARM) Speaker's Card

Date: 5/3/2017

Name: Mallory Harrell / Roseville POA

Address: 319 Roseville East

City, State, Zip: Tallahassee FL

Phone contact: (H) _____ (W) 321-7492

Name of Project: Brockside

Item Number: _____

Comments (optional): _____

4

Leon County, Development Support and Environmental Management
435 N. Macomb Street, 2nd Floor, Renaissance Center
Tallahassee, FL 32301-1019

Application Review Meeting (ARM) Speaker's Card

Date: 5/3/17

Name: Rachel Bowden

Address: 6247 Heartland Circle

City, State, Zip: Tallahassee FL 32312

Phone contact: (H) 850 284 3718 (W)

Name of Project: Brookside

Item Number: LSP - 150035

Comments (optional):

(5)

Leon County, Development Support and Environmental Management
435 N. Macomb Street, 2nd Floor, Renaissance Center
Tallahassee, FL 32301-1019

Application Review Meeting (ARM) Speaker's Card

Date: 5-3-17

Name: Teresa Little

Address: 7305 Heartland Cir

City, State, Zip: Tallahassee FL 32312

Phone contact: (H) 850-893-9305 (C) (W) 850-556-2745

Name of Project: Brookside Village

Item Number:

Comments (optional): (1) The stormwater Report continues to fatsley state that the existing drainage system downstream is undersized. It is [illegible] based on decades of performance and observations.

Leon County, Development Support and Environmental Management
435 N. Macomb Street, 2nd Floor, Renaissance Center
Tallahassee, FL 32301-1019

6

Application Review Meeting (ARM) Speaker's Card

Date: 5-2-17

Name: James Alor

Address: 5961 Oxbatt Mano

City, State, Zip: Talla 32312

Phone contact: (H) 894-0343 (W) 566-8960

Name of Project: Brookside Village

Item Number: LSP 150035

Comments (optional):

Leon County, Development Support and Environmental Management
435 N. Macomb Street, 2nd Floor, Renaissance Center
Tallahassee, FL 32301-1019

(7)

Application Review Meeting (ARM) Speaker's Card

Date: 5/3/17

Name: Susan Dano Morley

Address: 311 Milestone Drive

City, State, Zip: TLH, FL 32312

Phone contact: (H) 668-9947 (W)

Name of Project: Brookside DV Map

Item Number:

Comments (optional):

Leon County Development Support and Environmental Management
435 N. Macomb Street, 2nd Floor, Renaissance Center
Tallahassee, FL 32301-1019

(8)

Application Review Meeting (ARM) Speaker's Card

Date: May 3, 2017

Name: Teresa Aagaard

Address: 1604 Quail Ridge Dr

City, State, Zip: Tallahassee FL 32312

Phone contact: (H) 8503648809 (W)

Name of Project:

Item Number:

Comments (optional):

Leon County Development Support and Environmental Management
435 N. Macomb Street, 2nd Floor, Renaissance Center
Tallahassee, FL 32301-1019

9

Application Review Meeting (ARM) Speaker's Card

Date: 5/23/17

Name: GENE SHERRON

Address: 613 HEADLAND CIR

City, State, Zip: TLH, FL 32312

Phone contact: (H) 893-6051 ~~(W)~~ 545-7434

Name of Project: BROOKSIDE

Item Number:

Comments (optional):

10

Leon County, Development Support and Environmental Management
435 N. Macomb Street, 2nd Floor, Renaissance Center
Tallahassee, FL 32301-1019

Application Review Meeting (ARM) Speaker's Card

Date: 5/3/17

Name: Cheri Garbark

Address: 7113 Beech Ridge Trail Suite 2

City, State, Zip: Tallahassee, FL 32312

Phone contact: (H) (W) 443-8612

Name of Project: Brookside Development

Item Number:

Comments (optional):

#1

Leon County, Development Support and Environmental Management
435 N. Macomb Street, 2nd Floor, Renaissance Center
Tallahassee, FL 32301-1019

SPEAKER'S CARD - APPLICATION REVIEW MEETING

Date: 12-2-2015

NAME: CHRIS KEENA

ADDRESS: 163 COTILLION CIRCLE

CITY, STATE, ZIP: TALLAHASSEE, FL 32312

PHONE CONTACT: (H) _____ (W) 850.222.2373

NAME OF PROJECT: BROOKSIDE VILLAGE

Comments (optional): Q. Bottom manor HOA

#2

Leon County, Development Support and Environmental Management
435 N. Macomb Street, 2nd Floor, Renaissance Center
Tallahassee, FL 32301-1019

SPEAKER'S CARD - APPLICATION REVIEW MEETING

Date: _____

NAME: Christopher R. Moya

ADDRESS: 6288 Heartland Circle

CITY, STATE, ZIP: Tallahassee FL.

PHONE CONTACT: (H) ——— (W) 850-425-7809

NAME OF PROJECT: Brookside

Comments (optional): _____

#3

Leon County, Development Support and Environmental Management
435 N. Macomb Street, 2nd Floor, Renaissance Center
Tallahassee, FL 32301-1019

SPEAKER'S CARD - APPLICATION REVIEW MEETING

Date: 12/2/2015

NAME: Bob Burton

ADDRESS: 6076 Heartland Circle

CITY, STATE, ZIP: Tall. FL 32312

PHONE CONTACT: (H) 850 321-9314 (W) Same

NAME OF PROJECT: Brookside Village

Comments (optional):

#4

Leon County, Development Support and Environmental Management
435 N. Macomb Street, 2nd Floor, Renaissance Center
Tallahassee, FL 32301-1019

SPEAKER'S CARD - APPLICATION REVIEW MEETING

Date: 12/02/2015

NAME: BRUCE MEINTSLES

ADDRESS: 6807 HEARTLAND CIRCLE

CITY, STATE, ZIP: TALLAHASSE F 32312 7524

PHONE CONTACT: (H) (W) 850 212-5656

NAME OF PROJECT: BROOKSIDE VILLAGE

Comments (optional):

Leon County, Development Support and Environmental Management
435 N. Macomb Street, 2nd Floor, Renaissance Center
Tallahassee, FL 32301-1019

#5

SPEAKER'S CARD - APPLICATION REVIEW MEETING

Date: 12/2/15

NAME: JOHN BLANK

ADDRESS: 6079 Heartland Circle

CITY, STATE, ZIP: tallahassee, FL.

PHONE CONTACT: (H) 894-1971 (W) 383-1111

NAME OF PROJECT: Brookside Village

Comments (optional):

Leon County, Development Support and Environmental Management
435 N. Macomb Street, 2nd Floor, Renaissance Center
Tallahassee, FL 32301-1019

#6

SPEAKER'S CARD - APPLICATION REVIEW MEETING

Date: 12/02/2015

NAME: JANE M. WATSON

ADDRESS: 7235 HEARTLAND CIR

CITY, STATE, ZIP: TALLAHASSEE FL 32312

PHONE CONTACT: (H) 850 668 2295 ~~(W)~~ cell 850 321 0410
janem.watson@gmail.com

NAME OF PROJECT: BROOKSIDE VILLAGE

Comments (optional):

#7

Leon County, Development Support and Environmental Management
435 N. Macomb Street, 2nd Floor, Renaissance Center
Tallahassee, FL 32301-1019

SPEAKER'S CARD - APPLICATION REVIEW MEETING

Date: 12/2/15

NAME: GLENN SHERRON

ADDRESS: 6131 HEARTLAND CIR

CITY, STATE, ZIP: 32312

PHONE CONTACT: (H) 850-545-7434 (W)

NAME OF PROJECT: BROOKSIDE VILLAGE

Comments (optional): (1) MUDDY RUN OFF to MOORE POND.
(2) DEVELOPMENT NOT CONSISTENT W/ OTHERS

#8

Leon County, Development Support and Environmental Management
435 N. Macomb Street, 2nd Floor, Renaissance Center
Tallahassee, FL 32301-1019

SPEAKER'S CARD - APPLICATION REVIEW MEETING

Date: 12/2/15

NAME: Alex Nakis

ADDRESS: 6033 HEARTLAND CIR

CITY, STATE, ZIP: TALLAHASSEE, FL 32312

PHONE CONTACT: (H) 850-345-5784 (W)

NAME OF PROJECT: Brookside

Comments (optional):

Leon County, Development Support and Environmental Management
435 N. Macomb Street, 2nd Floor, Renaissance Center
Tallahassee, FL 32301-1019

SPEAKER'S CARD - APPLICATION REVIEW MEETING

#9

Date: 12/2/15

NAME: Ron Mowrey

ADDRESS: 6914 Heartland Crk

CITY, STATE, ZIP: TLH 32312

PHONE CONTACT: (H) 8936540 (W) 222 9482

NAME OF PROJECT: Brookside Village

Comments (optional):

Leon County, Development Support and Environmental Management
435 N. Macomb Street, 2nd Floor, Renaissance Center
Tallahassee, FL 32301-1019

SPEAKER'S CARD - APPLICATION REVIEW MEETING

#10

Date: 12/2/15

NAME: Elizabeth Eck

ADDRESS:

CITY, STATE, ZIP:

PHONE CONTACT: (H) 8505673455 (W)

NAME OF PROJECT: Ox Bottom Retirement

Comments (optional):

#11 +Add us to list Please

Leon County, Development Support and Environmental Management
435 N. Macomb Street, 2nd Floor, Renaissance Center
Tallahassee, FL 32301-1019

SPEAKER'S CARD - APPLICATION REVIEW MEETING

Date: 12/2/2015

NAME: Mallory Harrell & ~~[illegible]~~

ADDRESS: 319 Roschill Drive E /

CITY, STATE, ZIP: Tally FL 32312

PHONE CONTACT: (H) (W) 681-0411

NAME OF PROJECT: Brookside

Comments (optional): Roschill HOA -

#1 We do would like to stress the increase of lot sizes to be more ~~[illegible]~~ in line with compatible neighborhoods of Ox Bottom Manor, Moore Pond & Roschill

#2 Increase Buffer on Ox Bottom Road. (Susan Poplin

Leon County, Development Support and Environmental Management
435 N. Macomb Street, 2nd Floor, Renaissance Center
Tallahassee, FL 32301-1019

SPEAKER'S CARD - APPLICATION REVIEW MEETING

#12

Date: 12 2 15

NAME: Phillip Downs

ADDRESS: 6027 Heartland Circle

CITY, STATE, ZIP: Tallahassee FL 32312

PHONE CONTACT: (H) 850 545 9255 (W)

NAME OF PROJECT: Brookside ??

Comments (optional): Totally inappropriate project - not compatible with surrounding density & lot size. Can't believe this development is being considered!!!

JOINT EXHIBIT OF THE PARTIES 23(b)

DRC Public Comment (Composite)

Leon County, Development Support and Environmental Management
435 N. Macomb Street, 2nd Floor, Renaissance Center
Tallahassee, FL 32301-1019

Development Review Committee Meeting (DRC) Speaker's Card

Date: August 16, 2017

Name: Elizabeth Moya

Address: moore Pond

City, State, Zip:

Phone contact: (H) (W) 305 801 6286

Name of Project: Brookside Village Residential Subdivision
Item Number: LSP150035

Comments (optional):

Leon County, Development Support and Environmental Management
435 N. Macomb Street, 2nd Floor, Renaissance Center
Tallahassee, FL 32301-1019

Development Review Committee Meeting (DRC) Speaker's Card

Date: August 16, 2017

Name: DAVID POWELL

Address: HOPPING GREEN + SAMS, P.O. BOX 6526

City, State, Zip: TALLAHASSEE, FL 32314

Phone contact: (H) 850-524-6553 (W) 850-425-2222

Name of Project: Brookside Village Residential Subdivision
Item Number: LSP150035

Comments (optional): REPRESENTING APPLICANT. SUPPORT STAFF RECOMMENDATION. AVAILABLE TO RESPOND TO QUESTIONS

Leon County, Development Support and Environmental Management
435 N. Macomb Street, 2nd Floor, Renaissance Center
Tallahassee, FL 32301-1019

Development Review Committee Meeting (DRC) Speaker's Card

Date: August 16, 2017

Name: GENE SHERRON

Address: 6131 HEARTLAND CIR

City, State, Zip: TLH 32312

Phone contact: (H) 893-6051 (W) 545-7434

Name of Project: Brookside Village Residential Subdivision
Item Number: LSP150035

Comments (optional):

Leon County, Development Support and Environmental Management
435 N. Macomb Street, 2nd Floor, Renaissance Center
Tallahassee, FL 32301-1019

Development Review Committee Meeting (DRC) Speaker's Card

Date: August 16, 2017

Name: CHRIS KEENA

Address: 163 COLLION CIRCLE

City, State, Zip: TALLAHASSEE, FL. 32312

Phone contact: (H) (W) 850.222.2373

Name of Project: Brookside Village Residential Subdivision
Item Number: LSP150035

Comments (optional): REPRESENTING OX BOTTOM MANOR COMMUNITY ASSOCIATION, INC.

Leon County, Development Support and Environmental Management
435 N. Macomb Street, 2nd Floor, Renaissance Center
Tallahassee, FL 32301-1019

Development Review Committee Meeting (DRC) Speaker's Card

Date: August 16, 2017

Name: Rachel Bowden

Address: 6247 Heartland Circle

City, State, Zip: Tallahassee FL 32312

Phone contact: (H) 850 284 3718 (W)

Name of Project: Brookside Village Residential Subdivision
Item Number: LSP150035

Comments (optional):

Leon County, Development Support and Environmental Management
435 N. Macomb Street, 2nd Floor, Renaissance Center
Tallahassee, FL 32301-1019

Development Review Committee Meeting (DRC) Speaker's Card

Date: August 16, 2017

Name: Phillip Downs

Address: 6027 Heartland Circle

City, State, Zip: Tallahassee FL 32312

Phone contact: (H) 850 571 9255 (W)

Name of Project: Brookside Village Residential Subdivision
Item Number: LSP150035

Comments (optional): would like to speak

Leon County, Development Support and Environmental Management
435 N. Macomb Street, 2nd Floor, Renaissance Center
Tallahassee, FL 32301-1019

Development Review Committee Meeting (DRC) Speaker's Card

Date: August 16, 2017

Name: CHRIS KISE

Address: 6788 HEARTLAND CIRCLE

City, State, Zip: TLH FL 32312

Phone contact: (H) 850-264-1169 (W)

Name of Project: Brookside Village Residential Subdivision
Item Number: LSP150035

Comments (optional):

Leon County, Development Support and Environmental Management
435 N. Macomb Street, 2nd Floor, Renaissance Center
Tallahassee, FL 32301-1019

Development Review Committee Meeting (DRC) Speaker's Card

Date: August 16, 2017

Name: Mallory Harrell / RPOA Secretary

Address: 319 Roschill Dr. E

City, State, Zip: Tallahassee, FL 32312

Phone contact: ~~(H)~~ C/ 321-7492 (W)

Name of Project: Brookside Village Residential Subdivision
Item Number: LSP150035

Comments (optional): _____

Leon County, Development Support and Environmental Management
435 N. Macomb Street, 2nd Floor, Renaissance Center
Tallahassee, FL 32301-1019

Development Review Committee Meeting (DRC) Speaker's Card

Date: August 16, 2017

Name: BRUCE MCINTOSH

Address: 6807 HEARTLAND CIRCLE

City, State, Zip: 32312 2524

Phone contact: (H) 850 668 8481 (W)

Name of Project: Brookside Village Residential Subdivision
Item Number: LSP150035

Comments (optional):

Shawna Martin - OxBottom Manor HOA Member Protest for Proposed Brookside Development

From: <info@oxbottommanor.com>
To: <ProctorB@LeonCountyFl.gov>, <JacksonJ@LeonCountyFl.gov>, <DaileyJ@leonc...
Date: 08/10/2017 7:13 PM
Subject: OxBottom Manor HOA Member Protest for Proposed Brookside Development

Ox Bottom Manor Community Association, Inc.

4/10/2017

Dear County Commissioners,

Please consider this a formal request to include this communication, and all of the foregoing and following, into the official record.

This communication sets forth formal opposition to the proposed Brookside Village Residential Subdivision, Project ID# LSP150035 (the "Project"). I reside in the adjacent Ox Bottom Manor subdivision, at Ox Bottom Manor Community, Tallahassee, 32312, and as such face significant adverse impacts should the Project, as currently proposed, be approved. Indeed the current proposal violates both the letter and the spirit of the Residential Preservation zoning ordinance (Sec. 10-6.617), places a Third or Fourth Magnitude Spring at risk of contamination and pollution of the underlying aquifer, fails to guarantee harmful runoff will not enter Moore Pond, and places additional, unwarranted burdens on both area traffic and schools.

Ox Bottom Manor has 668 home sites, Summerbrooke has 657 home sites, Moore Pond has 61 home sites, and Rosehill has 94 home sites; these nearly 1500 home sites have close to or in excess of 1 acre lots!

Paragraph 1 of the December 2 Development Services Findings states: "Consistency with surrounding residential type and density shall be a major determinant in granting development approval." One statement in Susan Poplin's Planning Department memorandum of December 1 declares this project to be consistent, without further elucidation. While this may be based on the official measure called "Gross Density", a development of 1350 square foot residential units on 1/8- 1/4 acre lots in the middle of Ox Bottom Manor, Moore Pond, and Rosehill subdivisions is clearly not consistent in type nor density.

The Project proposes to surround an existing Spring with homes at a density of 6 units per acre. As you know, the Project is adjacent to the Moore Pond (1 unit per 3+ acres) and Ox Bottom (1-2 units per acre) communities. Therefore, any proposed density in excess of that on the adjacent properties is expressly prohibited.

Ordinance Section 10-6.617. - Residential Preservation, provides, in pertinent part, that the "primary function is to protect existing stable and viable residential areas from incompatible land uses and density intrusions." (Emphasis added). To that end, when new residential development is proposed for an area not located within a recorded or unrecorded subdivision, "densities shall be permitted in the range of

zero to six dwelling units per acre...." This of course does not create an entitlement to the maximum, but rather establishes the range for consideration consistent with the about quoted "primary function" of the ordinance. Further, Ordinance subsection (a)(5) places a cap on the discretion to be applied within the above described range of zero to six units. That subsection provides, in pertinent part, that "parcels proposed for residential which are . . . not in a recorded or unrecorded subdivision shall develop consistent with the type of residential development pattern located adjacent to the vacant parcel." (Emphasis added). Florida courts have interpreted the word "shall" as contained in statutes, rules and ordinances as mandatory language compelling the stated result and granting no discretion whatsoever for deviation.

Therefore, even in the absence of the substantial environmental concerns associated with the Project, which require an even more restrictive approach, the RP zoning ordinance alone mandates rejection of the Project's proposed density. The Residential Preservation zoning code clearly states in part "The primary function is to protect existing stable and viable residential areas from incompatible land uses and density intrusions." In addition, "Compatibility with surrounding residential type and density shall be a Major Factor in the authorization of development approval and in the determination of the permissible density".

Many of our concerns are shared by all residents living on or near Ox Bottom Road, as development continues to intensify. Traffic and School impacts weigh in favor of denial of the Project. As proposed currently, the Project will add hundreds of daily automobile trips to the western portion of Ox Bottom Road . Its location just east of entrances to the Rosehill and Ox Bottom Manor neighborhoods will add significant traffic to an already busy area, particularly as the Ox Bottom Manor Road entrance is used for travel through our neighborhood to and from Hawks Rise Elementary School.

Additionally, the addition of some 60+ new homes within the school district further burdens limited resources, and potentially risks the dislocation of some current students.

Moore Pond residents have described increasing problems with the pond's water quality and flooding in their neighborhood - and like them, we share concern about the adverse effects of this proposal on the natural springs and aquifer underlying the proposed development. Like other area residents, we are very concerned about direct harm to our property caused by proposed changes to drainage patterns, as well as potential flooding of nearby areas and roadways.

In addition, Ox Bottom Manor homeowners whose property is adjacent to or near the proposed development have particular concerns related to the size and nature of the buffer area to be provided, and its continued maintenance. Although the site plan includes a 25-foot buffer in some areas, a road/driveway extending along the northern boundary of the property is planned within approximately 10 feet of several existing backyards.

Consistent with the Leon County Development Code, we Ox Bottom Manor homeowners, have a right to protect and conserve the value of our land and investment, and to minimize the conflict of uses of land and buildings. Ox Bottom Manor property owners purchased their property to maintain a certain lifestyle, and financial investment. Approval of the subject development, would negatively

encroach on the interests and property values of Ox Bottom Manor owners.

Finally, "The Development Review Committee (DRC) shall provide the final decision for Type "B" site and development plan applications. The proposed development will not be decided by the Leon County Commission! A development decision affecting three premier neighborhoods in north Leon County with over 1,000 homes and more than 4,000 residents surely is worthy of County Commission oversight and involvement, if not direct decision making.

In sum, this scenario is not compatible with Ox Bottom Manor, Moore Pond or Rosehill.

I strongly oppose ANY approval of the subject development, and/or modifications to said development now and in the future. The size and number of any home sites on the site plan should be no denser than the surrounding communities.

Possible Solutions

Given the character of Moore Pond, Rosehill, and Ox Bottom Manor neighborhoods, all adversely impacted by the proposed development, **the best solution is to not allow Brookside development**. The 35 acres in question would make an attractive recreational respite for the 4,000 plus voters in the surrounding areas should the County decide to purchase the property.

The only other option is a larger size for dwelling units and fewer lots would enhance the proposed development as well as maintain the integrity of the existing communities. I strongly urge the review board to consider these adjustments when making your final decision.

Leon County Planning Commission Staff should enforce the code as it is written to protect the existing developments from density intrusions, **specifically as the code states and requires them to do!**

Based upon the proposed 1/8 acre lots within Brookside Village Residential Subdivision, the Ox Bottom Manor Community Association consisting of over **668 voting homeowners OPPOSES** the proposed development.

Respectfully,

Name : PHILIP V SHARP
Address : 334 Winnstead Ct
Email Id : philipvsharp@gmail.com
Phone : 850-894-8288
==========

Please do not reply this email.

Thanks !!!

Copyright @ 2005 All rights reserved --> For Questions, Please Contact webmaster
Ox Bottom Manor Community Association

(850) 668-1173
7113 Beech Ridge Trail, Suite #2; Tallahassee, Florida 32312

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VIA EMAIL TRANSMISSION: MartinS@leoncountyfl.gov

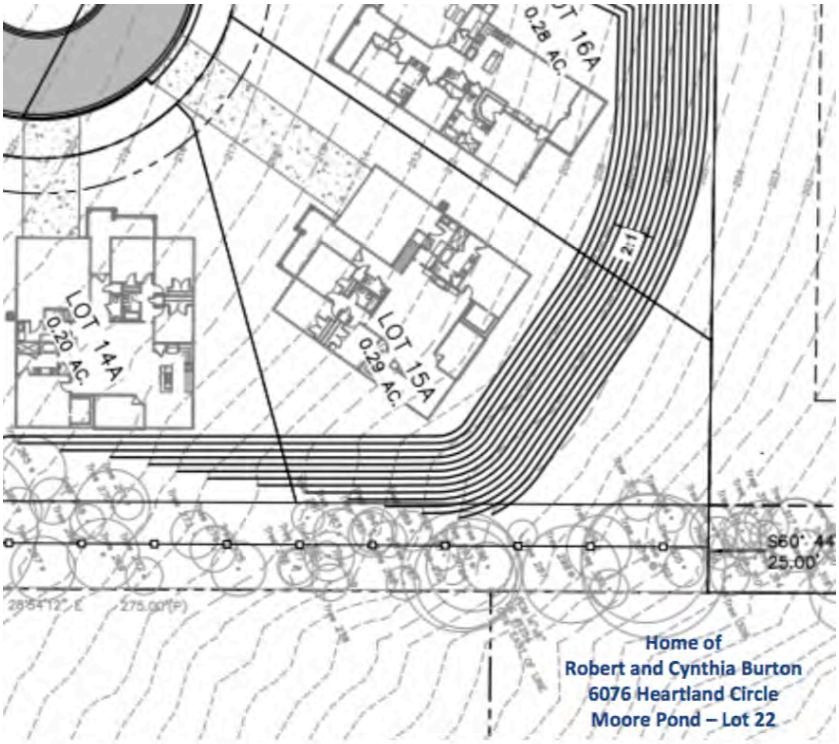
Leon County Florida Developmental Services
Attention: Shawna Martin
435 N. Macomb Street
Tallahassee, Florida 32301

RE: Brookside Village Development Review Committee – LSP150035, TYPE B

Dear Ms. Martin:

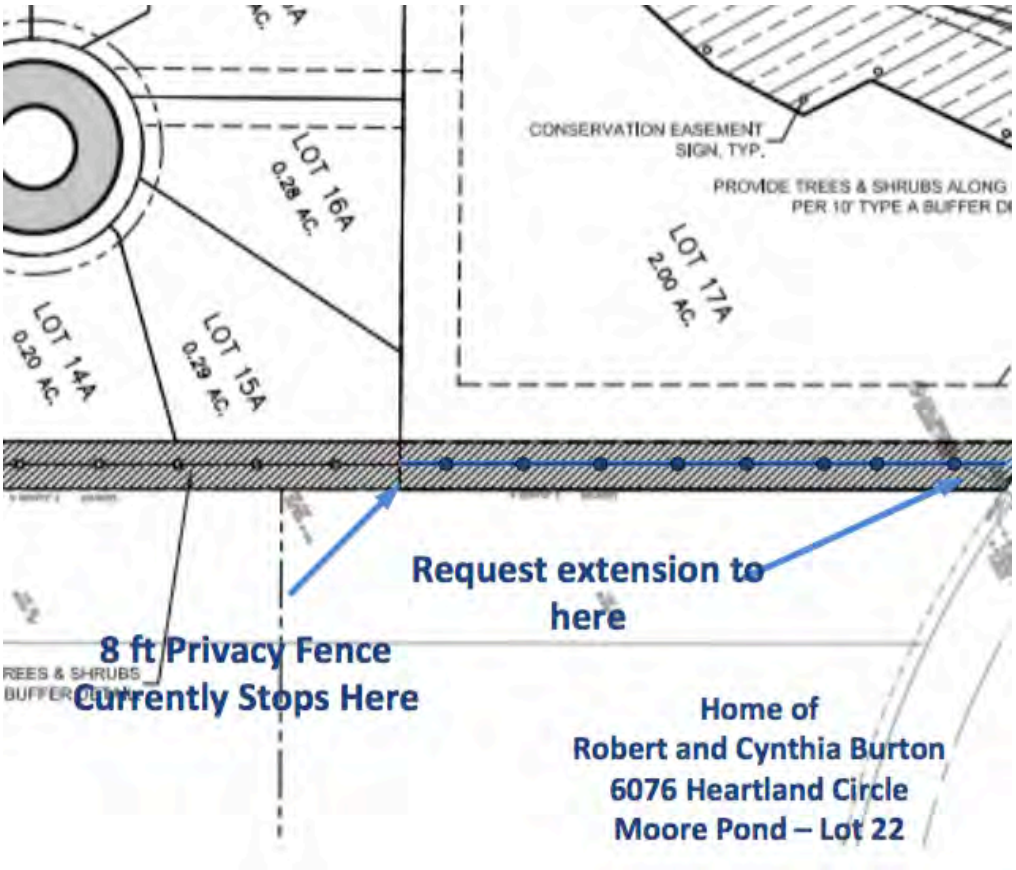
My name is Robert Burton and I live at 6076 Heartland Circle (also known as Moore Pond lot 22). My property is adjacent to the proposed Brookside Village. I too believe that Brookside Village is not allowed under Ordinance Section 10-6.617 in that this ordinance states the "primary function is to protect existing stable and viable residential areas from incompatible land uses and density intrusions". It seems as if the Brookside Village is deemed compatible because its density is within the Residential Preservation limit of 6 units per acre. If being under 6 units per acre is the criteria then there would have been no need to state in the ordinance that it's primary function is to protect against density intrusions. Obviously, the statement of protection for existing residential areas was meant to prevent developments like Brookside when they are adjacent to neighborhoods like Moore Pond and Rose Hill.

In light of the staff decision to recommend approval I am requesting that additional buffer requirements be added to the current site plan. Below is a drawing showing a portion of the site plan adjacent to my home site. The Brookside Village lot 15A is built up 14 feet in elevation from the current elevation. An 8 ft fence doesn't do a whole lot when the foundation of the home is 7 ft higher than the top of the fence. I ask that the site plan be modified to provide additional trees and shrubs on the 14 ft slope as well as a 10 ft buffer at the top of the slope. The trees and shrubs should be evergreen to provide a year round buffer



Additionally, where an 8 ft high fence would be helpful as a buffer would be to continue the currently required 8 ft fence all the way to Heartland Circle. The current site plan has no fence buffer between my Moore Pond lot and the Brookside Village Lot 17A. Granted Lot 17A is 2 acres which seems compatible; however, it is doubtful that anyone would build the size and type of home that you find in Moore Pond on this lot within a small lot subdivision. There is also a vehicle path in the site plan along this same area where I am requesting the fence and the fence would provide a site barrier.

The drawing below shows where I am requesting that the 8 ft fence be extended.



Thank you for considering these requested modifications to the current site plan.

Sincerely,

Robert W. Burton
850.321.9314

Leon County DSEM, Development Services:

I/We as owner(s) of Lot 30, Block _____, of the

MOORE POND (neighborhood or subdivision name)

at the following street address: 6131 HEARTLAND CIRCLE 32312

wish the following information to be considered by the Leon County Development Review Committee:

I predict that the DRC will approve the Brookside Village madness because of the influence the developer has in this county. I say this because I have attended 3 meetings of the ARC and from the very first meeting of the ARC, it was clear from the start that a developer would eventually succeed in putting 60+ homes in a piece of property that really has room for a dozen homes. I believe the ARC staff that allowed this development to happen were wrong or turned their backs on the following:

--New developments must be consistent in density to the neighboring developments. A 1st Grader could look at the map that shows 60+ houses in 8+ acres and point out to an adult that Rose Hill, Ox Bottom Manor, Ox Bow, and Moore Pond are not as concentrated (1+ to 3+ acres per lot). The staff consistently used 35+ acres as the size of the development. However, when you subtract the wetlands on the site, I suspicion the buildable acreage is less than half that amount.

--The biggest unknown is the impact of all that the amount of hard-surface created by Brookside will have on the water flowing from Brookside to Moore Pond. The "solutions" offered by the developer are far from comforting. Regardless of what the engineers say, in a matter of years, the filtering and trenching proposed will fill and become ineffective. Who would remedy this problem? The County is out of the picture and off the hook. The City will say it was not the approving authority. And, the future Home Owners Association for Brookside could not charge enough dues to cover such a costly refit.

--The staff said there would not be any significant traffic impact on Ox Bottom Road, Meridian Road and Thomasville Road because these houses are aimed at the Senior Citizens market with only one car and not inclined to drive much, especially at night. How do you regulate who buys these cheap houses (compared to ALL neighborhood homes) ? I guarantee that more homes will be sold to younger families than elderly folks because of the price and location. The DRC knows that Ox Bottom is already taxed and this will put it over the top with, I predict, over 100 cars added to the traffic in this area.

--The developer presented incorrect data to convenience the ARC staff that Brookside would have no significant impact on the already crowded schools—wrong. Already maxed out, a lady attending one of the ARC meetings, even stood up and challenged the staff with hard facts and current data. The staffer provided no good answer other than he'd look into it.

--At the ARC meetings, the Fire Department representative said the new neighborhood would pose no problem to fire trucks. His answer to a one-lane road in parts of Brookside was that he had bigger vehicles than cars and he would simply bull-doze them out of the way, or words to that effect.

Well, my list could go on, such as the value of our homes will certainly go down, water runoff across my property (Lot 30, Moore Pond) will increase, and the like, but the cast is set and the DRC will approve this development. I hope the DRC county staffers can sleep well with your approval of this project. It will not give the home owners in Moore Pond, Rose Hill and Ox Bottom Manor a restful night.

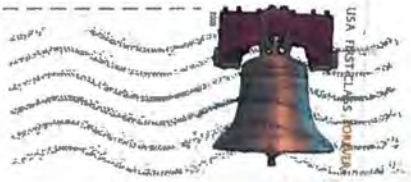
Gene T. Sherron
(Signature)

GENE T. SHERRON
(Print Name)

Gene T. Sherron, PhD
6131 Heartland Circle
Tallahassee, FL 32312

TALLAHASSEE FL 323

08 AUG 2017 PM 3 L



Leon County Department of Development Support
and Environmental Management
Development Services Division
Renaissance Center Building
435 N. Macomb Street, 2nd Floor
Tallahassee, FL 32301

RECEIVED
Leon County
AUG 10 2017
Development Support
&
Environmental Mgmt.

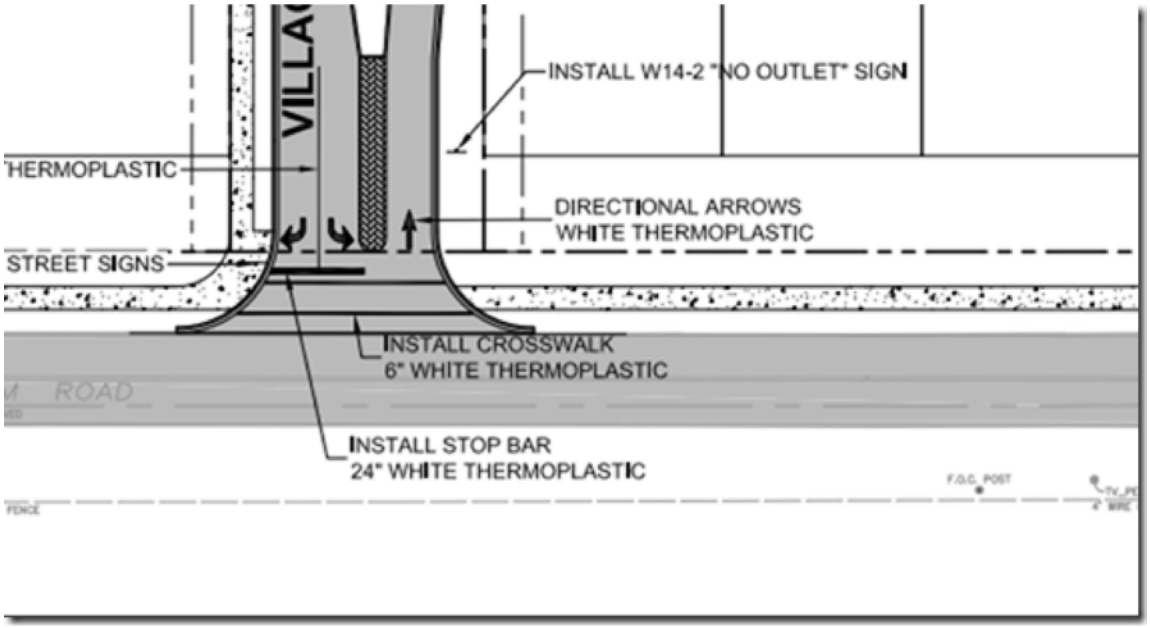
Project: Brookside Village (LSP150035)
DRC: August 16, 2017

32301 8105 1

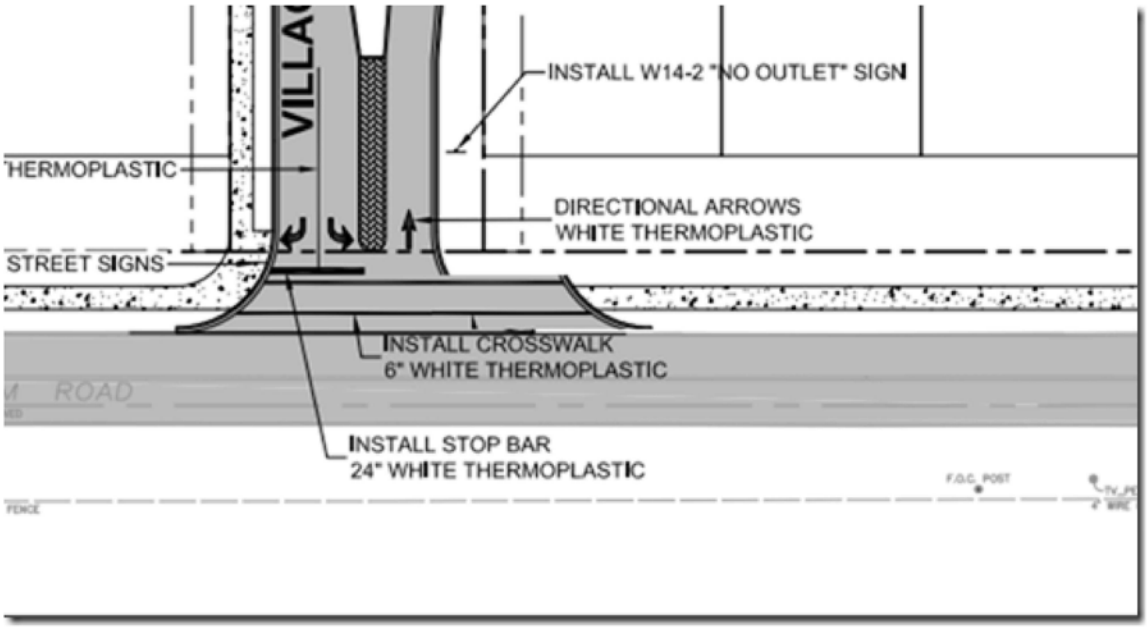
Shawna Martin - Comment to Proposed Brookside Village Residential Subdivision

From: "John Nowlin" <johnwnowlin@earthlink.net>
To: <MartinS@leoncountyfl.gov>
Date: 08/13/2017 5:12 PM
Subject: Comment to Proposed Brookside Village Residential Subdivision

I would ask that there be an actual deceleration lane on Ox Bottom to the Village Ridge Lane entrance to the subdivision rather than just a radius corner. This simple change will help mitigate the blockage caused to traffic flow on Ox Bottom road. It does not need to be lengthy but should fit one car completely off of Ox Bottom.



I am obviously no engineer, but know that a little bit of deceleration lane improves the flow on the main through fare at minimal overall cost to the development.


INSTALL W14-2 "NO OUTLET" SIGN
THERMOPLASTIC
DIRECTIONAL ARROWS
WHITE THERMOPLASTIC
STREET SIGNS
INSTALL CROSSWALK
6" WHITE THERMOPLASTIC
ROAD
INSTALL STOP BAR
24" WHITE THERMOPLASTIC

August 14, 2017

Development Review Committee
c/o Shawna Martin, Principal Planner
Development Services Division
Department of Development Support & Environmental Management
Renaissance Center, 2nd Floor
435 North Macomb Street
Tallahassee, FL 32301-1019

Dear Members of the Development Review Committee:

I am writing you to voice my opposition to the Brookside Village Residential Subdivision proposed development at 550 Ox Bottom Road. I am unable to attend the meeting in person to voice my opposition because it is scheduled at 10:00 AM during a regular work day instead of after the work day when potentially more residents could attend.

My main objection to this project is the extra 61 plus vehicles added to the already congested traffic on Meridian Road. On Tuesday, August 8, 2017, it took me 4 minutes to drive 2.8 miles from Spanish Moss to the light at Maclay Road. Now that school has started back, I can expect that same 2.8 mile drive to take anywhere from 20 – 30 minutes in bumper to bumper traffic. On most school days this past school year, traffic came to a stop as soon as I drove through the traffic light at Ox Bottom Road and Meridian Road. There were at least a half of dozen or more days that traffic came to a halt as soon as I turned on to Meridian Road at Spanish Moss.

Maclay School traffic is a major reason for the traffic backup north of the I-10 overpass. I've told you all this to make a point that until FDOT, the county, and city come together and make changes to the roads and infrastructure on Meridian Road, additional multi-housing developments should not be approved. There must be a way to 4-lane the road without destroying the canopy road feel. Perhaps a 4-lane road with a shady median might be possibility.

In addition, the traffic flow out of Maclay School on to Meridian Road should be restricted to right turn only. On a school morning, cars traveling south on Meridian will stop to allow cars turning left out of Maclay School to pull out on Meridian Road. Although drivers may see this as a courtesy to the parents of Maclay School, but shows a lack of courtesy to the drivers behind them and creates a potentially dangerous situation for drivers traveling both south and north. Relieving this cause of congestion could affect the flow of traffic to a point additional development could be reconsidered with the appropriate impact study. Also, any change to the traffic flow at Maclay should come at the cost of the school and not the taxpayer.

In January of 2017, I contacted Leon County to request that they come out and look at the heavy traffic that was causing a slow down on Meridian Road. I was told at the time that there

were plans to do a study of the traffic, but I am uncertain whether a study was done and what the results were.

I do understand that additional housing creates additional tax for the local governments, however, the impact to the quality of life for existing homeowners should be considered when making these decisions. Obviously, with the high level of interest and opposition to this development, people have concerns that are legitimate to them. With some many people up in arms, it should be a sign to the Committee to move slowly on this matter until they have considered all options and potential impacts. If you're not sure, then the answer should be a "no" until you are sure. Once you have crossed the threshold, there is no turning back.

Thank you for allowing me to share my concerns and suggestions. I trust you will make the right decision by considering both short and long term impacts if the development is allowed to move forward.

Sincerely,

Judy Barrett-Elmer
Glenn Elmer

Leon County DSEM, Development Services:

I/We as owner(s) of Lot 254, Block Moore Pond, of the

_____ (neighborhood or subdivision name)

at the following street address: 6287 Heartland Circle

wish the following information to be considered by the Leon County Development Review Committee:

Totally opposed to Brookside development. Sub-standard housing compared to Moore Pond - incompatible w/ neighboring developments - poor storm water plans - will impact negatively on the pond, I'm the Lake Chairperson for our HOA.

Will cause more traffic, - w/ inadequate infrastructure. Approve this & I'll vote against anyone (our commissioners) who provides written or unwritten approval.

Lee R. Kotich
(Signature)

Lee R. Kotich
(Print Name)

Thank You for considering this info.

There will be lawsuits against the city if this is approved + when Ohazvini's screw-up the golden goose. Stop the political favors to his donors — of fitting politicians + their cronies call Mike Miller

Kotich
6287 Heartland Cir.
Tall., FLA. 32312

Place
Stamp
Here

Leon County Department of Development Support
and Environmental Management
Development Services Division
Renaissance Center Building
435 N. Macomb Street, 2nd Floor
Tallahassee, FL 32301

RECEIVED
Leon County
AUG 09 2017
Development Support
&
Environmental Mgmt.

Project: Brookside Village (LSP150035)
DRC: August 16, 2017

3230181051

To: Shawna Martin / Lean City

From: RPOA - Roseville Property Owner Assoc.
Mallory Harrell, Sec.
319 Roseville Dr. E

Roseville continues to oppose Brookside due to density, environment concerns & traffic. We don't believe it is consistent with surrounding neighborhoods. We ask the committee that a condition of approval include requiring developer to provide agreed vegetative buffer on Roseville property to mitigate these concerns.

Moore Pond Homeowners Association
3968 N. Monroe Street ~ Tallahassee, FL ~ 32303
Phone: (850) 562-8708 ~ Fax: (850) 364-8628

May 2, 2017

Ms. Shawna Martin
Senior Planner
Development Services Division
Department of Development Support and Environmental Management
Renaissance Center, 2nd Floor
435 North Macomb Street
Tallahassee, FL 32301-1019

RE: Moore Pond HOA Negotiated Conditions of Approval
Brookside Village Residential Subdivision
Type "B" Site and Development Plan Review (FDPA Track)
Project ID#: LSP150035

Dear Ms. Martin:

The Moore Pond HOA is opposed to the Brookside development because we find it violates the Residential Preservation zoning ordinance, is inconsistent with surrounding residential types, potentially devalues our property values, and adds unnecessary congestion and traffic concerns to the Ox Bottom Road community of homeowners.

During the past year, we have submitted letters to the County detailing our concerns and have met with the developer and his engineer on numerous occasions to share our concerns with them. The purpose of this letter is to make you aware of the discussions we have held with the developer and to ask the County to include conditions of approval consistent with our discussions should Leon County Staff and the Development Review Committee conclude this project warrants approval.

Over the last few months, you and your staff at Leon County and the developer have taken time to meet with us to address and work out solutions to some environmental concerns we have with the project. In the end, the Moore Pond HOA and the developer have determined that the following conditions should be included in the final project (all of which should now be reflected on the final plans and submittals by the developer).

<u>Quantity and Quality of Stormwater Discharge</u>

1. Peak stormwater flow rates leaving the Brookside Village site will be restricted by installation of a 12-inch diameter discharge pipe from the lower impoundment and maintaining a spillway elevation no lower than the current lower impoundment berm elevation.
2. The development will provide for discharge from the developed area for small, frequent storm events by installing a sand filter in the bottom of Pond 200. The sand filter shall be sized such that the required volume is retained by Pond 200 per the Leon County Land Development Code requirements for Closed Basins.
3. Water quality treatment for discharge from the site will be enhanced by improvements to the lower impoundment (Impoundment #2) to include raising the berm, providing for an emergency spillway and providing wetland plantings between elevations 157.37 and 163.

Density

1. Proposed residential lots along the eastern property line and adjacent to Moore Pond Lots 22, 23, 24 and 25, Block 'B', will have expanded width so as to minimize the impacts along the property line adjacent to Moore Pond. Lots 4A and 15A (on the April 19, 2017 submittal) shall have a width of 105' and 114', respectively. Lots 5A through 13A will alternate lot widths of 80' and 75', and lot 14A shall have a width of 100'.
2. An enhanced 25' Type C Buffer will be created along the eastern property line adjacent to Moore Pond Lots 22, 23, 24 and 25, Block 'B'. The buffer will be 25' wide, each 100 linear feet of the buffer will be planted with 7 evergreen canopy trees, 6 evergreen understory trees and 24 evergreen shrubs, it will include an 8' privacy fence and, only adjacent to Moore Pond Lots 24, 25 and a portion of lot 23, Block 'B', a 3' high berm.
3. The canopy trees planted in the Type C Buffer described in 2 above will be a minimum of 45 gallon trees and the planted vegetation will otherwise be larger and more mature so as to speed the infill process.
4. All homes on lots 4A through 15A (on the April 19, 2017 submittal), the lots along the eastern property line and adjacent to the Moore Pond subdivision will mandate a minimum 2,000 square feet of heated and cooled living space.

Despite these commitments by the developer, the environmental impact of a development of this size is unpredictable. There are many unknown factors that cannot be adequately predicted. Therefore, we reserve the right to hold the county and developer accountable for any adverse impacts on Moore Pond.

Additionally, none of the foregoing or the underlying discussions with the developer constitutes a concession the proposed development meets the Residential Preservation zoning requirements and/or that the proposed development is "consistent with" the adjacent Moore Pond (or other) parcels as set forth in Section 10-6.617, the Residential Preservation category. We feel that the project truly does not meet those criteria.

This letter reflects the collaborative efforts of all involved to derive an acceptable solution if indeed the County moves forward with approving this project. We appreciate the time and efforts of the developer in this regard, as well as the agreement by the developer to the above-described conditions. The cooperative nature of the discussions and the willingness to consider the impacts of the development certainly advanced the progress towards resolution.

The Moore Pond HOA will remain vigilant throughout the progress of the development to ensure the conditions are met and that there is no adverse impact on our water resources. We expressly reserve the right to act as necessary against all involved parties in the future to protect its valued water resources and/or to ensure compliance with the agreed conditions.

We respectfully request that these items, which have been agreed in good faith by the developer, are included as conditions of approval should the County grant the developer approval.

Sincerely,

Sonya Deen Hartley
Moore Pond HOA President

Shawna Martin - Photos for Brookside file

From: "Phillip Downs" <pd@dsg-research.com>
To: "'Shawna Martin'" <MartinS@leoncountyfl.gov>
Date: 08/14/2017 3:17 PM
Subject: Photos for Brookside file
Attachments: Photos of land.pptx

Hello Shawna
Will you please include these photos in the Brookside folder.
Thank you, Phillip

Phillip Downs, Ph.D.
Senior Partner | Downs & St. Germain Research
Owner | Growing Room Child Development Centers, Ft. Myers, Bonita Springs & Tallahassee
Professor of Marketing | Florida State University (retired)
ph. 850-906-3111 | cell 850.545.9255 | fax 850-906-3112

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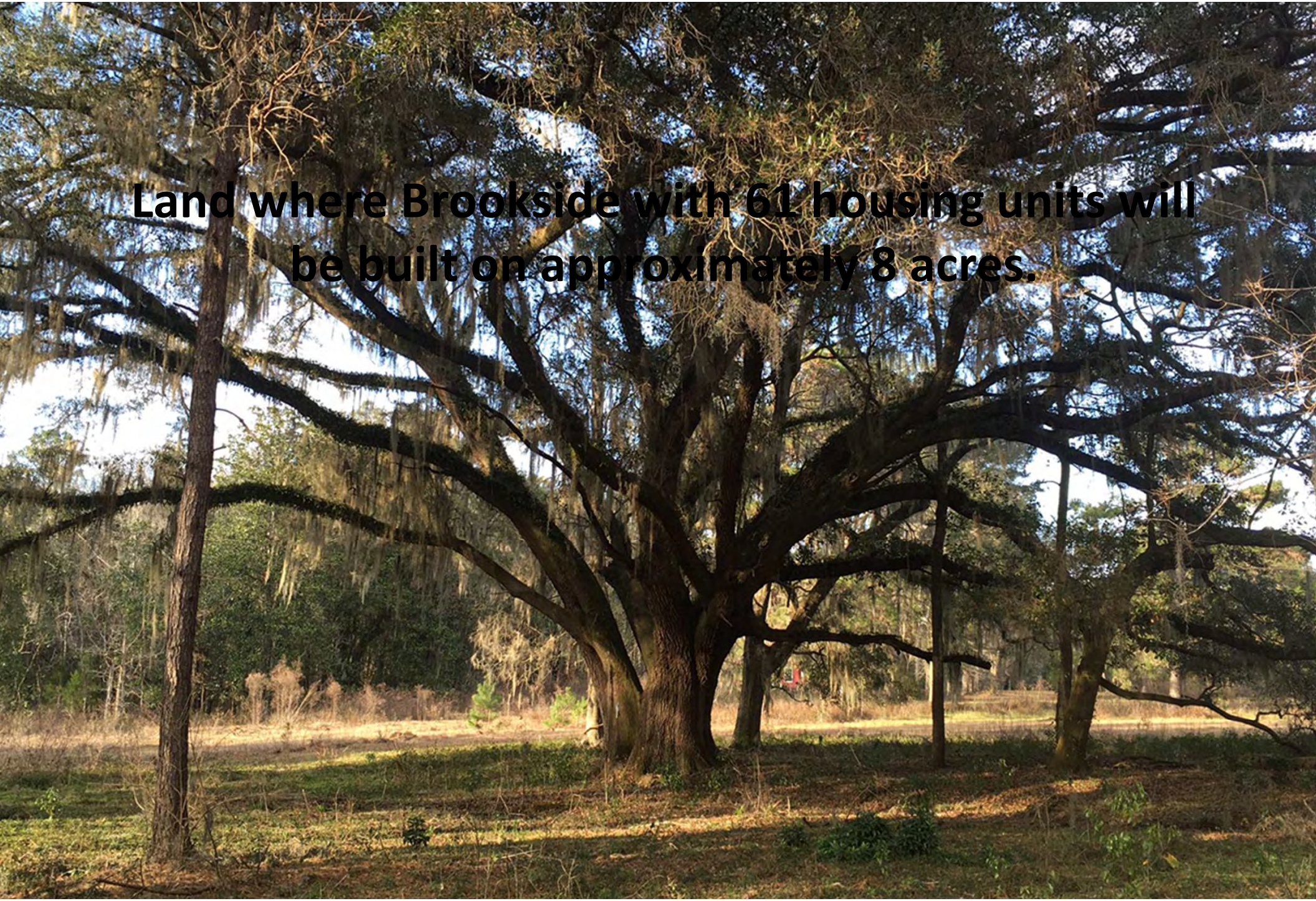

Land where Brookside with 61 housing units will
be built on approximately 8 acres.

Shawna Martin - PLACE - thank you & some questions

From: "Phillip Downs" <pd@dsg-research.com>
To: "Ben Pingree" <Ben.Pingree@TLCPLACE.org>
Date: 08/14/2017 11:33 AM
Subject: PLACE - thank you & some questions
CC: "Cherie Bryant" <cherie.bryant@talgov.com>, "'Shawna Martin'" <MartinS@l...
Attachments: Letter to Pingree.docx

Hello Ben
I know you are a busy man, but appreciate if you take a look at my attached letter that
not only compliments you and your team, but also presents a few questions for your consideration.
Thank you, Phillip

Phillip Downs, Ph.D.
Senior Partner | Downs & St. Germain Research
Owner | Growing Room Child Development Centers, Ft. Myers, Bonita Springs & Tallahassee
Professor of Marketing | Florida State University (retired)
ph. 850-906-3111 | cell 850.545.9255 | fax 850-906-3112

PLACE Memorandum

TO Ben Pingree, MPA, Director of PLACE
From Phillip Downs, Ph.D.
RE Sense of Place & Developments not in Subdivisions
Date 8.14.2017

Ben, I sent the following to the Tallahassee Democrat a few weeks ago – they printed it last Saturday, but edited you out! Just wanted to let you know I gave you a "shout out" based on your presentation to the TDC. Here's what I submitted:

> "Congratulations to Blueprint 2020 (Intergovernmental Agency) for many positive changes in Leon County over the past several years. At a recent meeting of the Leon County TDC, Ben Pingree, Director of PLACE (Tallahassee-Leon County's Department of Planning, Land Management and Community Enhancement) presented an update on projects that PLACE had impacted. The presentation crystallized my thoughts about positive changes to my community, a community that had not experienced significant improvement to its public places for most of my nearly 4 decades here.
>
> As a small government devotee, neither Republican nor Democrat, I instinctively question government's scope. Nonetheless, I have caught myself thinking in the past few years that Cascades Park is pretty neat; that Franklin Boulevard looks and functions much better than it did 25 years ago when I had an office a half block away from periodic flooding; and that the oft-maligned pedestrian bridge on South Monroe looks great (if only we could demolish the railway bridge).
>
> There are other successes and current projects of Blueprint 2020, plus other very successful projects that have benefitted from local government money &/or partnerships (College Town, Midtown, Market Street District, etc.), that really are giving our community a sense of place.
>
> So, congratulations to all who are involved in BluePrint 2020. Thank you for making our community more attractive, better functioning, and a more desirable place for our local residents and visitors."

You and your team have done a fantastic job in creating places of distinction around Leon County, and that is why I raise the second issue, development in northeast Leon County, especially in land tracts that are outside the City and not in subdivisions.

Northeast Leon County contains many upscale neighborhoods with larger lots: Moore Pond, Rosehill, Ox Bottom Manor, Golden Eagle, etc. The character of NE Leon County, and thus the viability of these neighborhoods is changing as densely developed, small, zero lot neighborhoods have dominated developments in NE Leon County in the past few years. While I know you are acutely aware of the land map, I have included an enlarged section of NE Leon County from Meridian Road to Thomasville Road along Ox Bottom Rd on the last page. Clearly, developments such as Bull Run are changing the character of the area.

I am trying not to be a NIMBY guy (I live in Moore Pond), but I wonder if Leon County benefits by having upscale neighborhoods overwhelmed by neighborhoods with large numbers of small, zero lot home sites. I understand that there is limited developable land. I understand the value of urban infill. I also understand the value of affordable housing – I lived in it for 50 years.

Brookside is my immediate concern, but there are many other tracts of land in NE Leon County that can become Bull Run or Brookside type developments. At least that is the impression I get from attending ARM and DRC meetings on Brookside.

Based on attending ARM meetings, it is my understanding that any tract of land that is zoned as Brookside can have up to 6 units per acre. While there are places in the community for this type of development, (e.g., Bull Run

is not contiguous to an upscale neighborhood), there are also places where these types of developments should not be **place**d.

And PLACE is the key. While PLACE has done a great job creating beautiful places such as Cascades and Frankin Boulevard, the net impact of zoning and development decisions in NE Leon County seems to be destroying the character of NE Leon County.

Please do not misunderstand me – I believe there should be development in tracts of land such as Brookside. But since Ox Bottom Manor has ½ to 1 acre lots; Rosehill has 2 to 3 acre lots; and Moore Pond has 2 to 4 acre lots; Brookside is not compatible in terms of density. If Brookside had one acre lots it would be more compatible to Moore Pond and still afford the developer a chance to earn money on his investment and risk.

After attending ARM and DRC meetings, I do not understand PLACE's development stance, and I do not understand the criteria used to assess a proposed development's density compatibility to existing neighborhoods.

The ARM meetings I have attended on Brookside have concluded that since Brookside has 35 acres and (now) 61 units, that the number of units per acre (1.75) is acceptable because such developments can have 1 to 6 units per acre.

Yet, this reasoning does not consider "density intrusion." Based on the dictionary, "An *intrusion* is a deliberate move into someone else's territory — either literal or figurative." Synonyms include encroachment, invasion, incursion, intervention, infringement, and impingement**. Any definition of intrusion includes the concept of two parties, one intruding on the other.**

Since there are two parties involved (Brookside & surrounding neighborhoods), a rigorous test of density intrusion would include a scientific or quantifiable comparison of the densities of Brookside and surrounding neighborhoods.

Based on all I have heard at 2 ARM meetings; **the DRC has not attempted any direct comparison of the density of Moore Pond and Brookside.**

When counting developable land, *Brookside has **24 times** the density as Moore Pond*. That is, Brookside has 61 units on about 8 acres of developable land or about 8 units per acre. Moore Pond has 50 units on 150 acres of developable land or about one unit per 3 acres. The comparative density of these two neighborhoods is 1/8 divided by 3 or 24-to-1.

When counting all land, *Brookside has nearly **11 times** the density of Moore Pond.* Brookside has 61 units on about 35 acres of land or about 1.75 units per acre. Moore Pond has 50 units on about 300 acres or 1/6 units per acre. The comparative density ratio between Brookside and Moore Pond is 1.75/.16 = 10.9-to-1.

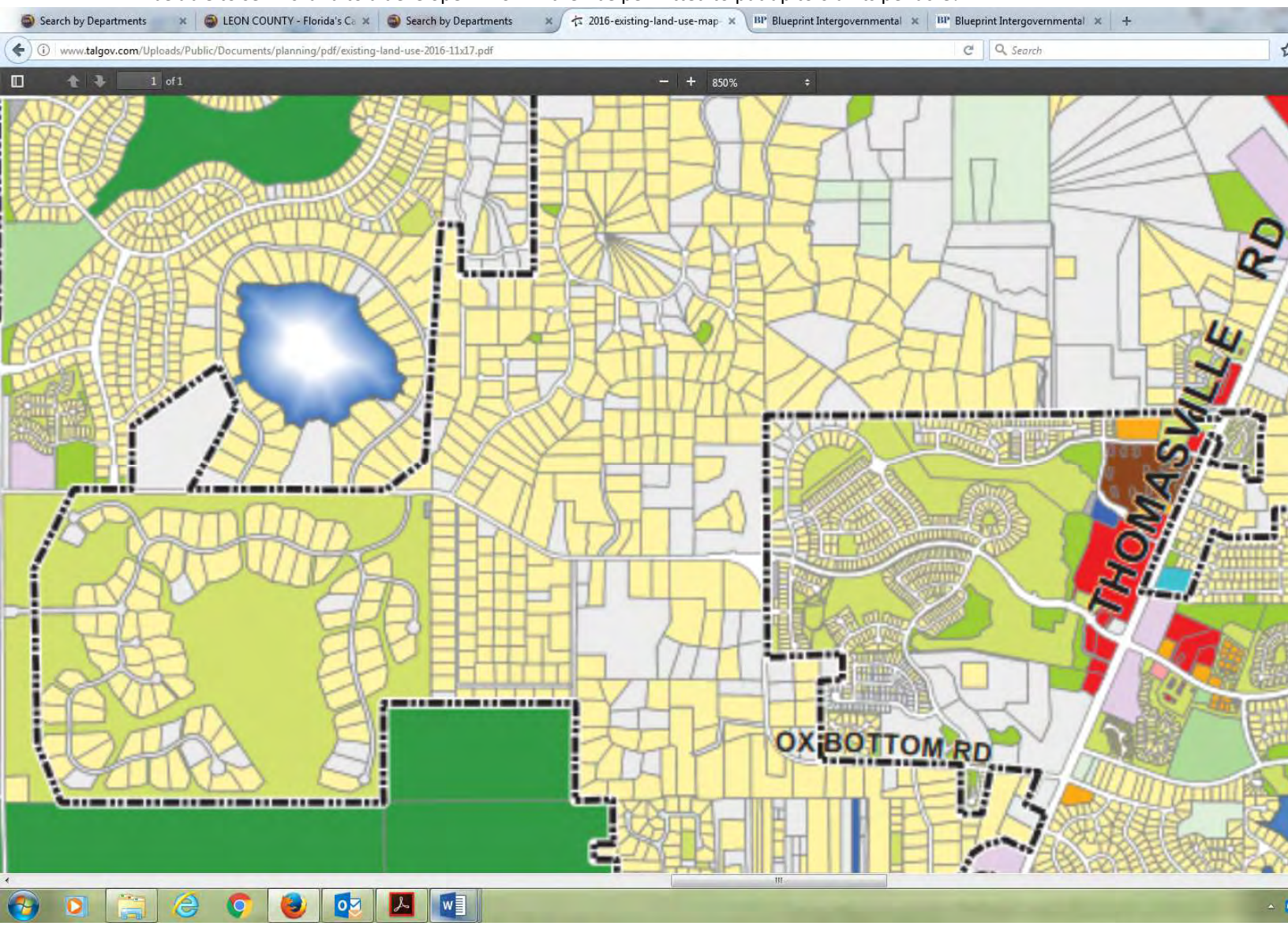
So, whether one uses **developable acres** or **total acres**, Brookside has either 24 times the density or 11 times the density as Moore Pond.

Based on a survey of over 300 residents of Leon County, our community does not consider Brookside as compatible in density to Moore Pond or Rosehill, or even Ox Bottom Manor. How our citizens view this issue and other similar development issues throughout Leon County is certainly germane.

I write you to help me understand the DRC's reasoning, and ask why an express, scientific analysis of the **comparative densities** of Moore Pond and Brookside has not been part of the overall analysis of whether or not Brookside represents "density intrusion" with regard to Moore Pond.

Thank you for wading through my letter, and I look forward to your response.

NOTE – the density differential between Bull Run and Moore Pond is striking.
Brookside will have greater density than Bull Run and it is contiguous to Moore Pond.
QUESTION – under the DRC's reasoning, will Jim Smith's old property along Ox Bottom that is not legally part of Moore Pond, but fronts the lake, be eligible for a Brookside-type development, i.e., up to 6 units per acre?
Likewise, if any other land owner along Ox Bottom Manor who has several acres of land that is not in a subdivision be able to sell his land to a developer who will then be permitted to put up to 6 units per acre?



Leon County Residents' Perceptions of Compatible Residential Density

June
2017

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RESEARCH

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Background & Survey Purpose

- Brookside Village Residential Subdivision, Project ID# LSP150035 ("Brookside") is a proposed residential development situated between Moore Pond and Ox Bottom Manor neighborhoods along Ox Bottom Road. The proposed development is across Ox Bottom Road from Rosehill neighborhood.

- Brookside has a total of 62 single family houses on about 8 acres or about **1/8 acre** per home site.

- Moore Pond and Rosehill neighborhoods have, for the most part, homes situated on **2 to 3 acre** lots. Ox Bottom Manor has, for the most part, homes situated on **half to one acre** lots.

- ***The opinion survey of Leon County and Moore Pond residents is to determine if citizens perceive the Brookside development to be compatible in density to Moore Pond, Rosehill, and Ox Bottom Manor neighborhoods.***

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Survey Conclusions

- ***Residents of Leon County do NOT believe that Brookside***, with 62 houses on approximately 8 acres of land***, is compatible in housing density with Ox Bottom Manor, Rosehill, and Moore Pond neighborhoods.***

- Based on several questions about Brookside, between 73% and 86% of Leon County residents believe that Brookside is **NOT** compatible with Ox Bottom Manor, Rosehill, and Moore Pond neighborhoods.

- 100% of Moore Pond residents believe that Brookside is **NOT** compatible with Ox Bottom Manor, Rosehill, and Moore Pond neighborhoods.

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The Future of NE Leon County

- ***A key issue in approving Brookside is whether or not it is compatible in density with surrounding neighborhoods, namely Moore Pond (contiguous to Brookside), Ox Bottom Manor (contiguous to Brookside), and Rosehill (across Ox Bottom Drive from Brookside).***

- Longer term, the key issue is how the Tallahassee-Leon County Planning Department will rule on development of tracts of land similar to Brookside. There are many small acre tracts in the northeast sector, near existing and stable neighborhoods.

- If the Planning Department rules in favor of Brookside, which has nearly 8 units per acre, then it sets a precedent for rulings on all other small acre tracts.

- Every small acre tract along Ox Bottom Road could be developed into 8-units per acre neighborhoods. Existing, stable neighborhoods such as Moore Pond, Rosehill, Ox Bottom Manor, SummerBrooke, Golden Eagle, etc., would be surrounded by high density neighborhoods that are **incompatible** from a density perspective. This will impact housing values in these neighborhoods, lead to environmental degradation, and increase traffic, noise, and school crowding.

Planning Department DRC Meetings

- Previous DRC[1] meetings of the Tallahassee-Leon County Planning Department have held that Brookside **is** compatible in housing density with Moore Pond, Rosehill, and Ox Bottom Manor neighborhoods.

- For Brookside, the DRC has final say on whether or not the development is approved. The County Commission will NOT rule on Brookside unless there are legal challenges. That is why the DRC's interpretation of compatible density is so critical.

- ***The current opinion survey of Leon County residents and Moore Pond residents clearly demonstrates that Brookside is NOT compatible in density to Moore Pond, Rosehill, and Ox Bottom Manor neighborhoods.***

- Ordinance Section 10-6.617. – Residential Preservation, provides that the "***primary function is to protect existing stable and viable residential areas from*** incompatible land uses and ***density intrusions***."

- Under Ordinance Section 10-6.617, any proposed density in excess of 1 unit per 3+ acres on properties adjacent to Moore Pond is expressly prohibited.

[1]DRC is the Tallahassee-Leon County Planning Department's Development Review Committee.

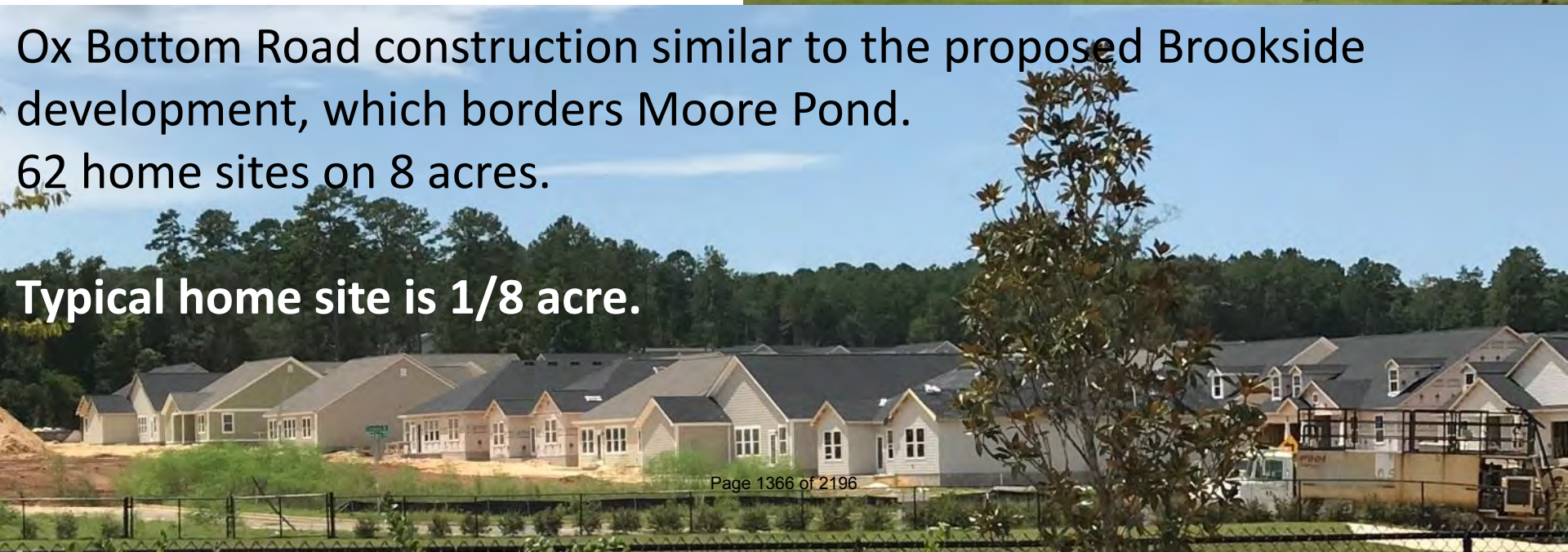
Public Opinion vs. DRC

- Legal cases about advertising deceptiveness once were decided on "expert" testimony. That is, a marketing professor would tell an administrative judge or a jury whether or not an advertisement was deceptive. **Administrative judges and juries now rely more on the public's perception to define advertising deceptiveness. If the public believes an advertisement is deceptive, it is deceptive**.

- The present study uses the same approach: If Leon County residents believe Brookside is not compatible in density to Moore Pond, Rosehill, and Ox Bottom Manor, then Brookside is not compatible to adjacent upscale neighborhoods?

- ***Should opinions of an unelected group of government employees in DRC meetings supersede public opinion on such a critical issue as neighborhood preservation?***

To the **right**, Moore Pond, a low density neighborhood.
50 home sites on 150 acres.
Typical home site is 3 acres.



Ox Bottom Road construction similar to the proposed Brookside development, which borders Moore Pond.
62 home sites on 8 acres.

Typical home site is 1/8 acre.

To the **right**, Moore Pond, a low density neighborhood.
50 home sites on 150 acres.
Typical home site is 3 acres.

To the **left**, Ox Bottom Road construction similar to the proposed Brookside development, which borders Moore Pond.
62 home sites on 8 acres.
Typical home site is 1/8 acre.

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Below, **Moore Pond** neighborhood.

Typical home site is 3 acres.

Below, Ox Bottom Road construction similar to the proposed **Brookside** development, which borders Moore Pond.

Typical home site is 1/8 acre.

Brookside-Type Development

Compatible Density?

Moore Pond

Brookside-Type Development

Compatible Density?

← Moore Pond

Brookside-Type Development

Compatible Density?

Moore Pond

Survey of Leon County Residents

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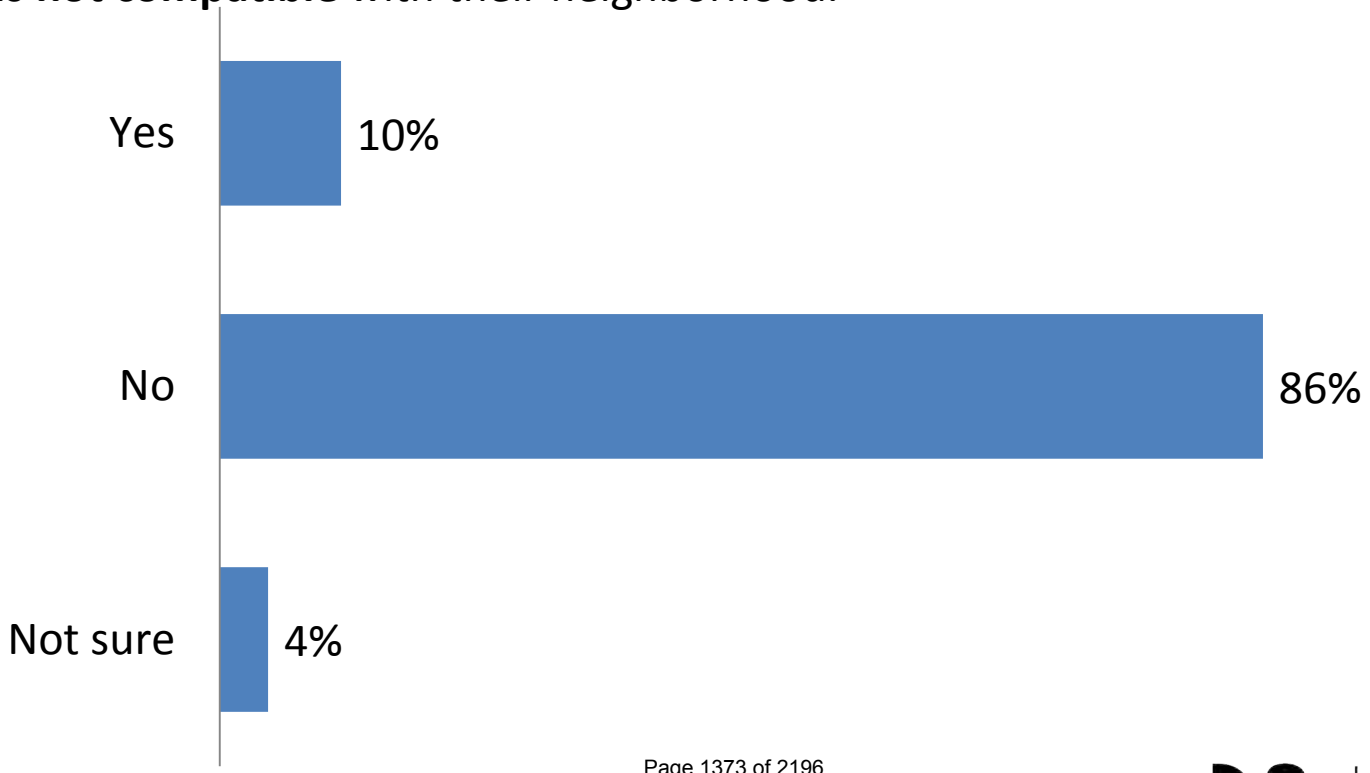
"Let's say you lived on a half acre lot. Next to your neighborhood are plans for 60 houses to be built with each house being on .25 acre lots (20 times smaller than your lot). The planned neighborhood will have 20 houses per half acre. Would you say this new neighborhood is compatible with your neighborhood?"

The question posits the scenario of a planned development with housing density 20 times that of a typical Leon County resident's lot. Brookside's housing density (approximately 8 houses per acre) is approximately 20 times the housing density of Moore Pond). 86% of Leon County residents say that a contiguous development that has 20 times the housing density is **not compatible** with their neighborhood.



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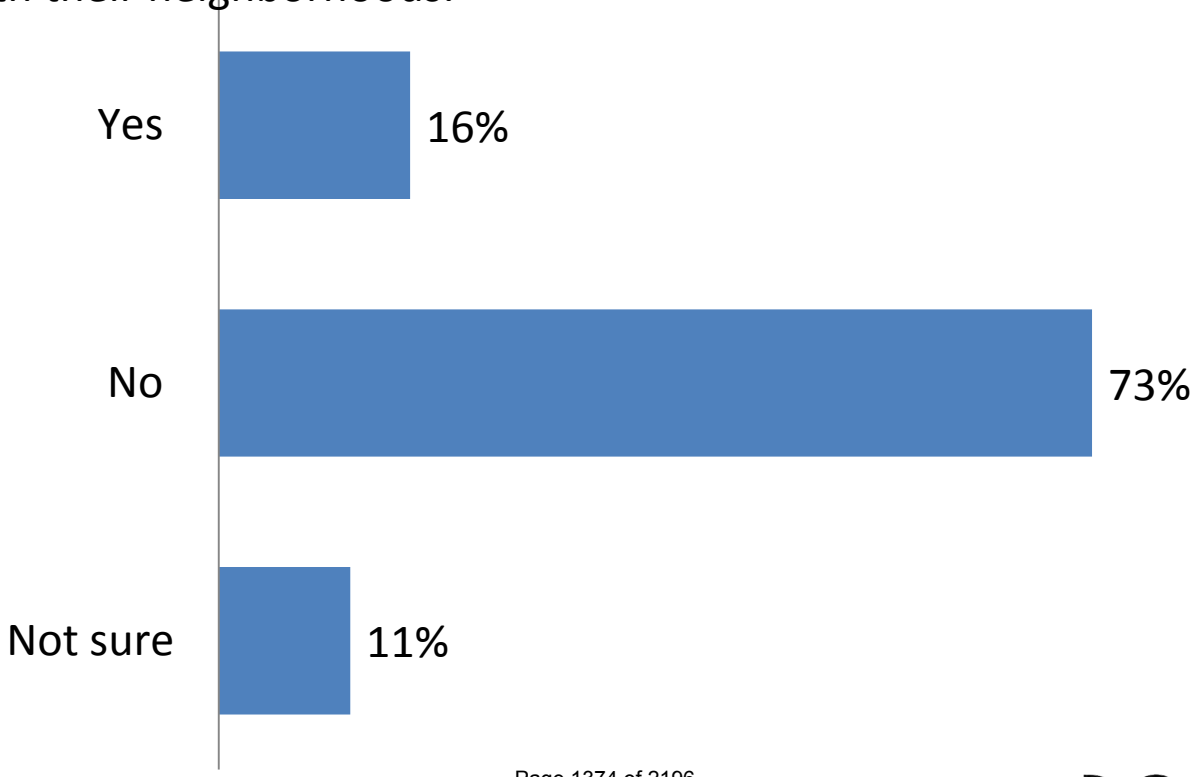
Let's say you lived on a 2 ½ acre lot, and other houses in your neighborhood were also 2- to 3-acres. Let's also say there are about 50 houses in your neighborhood on about 150 acres. If someone developed 60 houses on 8 acres right next to your neighborhood, would you say that this new development is compatible with your neighborhood?

This question places the typical Leon County resident in the shoes of Moore Pond residents living on 2 to 3 acre lots. Three out of four (73%) typical Leon County residents do **not** perceive a Brookside-type development next to their neighborhoods of 2 to 3 acres as **compatible** with their neighborhoods.



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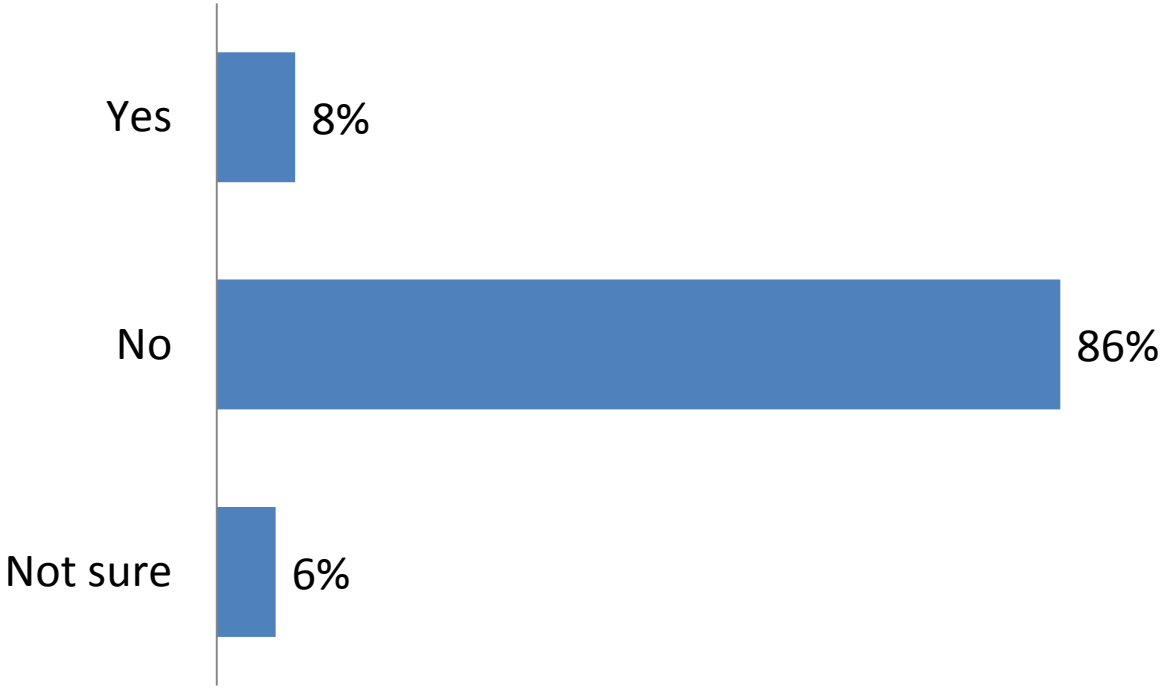
If your neighborhood has 1 house for every 2 acres, would you say that a planned development next door from you that had 8 houses per acre has a density that is compatible with your neighborhood?

To ensure that there is no confusion among Leon County residents regarding the concept being examined, different ways of wording the same issue were presented. In this question, an 8-to-1 ratio of houses (Brookside vs. Moore Pond) was presented for consideration. Overwhelmingly, Leon County residents do not think a Brookside-type development would be compatible to a Moore Pond-type development.



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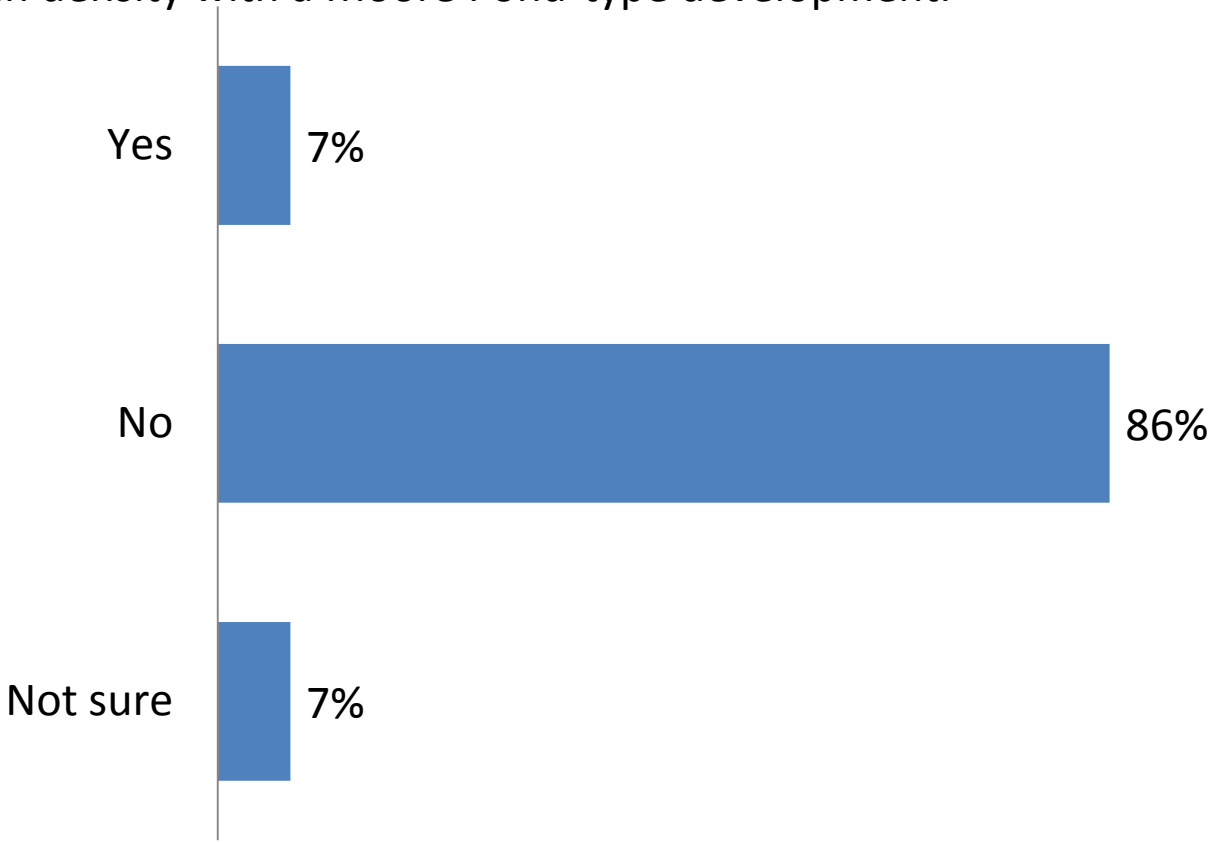
If you lived in a neighborhood that had 2-acre lots. Would you say that a development right next to you that had a 1/8 acre lot was compatible to your neighborhood?

This question presents the density ratio facing Moore Pond residents vis-à-vis Brookside. Again, 86% of Leon County residents believe a Brookside-type development is **not compatible** in density with a Moore Pond-type development.



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The following informant was presented in the survey to Leon County residents:

Brookside is a proposed development to the east of Ox Bottom Manor, to the west of Moore Pond, and across Ox Bottom Drive from Rosehill. The Brookside development is on about 35 acres. There are 60 houses planned for 8 acres of the Brookside property with the other 27 acres left for conservation and a few larger lots.

Immediately adjacent to Moore Pond & Ox Bottom Manor neighborhoods, there will be approximately 8 houses per acre, that is, each house will be on a 1/8-acre lot.

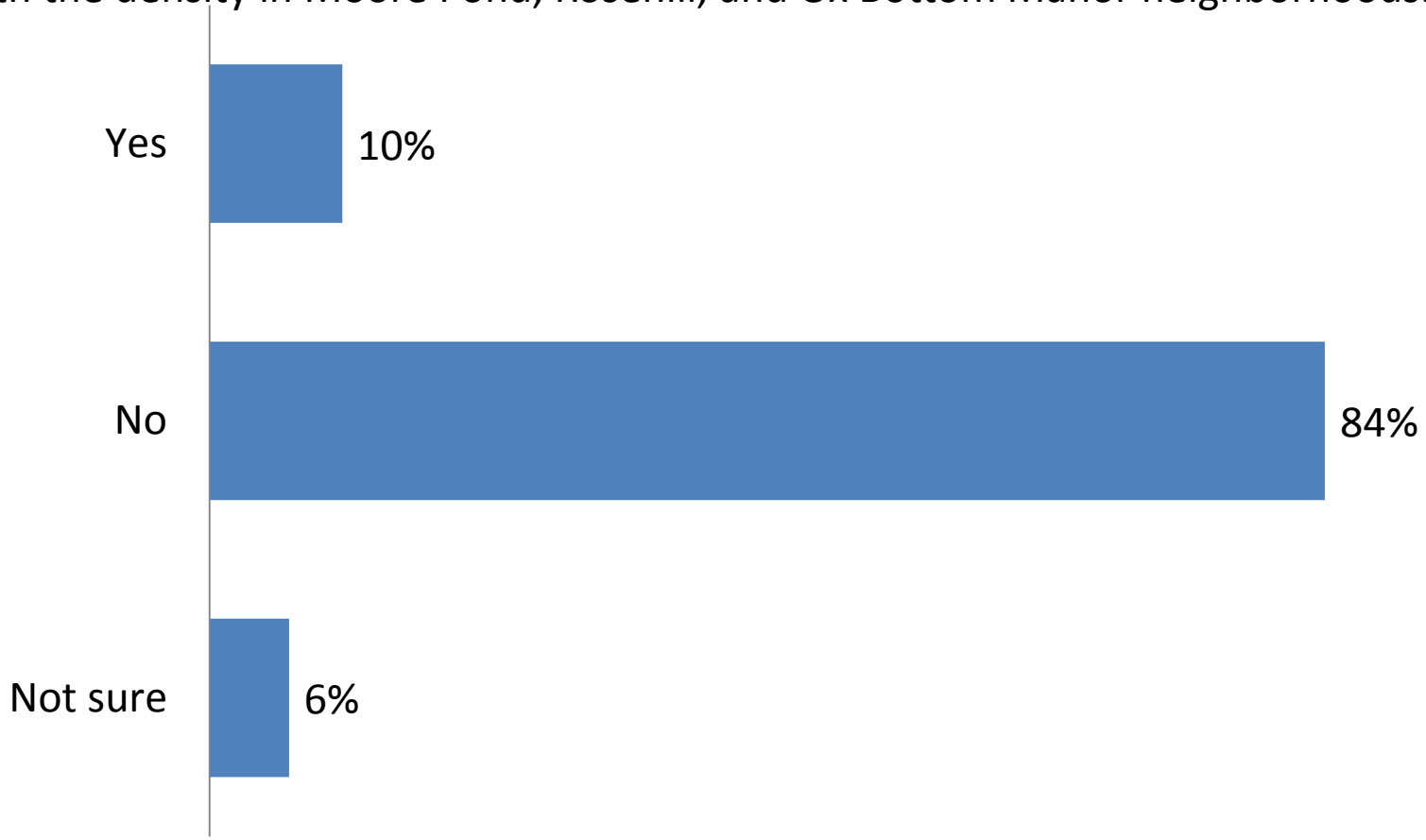
Moore Pond and Rosehill lots, for the most part, range from 2 to 3 acres, and Ox Bottom Manor lots range, for the most part, from ½ to 1 acre. Another way of stating these statistics is that **on 8 acres:**

- Brookside will have **60 houses**
- Moore Pond & Rosehill have **2 to 3 houses**
- Ox Bottom Manor has **10 to 14 houses**

The housing density in the 60-home site area of Brookside will be 20 to 30 times greater than Rosehill and Moore Pond, and 4 to 7 times greater than Ox Bottom Manor.

In your opinion, is the Brookside development compatible in density with Moore Pond, Ox Bottom Manor, and Rosehill?

After reviewing comparative housing densities of the 4 neighborhoods in question, 5 out of 6 Leon County residents (84%) consider Brookside's density to **not** be **compatible** with the density in Moore Pond, Rosehill, and Ox Bottom Manor neighborhoods.



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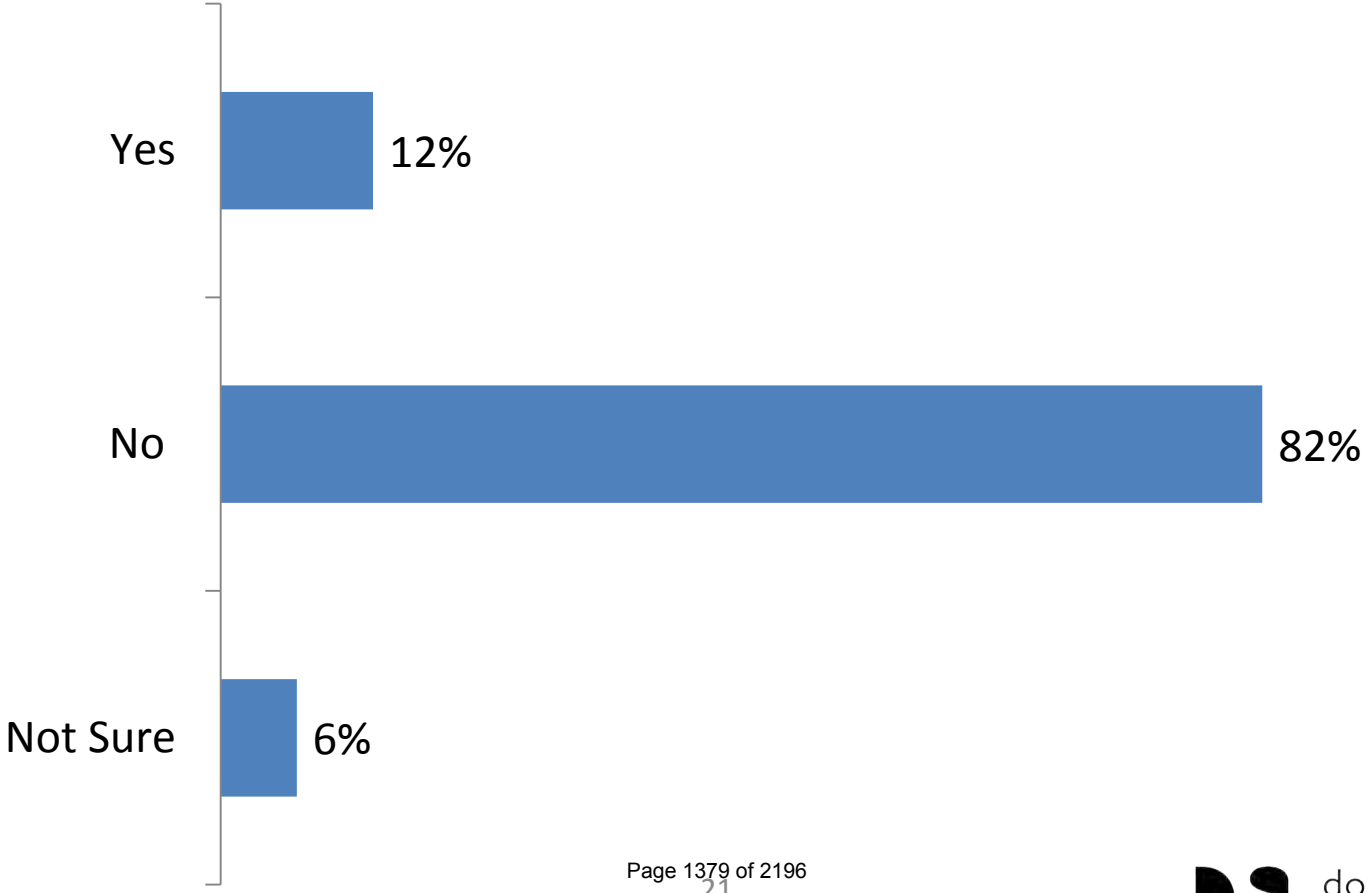
In your opinion, is Brookside (60 houses on 8 acres) compatible in density to Rosehill (2 to 3 houses on 8 acres)?

This question, and the following two questions give Leon County residents an opportunity to compare density in Brookside to density in each of the affected existing, stable neighborhoods. It is clear that Leon County residents do not believe that Brookside is compatible in density to Rosehill.



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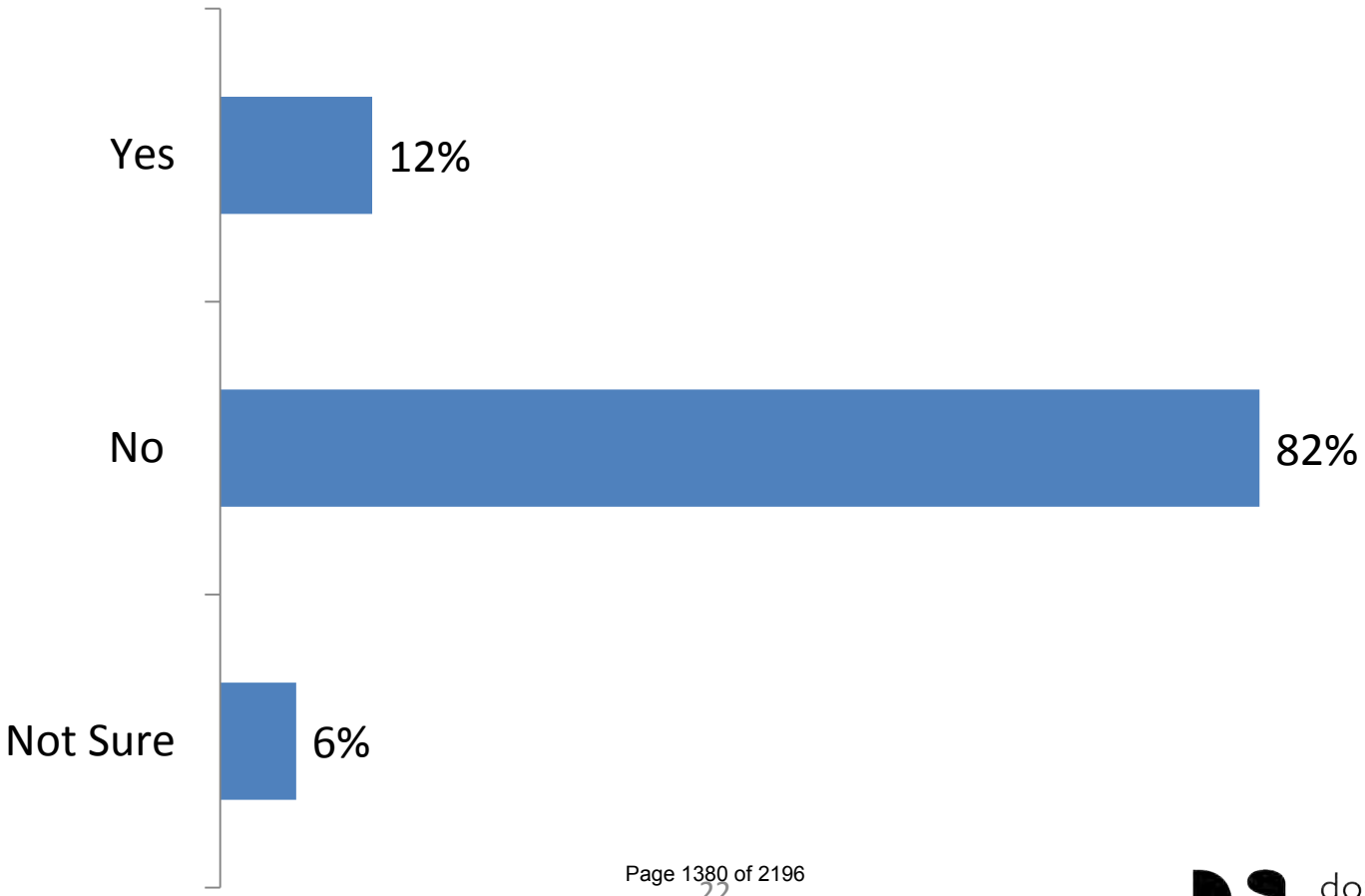
In your opinion, is Brookside (60 houses on 8 acres) compatible in density to Moore Pond (2 to 3 houses on 8 acres)?

It is also clear that Leon County residents do not believe that Brookside is compatible in housing density to Moore Pond.



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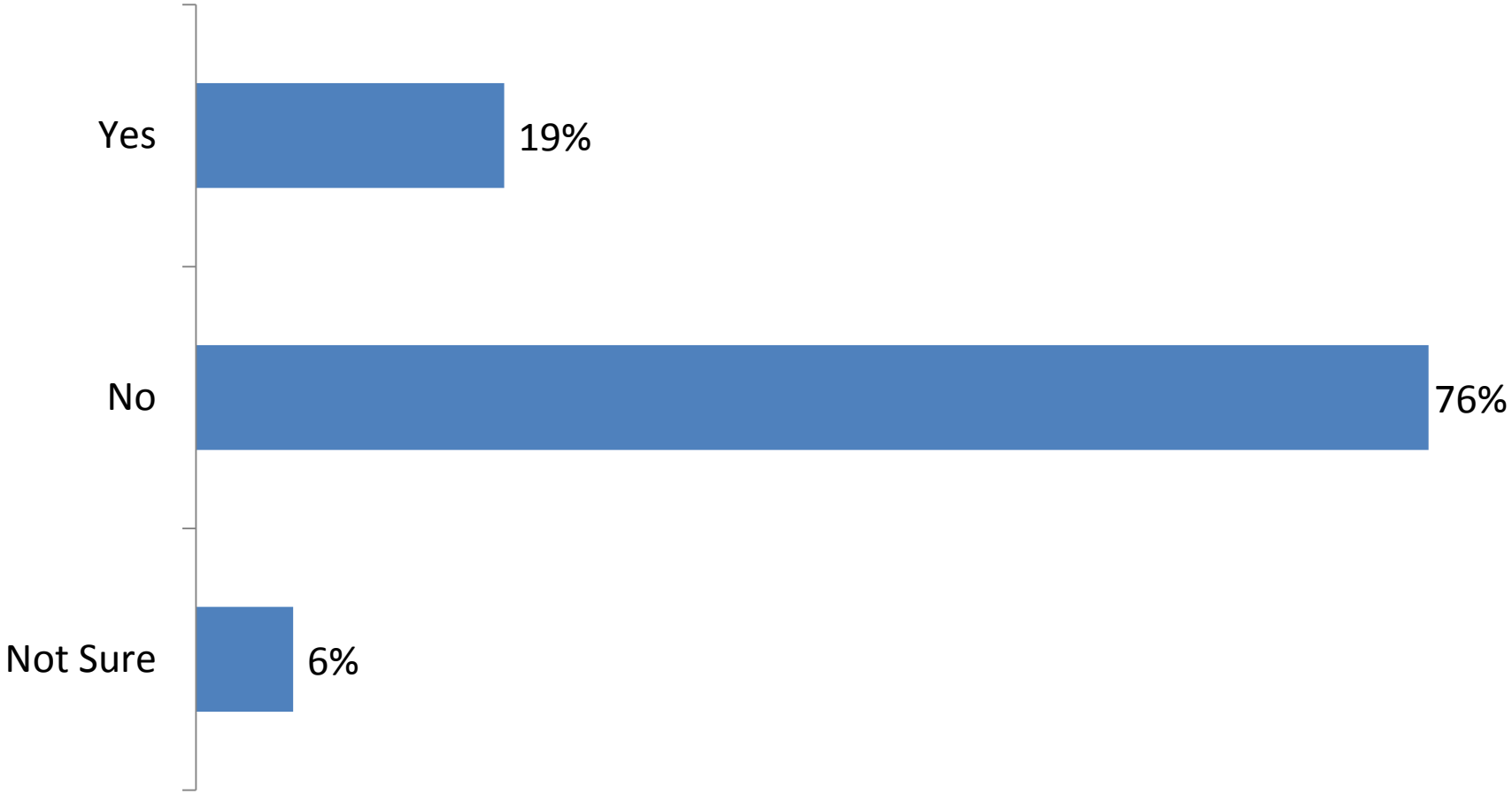
In your opinion is Brookside (60 houses on 8 acres) compatible in density to Ox Bottom Manor (10 to 14 houses on 8 acres)?

Despite the fact that Ox Bottom Manor has the smallest lots of the 3 neighborhoods impacted by Brookside, over 3 out of 4 Leon County residents do not consider Brookside's density to be compatible with Ox Bottom Manor's density.



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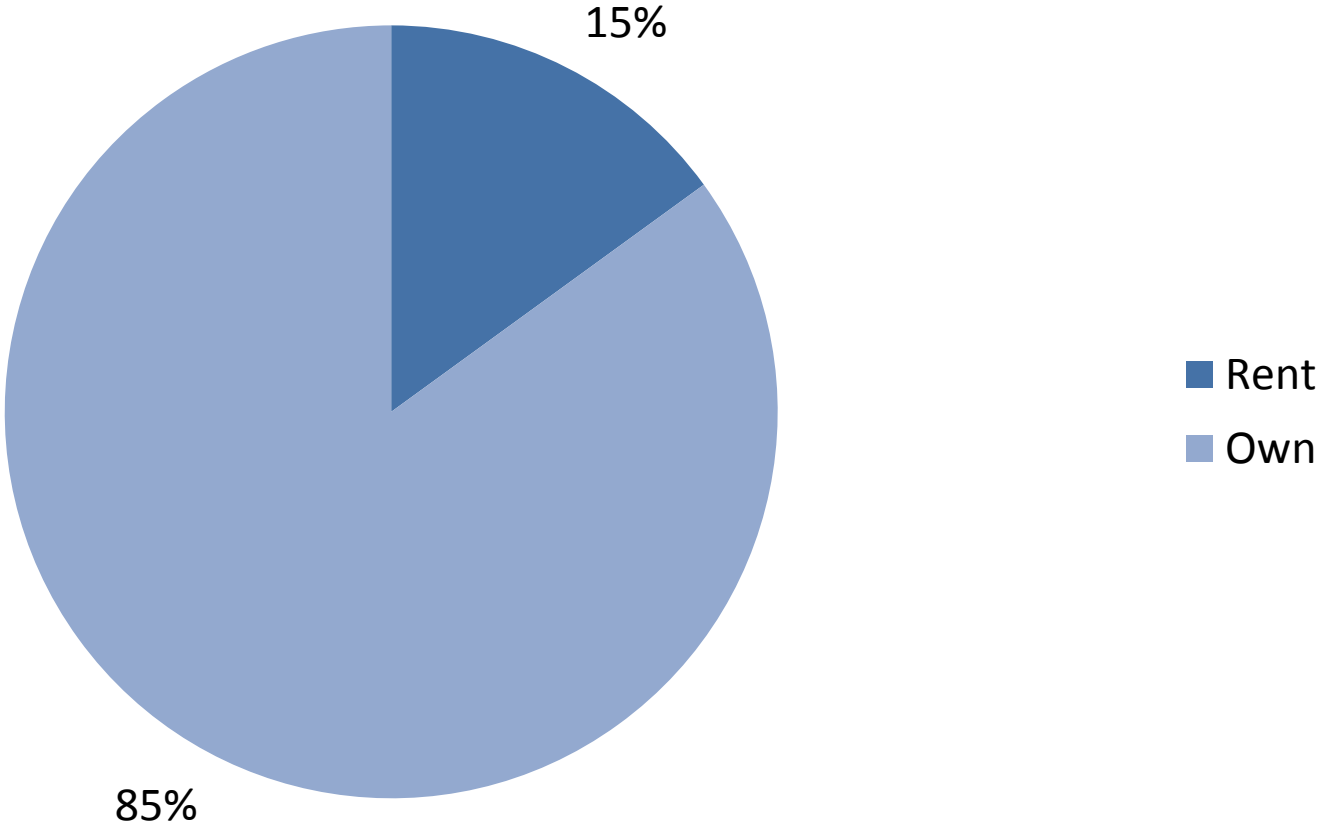
Do you rent or own where you live?

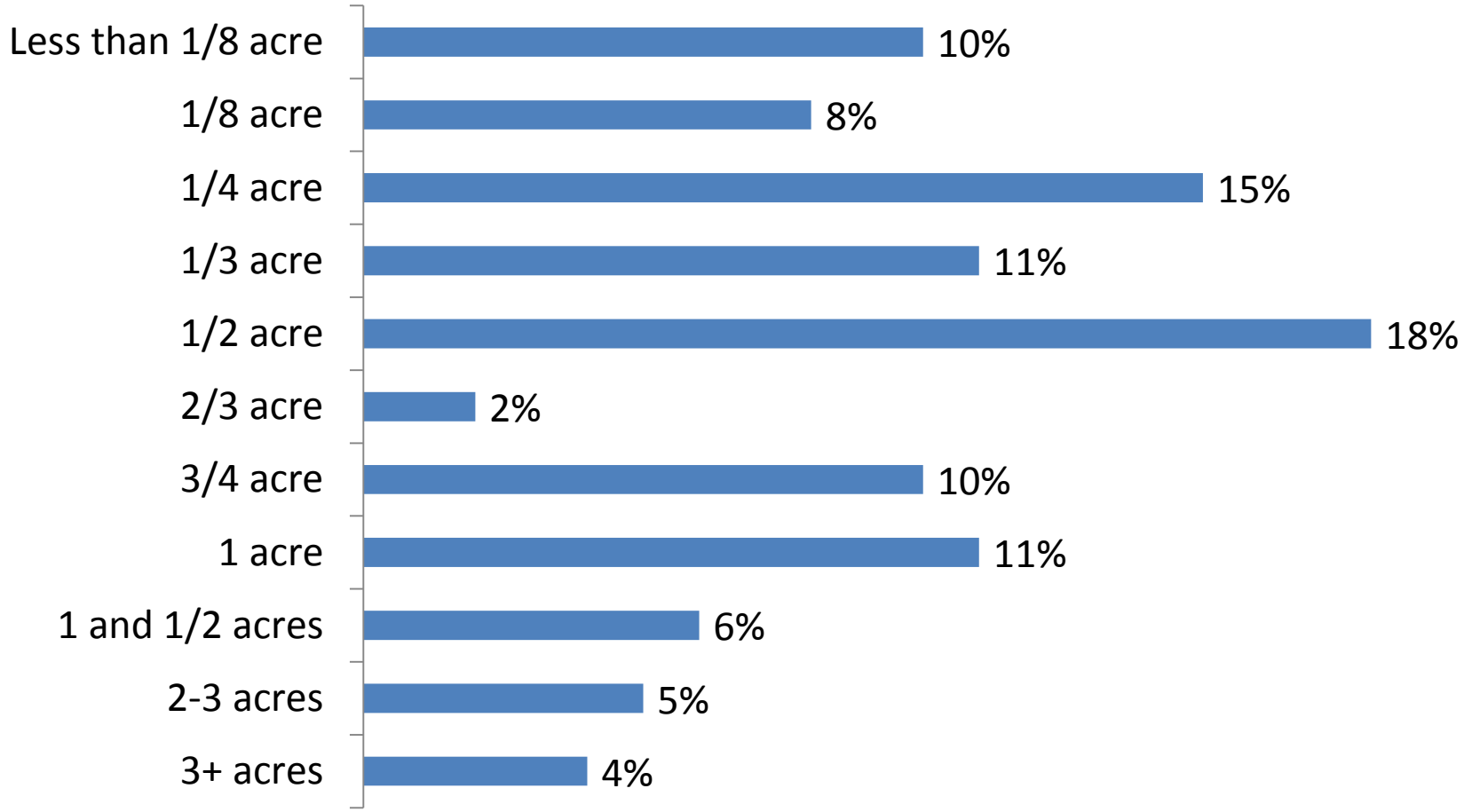
This and the following two slides give some demographic profile of Leon County residents who answered the survey. Three hundred and eighteen (318) Leon County residents responded to the survey.



downs & st. germain RESEARCH

How big is your lot?

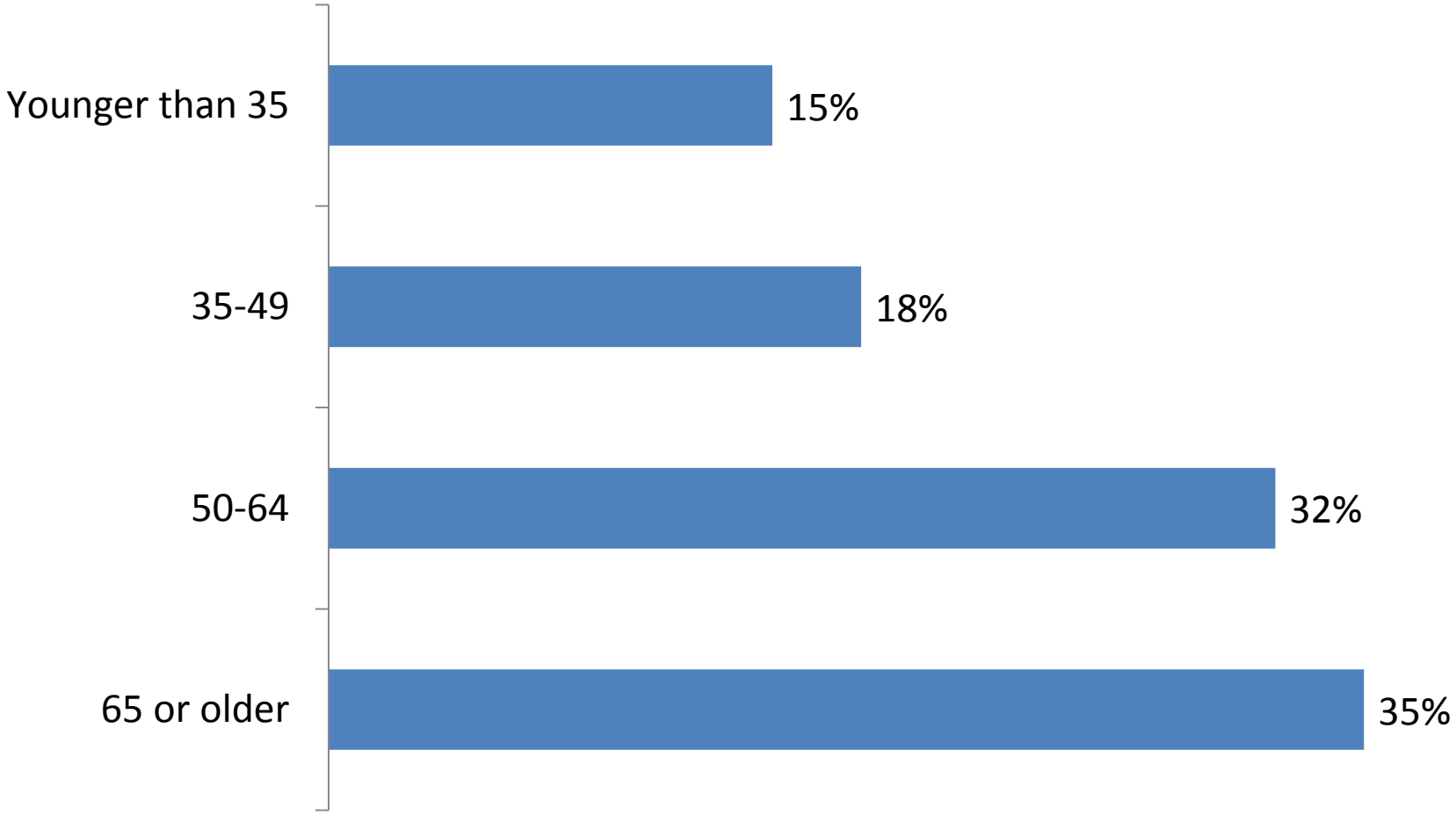
Leon County residents who answered the survey live on a wide range of lot sizes. The median size lot for Leon County residents in this survey was approximately ½ acre.



downs & st. germain RESEARCH

Age

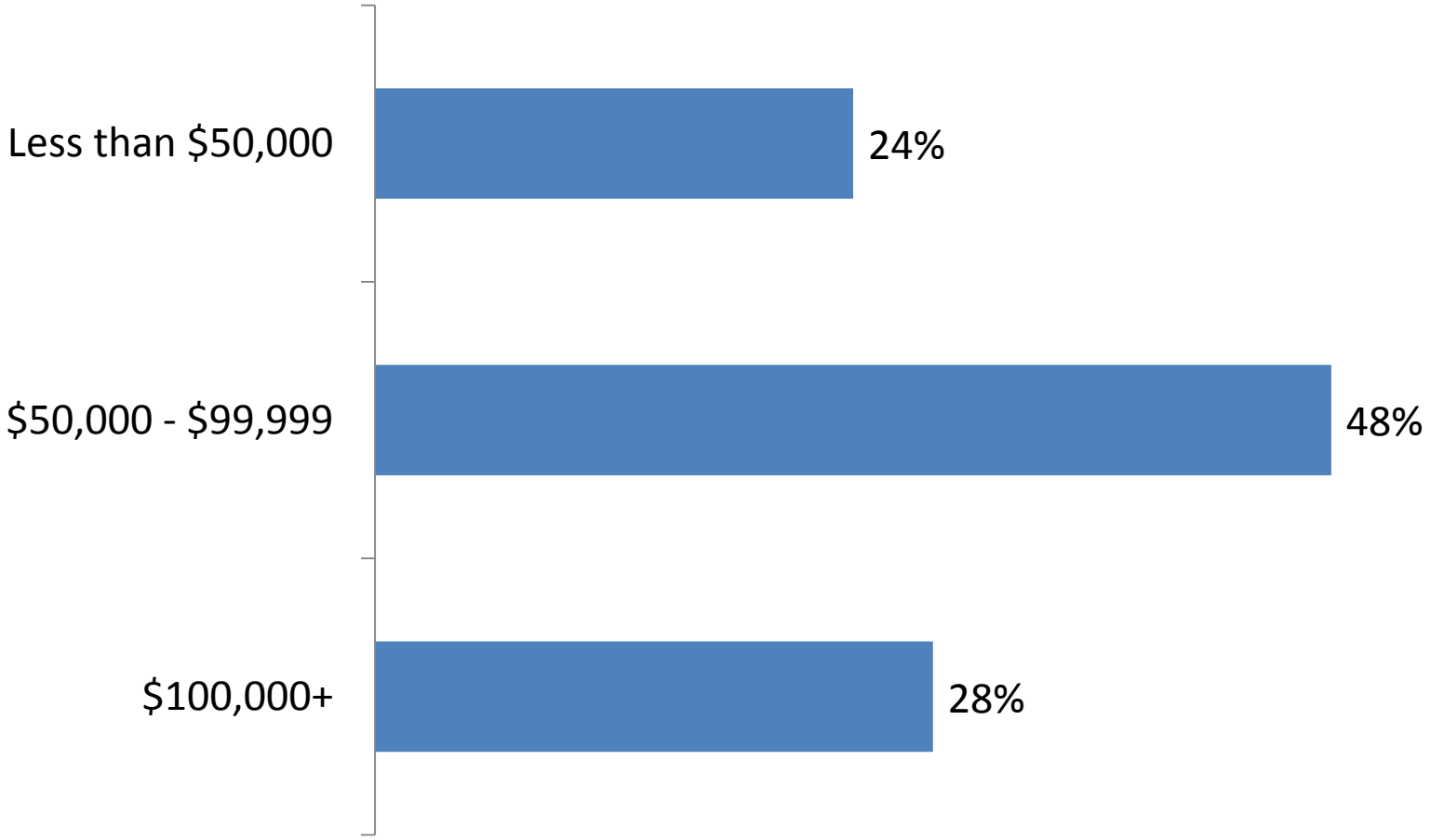
The median age of Leon County residents responding to this survey was approximately 57.



downs & st. germain RESEARCH

2016 household income

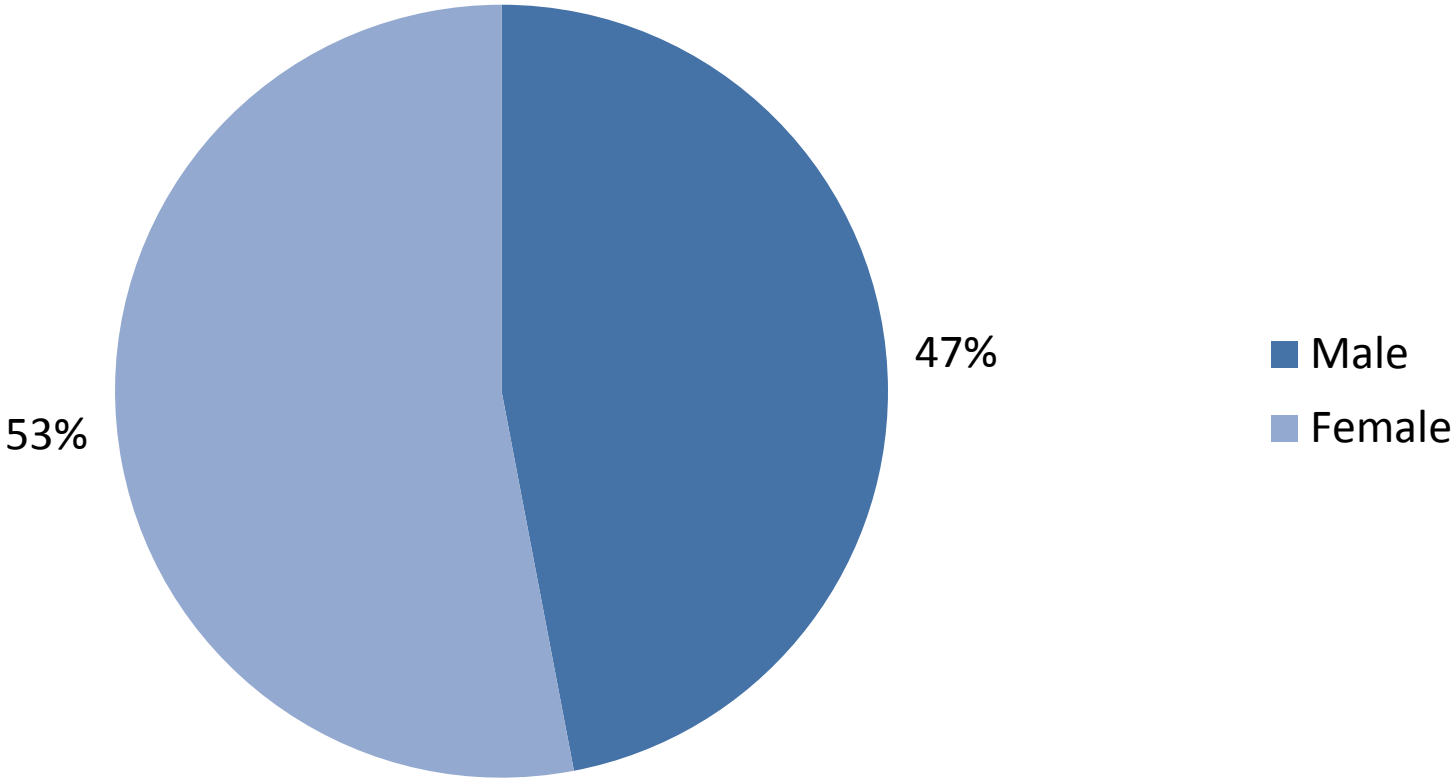
The typical Leon County resident responding to this survey had a household income from all sources of approximately $77,000



downs & st. germain RESEARCH

Gender

Leon County residents responding to this survey were roughly half female and half male.



downs & st. germain RESEARCH

Survey of Moore Pond Residents

downs & st. germain
RESEARCH

Lets say you lived on a 2 ½ acre lot, and other houses in your neighborhood were also 2- to 3-acres. Let's also say there are about 60 houses in your neighborhood on about 150 acres. If someone developed 60 houses on 8 acres right next to your neighborhood, would you that this new development is compatible with your neighborhood?

Every single one of the 37 households in Moore Pond that responded to the survey believed that Brookside was **not compatible** in housing density to Moore Pond.

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If your neighborhood has 1 house for every 2 acres, would you say that a planned development next door from you that had 8 houses per acre has a density that is compatible with the density of your neighborhood?

As in the survey of Leon County residents, the survey of Moore Pond residents posited the issue different ways in different questions to ensure that there was no confusion over the issue being examined. 100% of Moore Pond residents believe that Brookside with 8 houses per acre is not compatible with a neighborhood of 1 house per 2 acres.

downs & st. germain RESEARCH

If you lived in a neighborhood that had 2-acre lots. Would you say that a development right next to you that had 1/8 acre lots was compatible to your neighborhood?

When asked about comparative lot sizes, every single Moore Pond resident found that 1/8 acre home sites were not compatible to 2-acre home sites.

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While many Moore Pond residents are aware of Brookside, the following information was presented in the survey so everyone would have the same information base and to ensure that Leon County residents had the same information base that Moore Pond residents had.

Brookside is a proposed development to the east of Ox Bottom Manor, to the west of Moore Pond, and across Ox Bottom Drive from Rosehill. The Brookside development is on about 35 acres. There are 60 houses planned for 8 acres of the Brookside property with the other 27 acres left for conservation and a few larger lots.

Immediately adjacent to Moore Pond & Ox Bottom Manor neighborhoods, there will be approximately 8 houses per acre, that is, each house will be on a 1/8-acre lot.

Moore Pond and Rosehill lots, for the most part, range from 2 to 3 acres, and Ox Bottom Manor lots range, for the most part, from ½ to 1 acre. Another way of stating these statistics is that **on 8 acres:**

- Brookside will have **60 houses**
- Moore Pond & Rosehill has **2 to 3 houses**
- Ox Bottom Manor has **10 to 14 houses**

The housing density in the 60-home site area of Brookside will be 20 to 30 times greater than Rosehill and Moore Pond, and 4 to 7 times greater than Ox Bottom Manor.

In your opinion, is the Brookside development compatible in density with Moore Pond, Ox Bottom Manor, and Rosehill?

Moore Pond residents unanimously considered Brookside to not be compatible in density to Moore Pond, Rosehill, and Ox Bottom Manor neighborhoods.

downs & st. germain RESEARCH

In your opinion, is Brookside (60 houses on 8 acres) compatible in density to Rosehill (2 to 3 houses on 8 acres)?

Every single Moore Pond homeowner did not consider Brookside to be compatible to Rosehill in housing density.

downs & st. germain RESEARCH

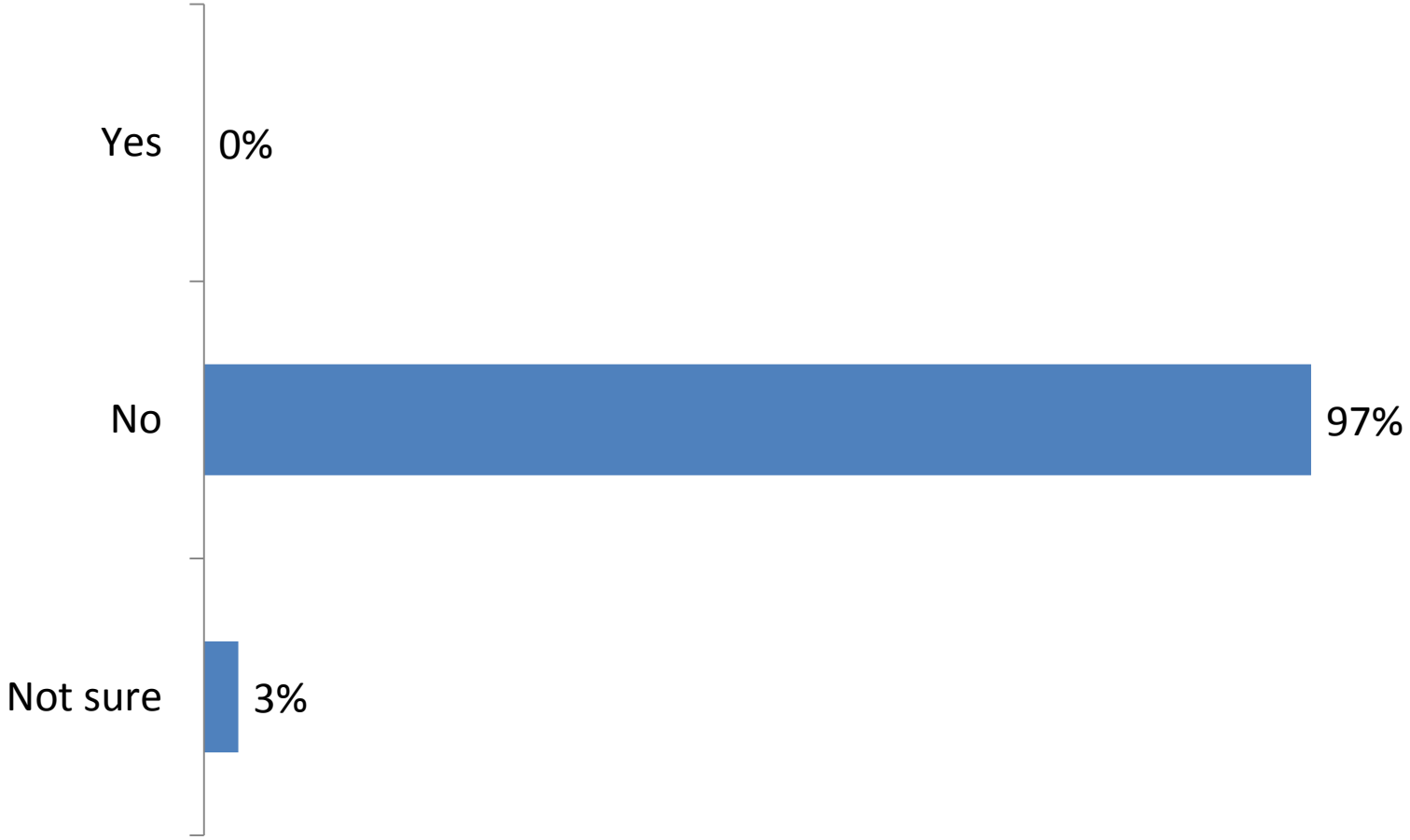
In your opinion, is Brookside (60 houses on 8 acres) compatible in density to Moore Pond (2 to 3 houses on 8 acres)?

Every single Moore Pond homeowner did not consider Brookside to be compatible to Moore Pond in housing density.

downs & st. germain RESEARCH

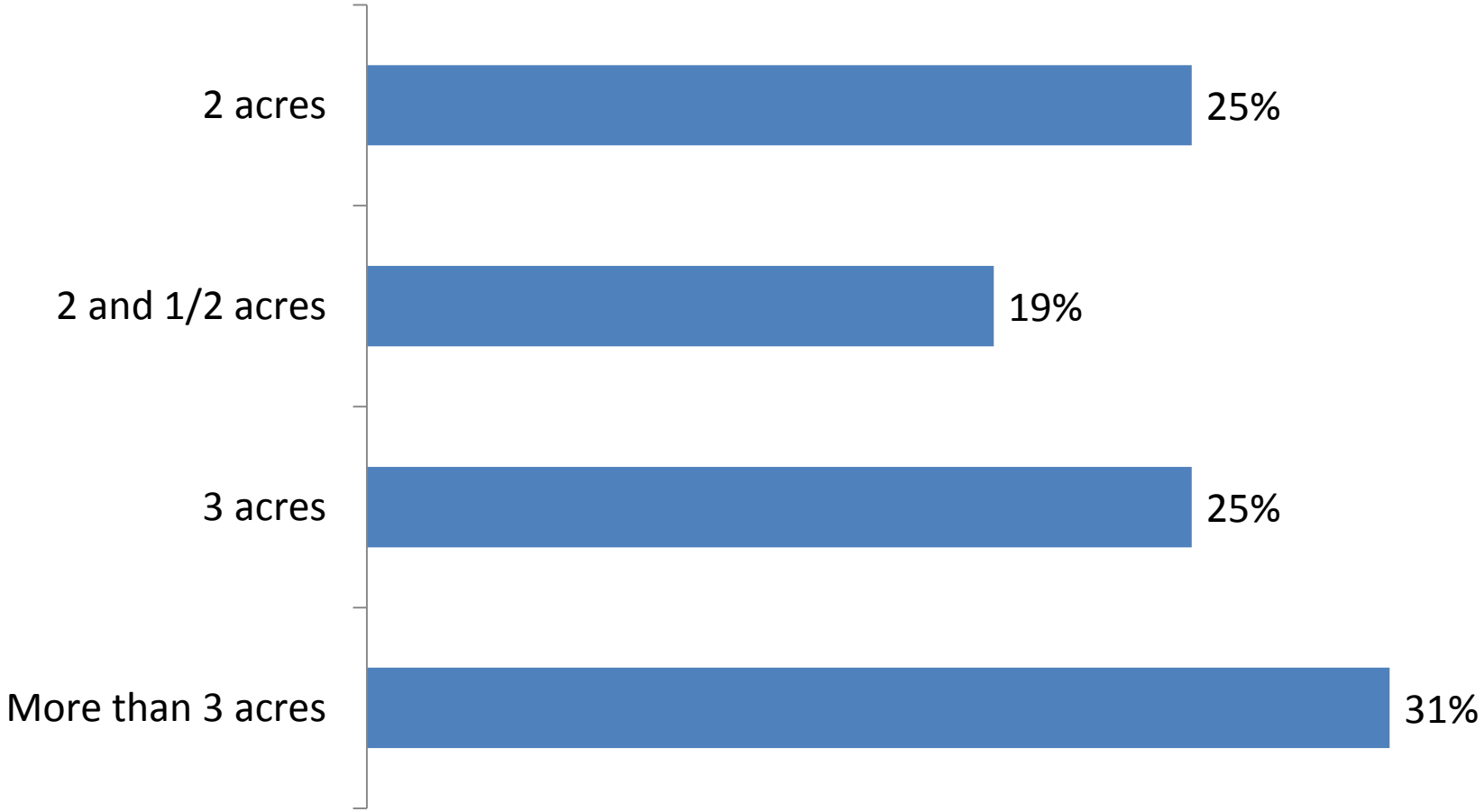
Is Brookside (60 houses on 8 acres) compatible in density to Ox Bottom Manor (10 to 14 houses on 8 acres)?

Nearly every single Moore Pond homeowner did not consider Brookside to be compatible to Ox Bottom Manor in housing density.



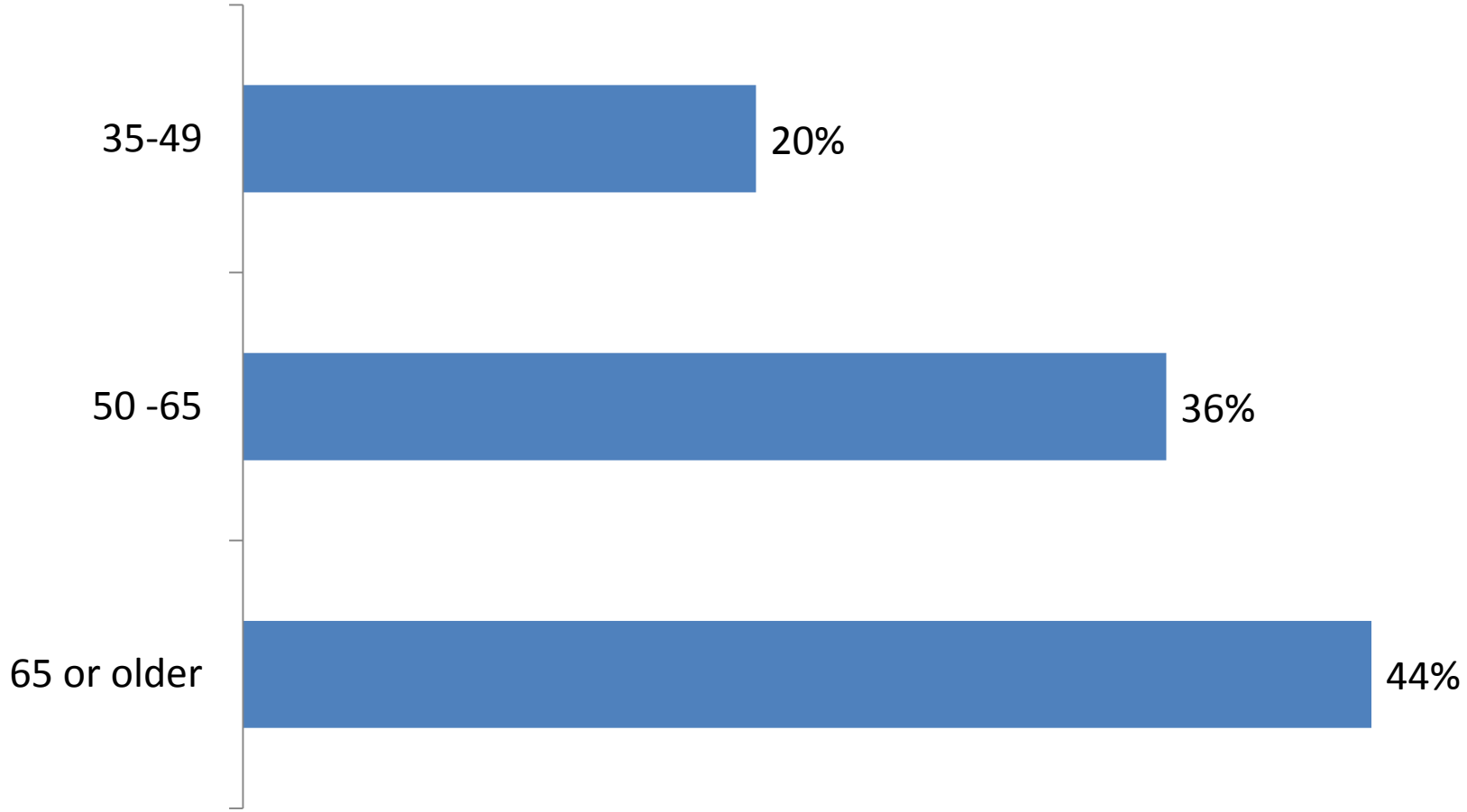
downs & st. germain RESEARCH

Moore Pond respondents' lot size



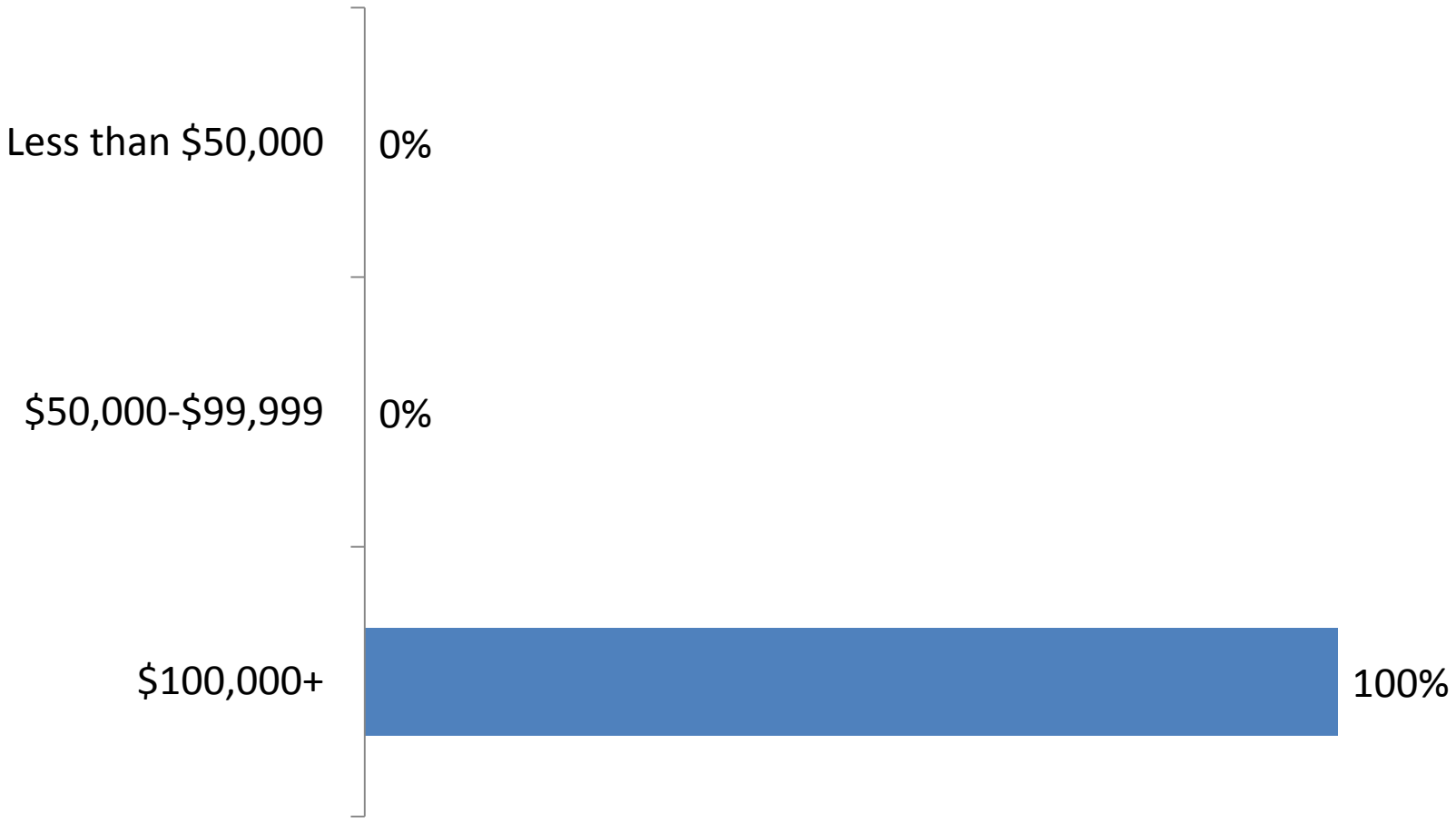
downs & st. germain
RESEARCH

Moore Pond Respondents' age



downs & st. germain
RESEARCH

Moore Pond respondents' household income



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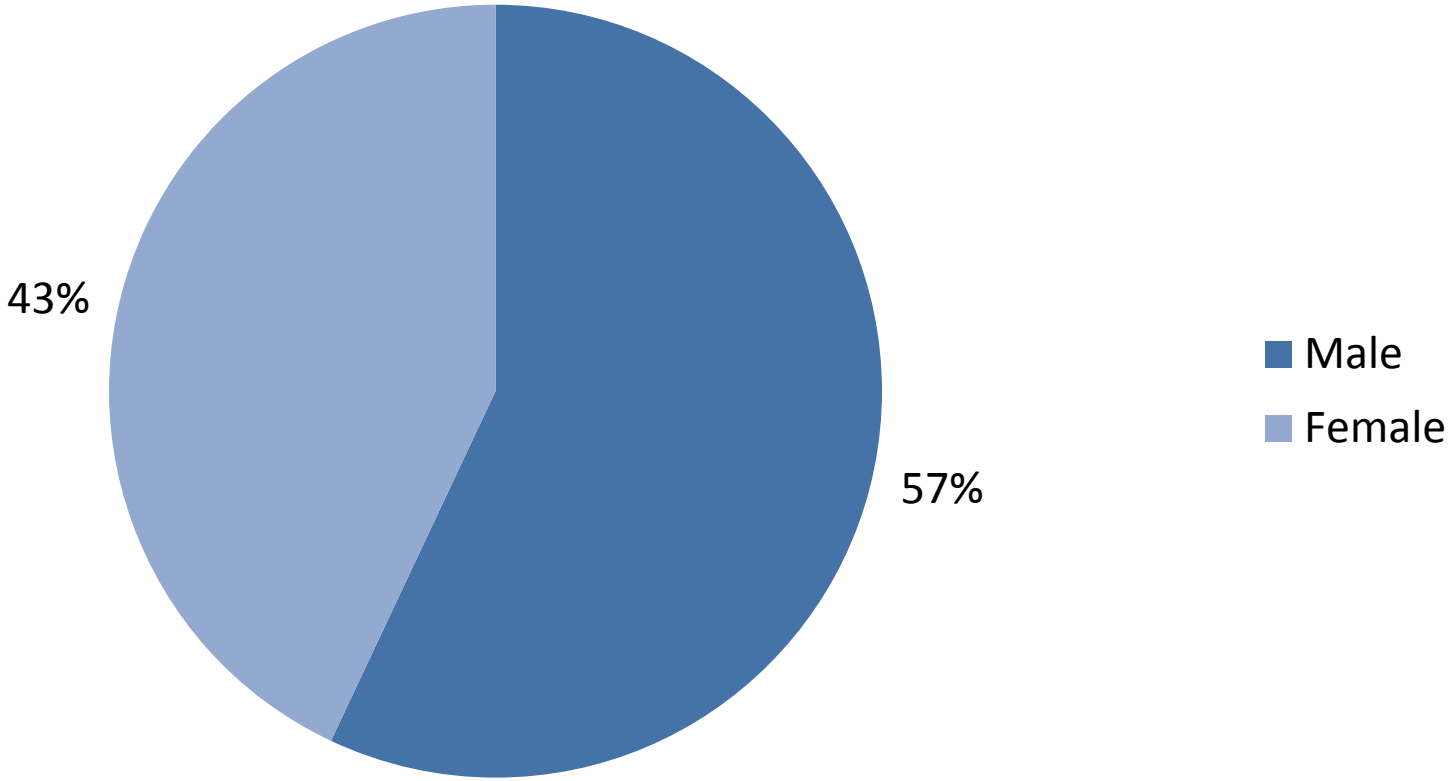
RESEARCH

Gender of Moore Pond respondents



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RESEARCH

Methodology

- Internet survey of 318 Leon County residents and 37 Moore Pond homeowners
  - Internet surveys typically involve non probability sampling techniques
  - Data in the Leon County resident survey have been weighted to reflect a representative cross-section of Leon County residents
  - Data from the Moore Pond survey represent 37 of the 50 homeowners
- Data collection: May 9 – 29, 2017

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RESEARCH

Photos

- While people completing the survey clearly established that Brookside is NOT compatible in housing density to Moore Pond, Rosehill, and Ox Bottom Manor, the following photos will make it abundantly clear to any objective mind.
- As you view these pictures of Moore Pond and Brookside-type developments in Bull Run, please keep in mind that lots in Brookside are 1/8 acre and lots in Moore Pond are 3 acres.

Brookside-type Development

3-acre lots in Moore Pond (backyard)

Brookside-type Development

Moore Pond

Brookside-type Development

Moore Pond

Brookside-type Development

Moore Pond

Brookside-type Development

Moore Pond

Brookside-type Development

Moore Pond

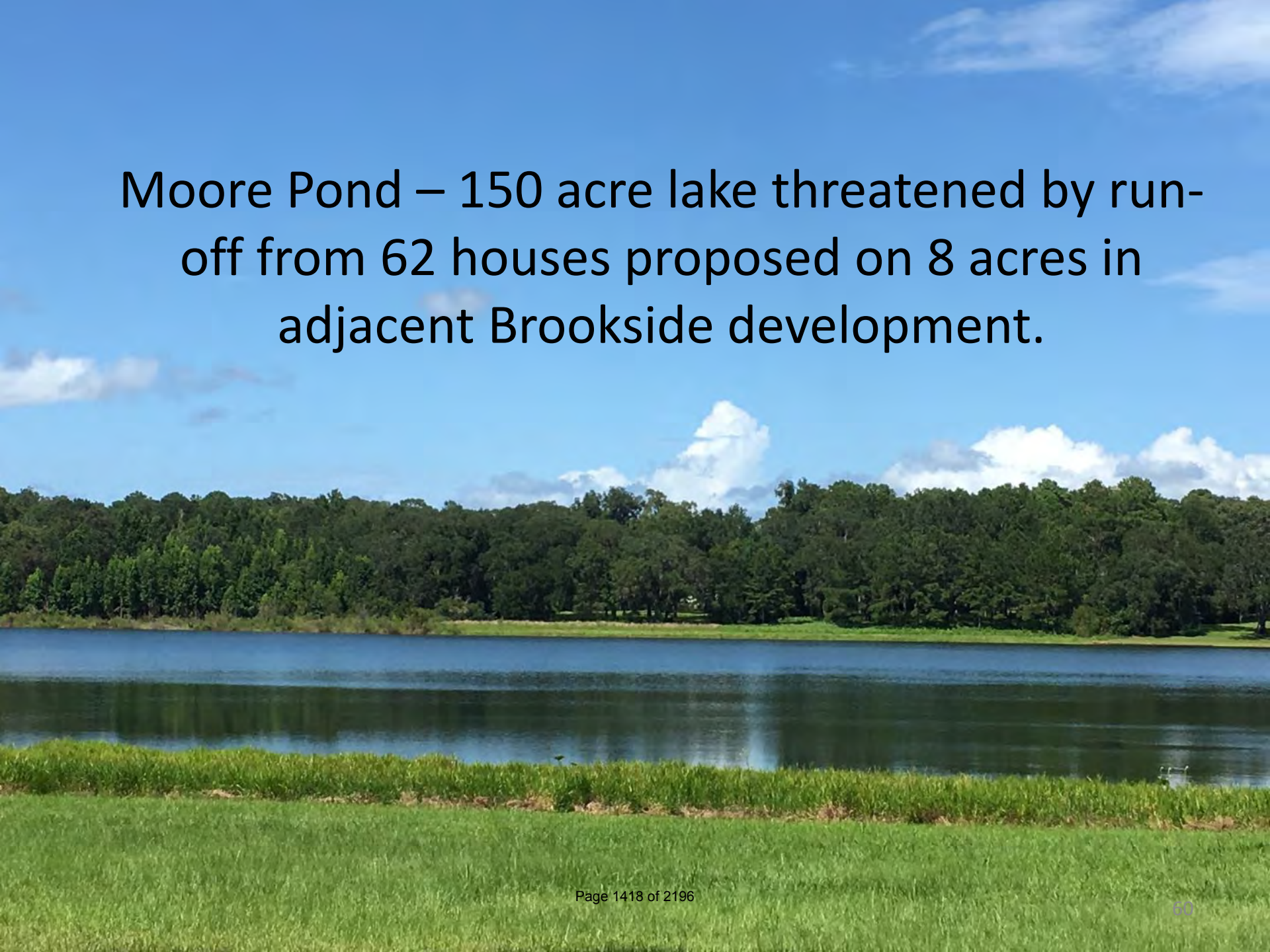
Brookside-type Development

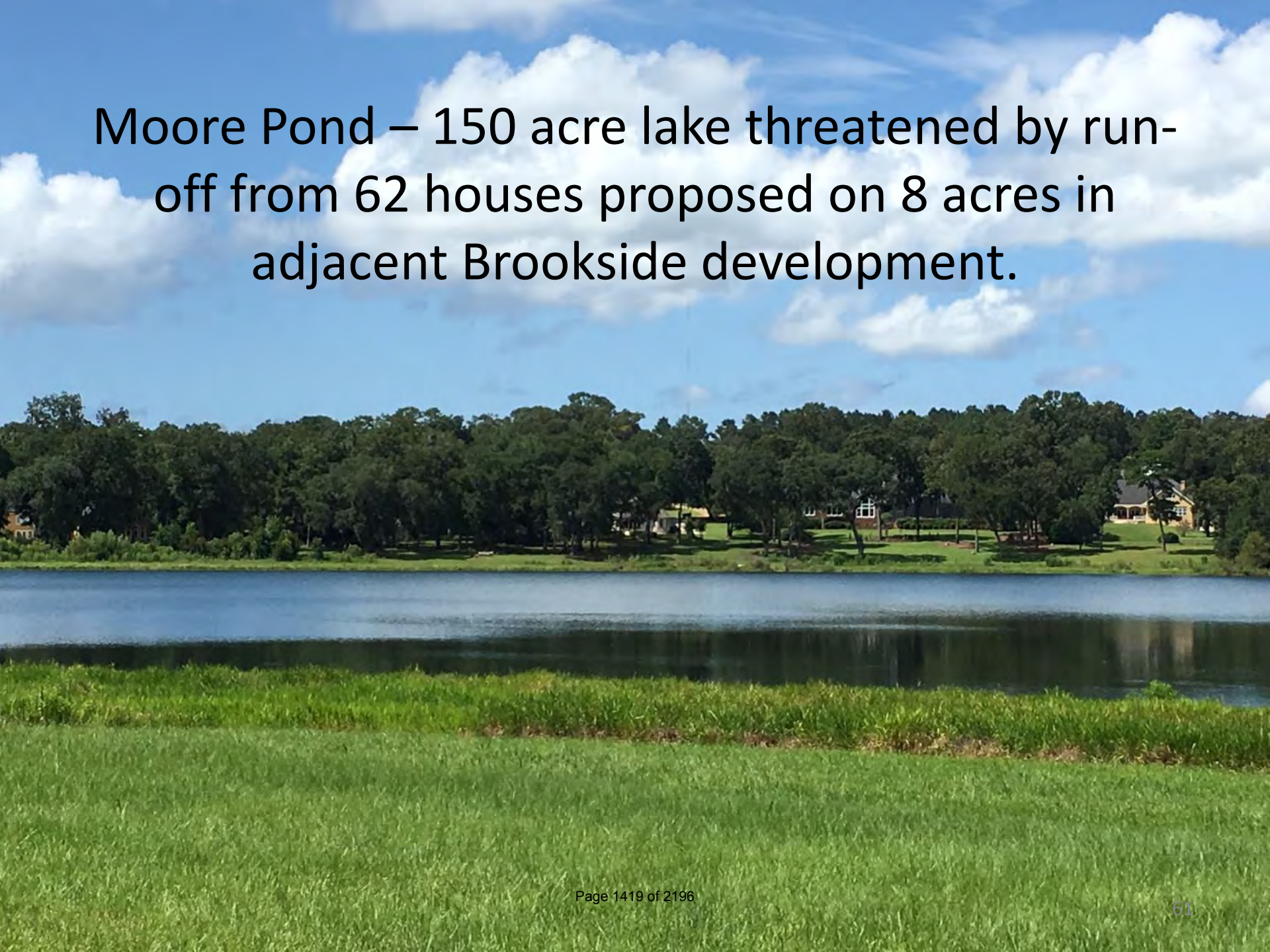
3-acre lots in Moore Pond

Brookside-type Development

Moore Pond

Moore Pond – 150 acre lake threatened by run-off from 62 houses proposed on 8 acres in adjacent Brookside development.




Moore Pond – 150 acre lake threatened by run-off from 62 houses proposed on 8 acres in adjacent Brookside development.

3-acre lots in
Moore Pond

Brookside-type Development

Discussion

- **Implications** – how Tallahassee-Leon County Planning Department approaches Brookside has significant impact not only for the survival of existing, stable neighborhoods in Leon County, but also for the future character of Leon County.

- Brookside is not the only tract of land in Leon County that will come before the Planning Department. If the Planning Department uses the same reasoning for all future developments, our community will eventually look like Levittown with rows and rows of similar looking houses with no differentiation across neighborhoods.

- Urban infill is an exemplary goal, but so is preservation of stable, existing neighborhoods. And, certainly, urban infill should not come at the expense of citizens who have worked and saved to build their dream homes, whether those dream homes cost $50,000 or $5,000,000.

- The Tallahassee-Leon County Planning Department DRC has taken a pro-development approach in approving Brookside.

- ***Tallahassee-Leon County Planning Department used no meaningful, scientific metrics for comparing housing density for Brookside vis-à-vis Moore Pond to make its decision on Brookside.***

Discussion

Tallahassee-Leon County Planning Department did not make an apples-to-apples comparison in determining compatible housing density.

- **A comparison of total acreage**
  - **Brookside** has 35 acres including the conservation area and 62 units or **1.77 housing units/acre**.
  - **Moore Pond** has 300 acres including the pond and 50 housing units or **.17 housing units/acre**.
  - The housing density differential for Brookside to Moore Pond is 1.77/.17 = 10.4
  - Brookside has **10.4** times as many units/total acre as Moore Pond
- **A comparison of developable acreage.**
  - **Brookside** has 8 developable acres and 62 units, or **7.75 housing units/acre**.
  - **Moore Pond** has 150 developable acres and 50 units, or **.33 housing units/acre**.
  - The housing density differential for Brookside to Moore Pond is 7.75/.33 = ***23.2***
  - Brookside has **23.2** times as many units/ developable acre as Moore Pond
- ***Brookside has either 10 times or 23 times the housing density as Moore Pond, based on whether total or developable acreage is considered.***
- ***As the survey shows, Leon County residents do not consider a housing density differential of 10 (or 23) to be compatible.***

Discussion

- The bottom line is that the Tallahassee-Leon County Planning Department DRC utilized a narrow interpretation of the Residential Preservation Zoning code to approve Brookside.

- ***The DRC did not utilize the discretion that it has to compare Brookside to Moore Pond or Rosehill or Ox Bottom Manor in an apples-to-apples, or even a scientific, methodology.***

Residential Preservation Zoning & Survey Purpose

- The Residential Preservation Zoning Code states that "***The primary function is to protect existing stable and viable residential areas from incompatible land uses and density intrusions***."

- The present survey was conducted by Downs & St. Germain Research to examine how residents of an affected neighborhood (Moore Pond) and residents of Leon County define "compatible land uses."

- A key premise of the survey is to have Leon County residents react to the number of planned houses per acre in Brookside compared to the number of houses per acre in Moore Pond, Rosehill, and Ox Bottom Manor neighborhoods. In constructing survey questions, the conservation areas and lakes of all neighborhoods were not counted.

Residential Preservation Zoning Code

- When new residential development such as Brookside is proposed for an area not located within a recorded or unrecorded subdivision, "densities shall be permitted in the range of zero to six dwelling units per acre…." This, of course, does not create an entitlement to the maximum number of units per acre, but rather establishes the range for consideration consistent with the "primary function" of the ordinance.

- By the terms of Ordinance Section 10-6.617, "incompatible" development is prohibited.

- Ordinance subsection (a)(5) places a cap on the discretion to be applied within the above described range of zero to six units. That subsection provides that "parcels proposed for residential which are . . . not in a recorded or unrecorded subdivision ***shall develop consistent with the type of residential development pattern located adjacent to the vacant parcel.***" "Shall" means just that, shall. There is no discretion permissible by the Planning Department in allowing developments with housing density that is incompatible to adjacent, existing stable and viable residential areas.

- As set out in this presentation, there is no possible way for the Tallahassee-Leon Planning Department DRC to find that Brookside is "compatible" with Moore Pond neighborhood in density or that it is "consistent" with the "adjacent" development pattern.

Leon County Residents' Perceptions of Compatible Residential Density

June
2017

downs & st. germain
RESEARCH

Shawna Martin - Written Comment on Proposal for Brookside Village Residential Subdivision from Sara Lee/Spencer Road Homeowners' Association

From: <marreilly@comcast.net>
To: <MartinS@leoncountyfl.gov>
Date: 08/15/2017 7:34 AM
Subject: Written Comment on Proposal for Brookside Village Residential Subdivision from Sara Lee/Spencer Road Homeowners' Association
CC: Mac McLendon <macandsue@nettally.com>

Dear Ms. Martin:

Thank you for allowing the Sara Lee/Spencer Road Homeowners' Association the opportunity to comment on the proposal for the Brookside Village Residential Subdivision (LSP150035), Project Location: 550 Ox Bottom Road; Parcel IDL 14-19-20-001-0000. I attended the public meeting at which the application for the Subdivision was approved, and agree with the public comments regarding the incompatability of the proposed lot sizes compared with those of the adjacent neighborhoods, the impact on schools when area schools currently are at capacity, and the adverse affects on Ox Bottom Road, Meridian Road, and Thomasville Road resulting from the additional traffic generated by the 61 homes. The development, as proposed, will adversely affect the quality of life for residents of Sara Lee/Spencer Road.

Although a traffic study has been conducted with respect to this proposal, I would like to inquire whether this proposal was completed prior to installation of a traffic signal at Miller's Landing and Meridian Road. Traffic back-ups both ways on Meridian Road, particularly during commuting hours. have increased considerably since installation of this signal. In fact, for the evening commute during the school year, it is not unusual to have traffic backed up as far as Timberlane Road. The additional vehicles from the proposed development will only increase this, and other traffic-related issues further.

In reviewing the proposal we would request that you also take into consideration the blind spot on Ox Bottom Road as you go around the curve and approach Spencer Road. We contacted Leon County Commissioner Bryan Desloge about the need for a Sheriff's check on the traffic speeds on Ox Bottom Road. A Spencer Road homeowner, Mr. McClendon, formerly a Florida Highway Patrol trooper, Chief of Police/Public Safety Director and U.S. Marshal, purchased a Radar Speed device and submitted the results (day and time) to Commissioner Desloge. The results were forwarded to the Sheriff's office, and subsequent surveillance near the blind spot resulted in numerous tickets, warnings, and other violations being issued. If this proposal is to be approved, can you please assist with the safety issues arising from this blind spot by providing for an electronic device to show drivers the speed at which they are traveling to encourage them to reduce their speed on Ox Bottom Road, or for law enforcement personnel to more frequently monitor the blind spot to ensure compliance with speed limits. The issue has always been a serious safety concern for our neighborhood, and has become even more so recently as 15 children have moved into our neighborhood over the past six weeks.

Thank you for your careful consideration of the development plan that has been submitted for review.

Respectfully,
Robert. J. Reilly
Vice President
Sara Lee/Spencer Road Homeowners' Association

Leon County DSEM, Development Services:

I/We as owner(s) of Lot 86, Block _____, of the PLAT BOOK 9, page 81 of Public Records of Leon Co, FL.

Rosehill (neighborhood or subdivision name)

at the following street address: 232 Rosehill Drive North.

wish the following information to be considered by the Leon County Development Review Committee:

We are opposed to the proposed Brookside Village Development because of the density, style of homes and the impact upon our neighborhood. And we resent the fact that someone in the company is spreading the rumor that the 61 houses on 13 acres is going to be a lovely retirement community with a meeting house. What is proposed is 61 small square footage houses on very small lots.

We reside in a single family home on 2.2 acres. Our back property line is 320 feet long and is parallel to Ox Bottom Road. The development, as well as the entrance to the development will face our property. In addition to the change in character to our neighborhood, if developed as proposed, we could expect not only more traffic noise, but also lights facing our house from the traffic in and out of the development.

I (Susan Yelton) have met with Steve Ghazvini twice asking him if he would consider larger homes and fewer home. He has not changed his design and we have not changed our position opposing the project as designed. In good faith we have attended the planning meetings, written letters to the planning board, and tried to find some compromise for this residential preservation land.

The Municipal Code Section 10-6.617 which address residential preservation states that the district is characterized by existing homogenous residential areas to protect existing an viable residential areas from incompatible land uses and uses of density intrusion. Law is always open to interpretation and in the case of Brookside Village Development approval of the project is not consistent with the law or our government's mission.

Susan Yelton Emery J. Yelton
(Signature)

SUSAN YELTON Emery J. Yelton
(Print Name)

8/10/17

Shawna Martin - Fwd: Brookside Village Residential Subdivision ~ DRC Meeting Scheduled

From: John Rhea <johngrhea@comcast.net>
To: <martinS@leoncountyfl.gov>
Date: 08/03/2017 3:54 PM
Subject: Fwd: Brookside Village Residential Subdivision ~ DRC Meeting Scheduled
CC: Susan Morley <sdmorley311@gmail.com>

Ms. Martin,

Susan Morley forwarded your Brookside Village email to me. My wife and I live at 307 Milestone Drive (just beside the Morley's). Based on the Brookside Village site plan, it appears that two lots (2D and 1D) are directly behind our property. Additionally, the Brookside Village cul de sac at the end of Village End Lane West appears to be behind us as well. I am concerned about noise and light pollution that will be generated at that location. I am not sure what the current plan includes to address this problem but want to request that the County review this situation and ensure that appropriate fencing and landscaping is included in order to block headlights and noise as much as possible. Keep in mind that our house is two stories tall so we will be exposed on both floors from the back of our house.

Let me know what is planned to address our concerns.

Sincerely,

John Rhea

Home: 850-668-3331
Mobile: 850-321-3268

JOINT EXHIBIT OF THE PARTIES 24

August 9, 2017

VIA EMAIL TRANSMISSION: MartinS@leoncountyfl.gov

Leon County Florida Development Services
Attention: Shawna Martin
435 N. Macomb Street
Tallahassee, Florida 32301

Re: Brookside Village Development Review Committee

Dear Ms. Martin:

As you are aware, I serve as legal counsel to Golden Oak Land Group, LLC ("Golden Oak") as applicant for a Site Plan and Environmental Management Permit for the Brookside Village subdivision. This matter is set for hearing before the Leon County Development Review Committee ("DRC") on Wednesday, August 16, 2017.

Many of the items detailed in our revised plans as now under consideration by the DRC reflect commitments made by Golden Oak to neighbors who have engaged constructively with the developer over the past 18 months. As such and in furtherance of Golden Oak's adherence to those commitments, we kindly ask that this letter be included in the record of approval as acknowledgement of Golden Oak's acceptance of the following items as conditions of approval by the DRC:

1. Brookside shall consist of no more than 61 single family residential lots
2. Block A, Lots 4A-15A shall maintain a minimum rear lot width of 75'
3. Block D, Lots 1D-12D shall maintain a minimum rear lot width of 70'
4. Lots 2C and 17A shall be 2.19 acres and 2.0 acres, respectively
5. A 25' wide, type C+ vegetated buffer will be maintained as depicted on Detail Sheet C-112.1
6. A 10' wide, type A vegetated buffer will be maintained as depicted on Detail Sheet C-112.1
7. The minimum residential square footage of each home will comport with Article VI, c. 1. Of the Declaration, Covenants, Conditions and Restrictions which accompany the 8/16/17 DRC review package
8. Building height will not exceed one and one/half stories and no windows located above the first floor elevation will face the rear property line
9. Construction and maintenance of all stormwater facilities will comport with the engineering design which accompany the 8/16/17 DRC review package

Golden Oak realizes that every aspect of the Brookside Village site plan and environmental management permit application are incorporated as conditions of a DRC approval. However, the above items are enumerated as matters of importance to neighbors of the development; thus this request to include this letter in the permitting file as emphasis to Golden Oaks commitment to each of these.

Thank you for your consideration of this request. Please let me know if you have any questions or concerns.

Sincerely,

Gary K. Hunter, Jr.

cc: Golden Oak Land Group, LLC
Sean Marston, Urban Catalyst Consultants, Inc.

JOINT EXHIBIT OF THE PARTIES 25

LEON COUNTY NOTICE OF A DEVELOPMENT REVIEW COMMITTEE MEETING
FOR A PROJECT REQUIRING TYPE "B" SITE AND DEVELOPMENT PLAN REVIEW

A Development Review Committee (DRC) Meeting for a Type "B" level site plan has been scheduled with the Department of Development Support and Environmental Management (DSEM). You are being notified of this meeting because you own property, or you are the representative of a homeowners' or business association registered with the County, within 800 feet of the proposed development.

SUMMARY OF PROPOSAL

(See Attached Project Location Map)

Meeting Date:	**Wednesday, August 16, 2017 at 10:00 a.m.**
Meeting Location:	DSEM, Renaissance Center, 2nd Floor, 435 N. Macomb Street
Project Coordinator:	Shawna Martin, Principal Planner Phone: 850-606-1385; Email: MartinS@leoncountyfl.gov
Project Name and ID:	Brookside Village Residential Subdivision (LSP150035)
Project Location:	550 Ox Bottom Road
Parcel ID:	14-19-20-001-0000
Zoning District:	Residential Preservation (RP)
Development Proposal:	A 61-lot single-family detached residential subdivision on the upland portion of the 35 +/- acre parcel, with environmentally sensitive areas being contained within a conservation easement. Lots sizes range from 0.14 acres to 0.42 acres, with two larger lots of 2.00 acres and 2.19 acres being proposed adjacent to Heartland Circle.
Applicant:	Golden Oak Land Group, LLC
Applicant's Agent:	Sean Marston, P.E., Urban Catalyst Consultants Phone: 850-999-4241; Email: smarston@uccng.com

You are being notified at this time to give you an opportunity to contact the applicant, agent, or County staff to discuss the project prior to the DRC meeting. The DRC meeting is the second of at least two staff review meetings required for this proposal before a decision is rendered. The DRC will determine whether the proposal meets applicable Leon County codes, ordinances, regulations and adopted standards, and will make a decision to approve, approve with conditions, continue, or deny the application. This meeting is administrative in nature and is not subject to quasi-judicial provisions. This meeting is open to public attendance. Testimony, questions, documents or letters may be received from the applicant or from any member of the public at the meeting. All written comments received before the meeting will be forwarded to the DRC for consideration. Failure to provide written comments to the DRC, prior to adjournment of the meeting at which the decision is rendered, will disqualify a person from petitioning for a formal proceeding after the meeting. Plans and staff reports will be available for review at DSEM and also electronically through the County's plans review program, "ProjectDox." Please contact the Project Coordinator with questions regarding this notice or for assistance accessing documents electronically.

Staff for each DRC member will provide proposed findings of fact to the DRC identifying whether the proposal meets all applicable Leon County codes, ordinances, regulations and adopted standards, and recommend approval, approval with conditions, denial or continuance to a date and time certain. Upon request, the staff report will be available to the public one work day before the DRC meeting. Pursuant to Article VII, Division 4, Section 10-7.404(i) of the Leon County Code of Laws (Chapter 10), the decision of the DRC shall become final fifteen (15) working days after it is rendered, unless a person who qualifies as an aggrieved or adversely affected party, as defined in Article VII, Division 4, Section 10-7.414 files, prior to adjournment of the meeting at which the decision was rendered, a notice of intent to file an appeal of a decision on a site and development plan application (and the associated processing fee). Subsequent

to the notice of intent, a petition must be filed within thirty (30) calendar days after the decision is rendered. Petitions shall be filed with the Clerk of the DRC and shall include the project name, application number, a description of the facts upon which the decision is challenged, and all allegations of inconsistency with the Comprehensive Plan and land development regulations, and any argument in support thereof. Failure to file both a notice of intent and a petition is jurisdictional and will result in a waiver of the hearing. Hearings before a special master will be conducted in accordance with the procedures outlined in sections[s] 10-7.414 and 10-7.415. Pursuant to Section 286.0105, Florida Statutes, if a person decides to appeal any decision made by the board, agency, or commission with respect to any matter considered at such meeting or hearing, he or she will need a record of the proceedings, and that, for such purpose, he or she may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

How To Obtain Special Accommodation For The Meeting: In accordance with Section 286.26, Florida Statutes, persons needing a special accommodation to participate in this proceeding should contact the ADA Coordinator at 850-606-5011 or Facilities Management, 301 South Monroe Street, Tallahassee, Florida 32301, by written or oral request at least 48 hours prior to the proceeding. Dial 7-1-1 (TDD and Voice) to access Florida Relay Service. Accommodation Request Forms are available on the website www.LeonCountyFl.gov/ADA.

How to Provide Written Comments: Should you wish to provide written comments regarding the proposed development, please fill out the enclosed form (or attach a letter) and return it to **Leon County Department of Development Support and Environmental Management, Development Services Division, 435 N. Macomb Street, 2nd Floor, Tallahassee, Florida 32301**. You may also e-mail comments to the Project Coordinator listed on the first page of this notice. If providing e-mail comments, please include the information as indicated on the enclosed form. All written comments received will be forwarded to the DRC members for their review and consideration when reviewing the proposed development.

Leon County DSEM, Development Services:

I/We as owner(s) of Lot _____, Block _____, of the

_____ (neighborhood or subdivision name)

at the following street address:_____

wish the following information to be considered by the Leon County Development Review Committee:

_____

_____

_____

_____

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_____
(Signature)

_____
(Print Name)

_____

_____

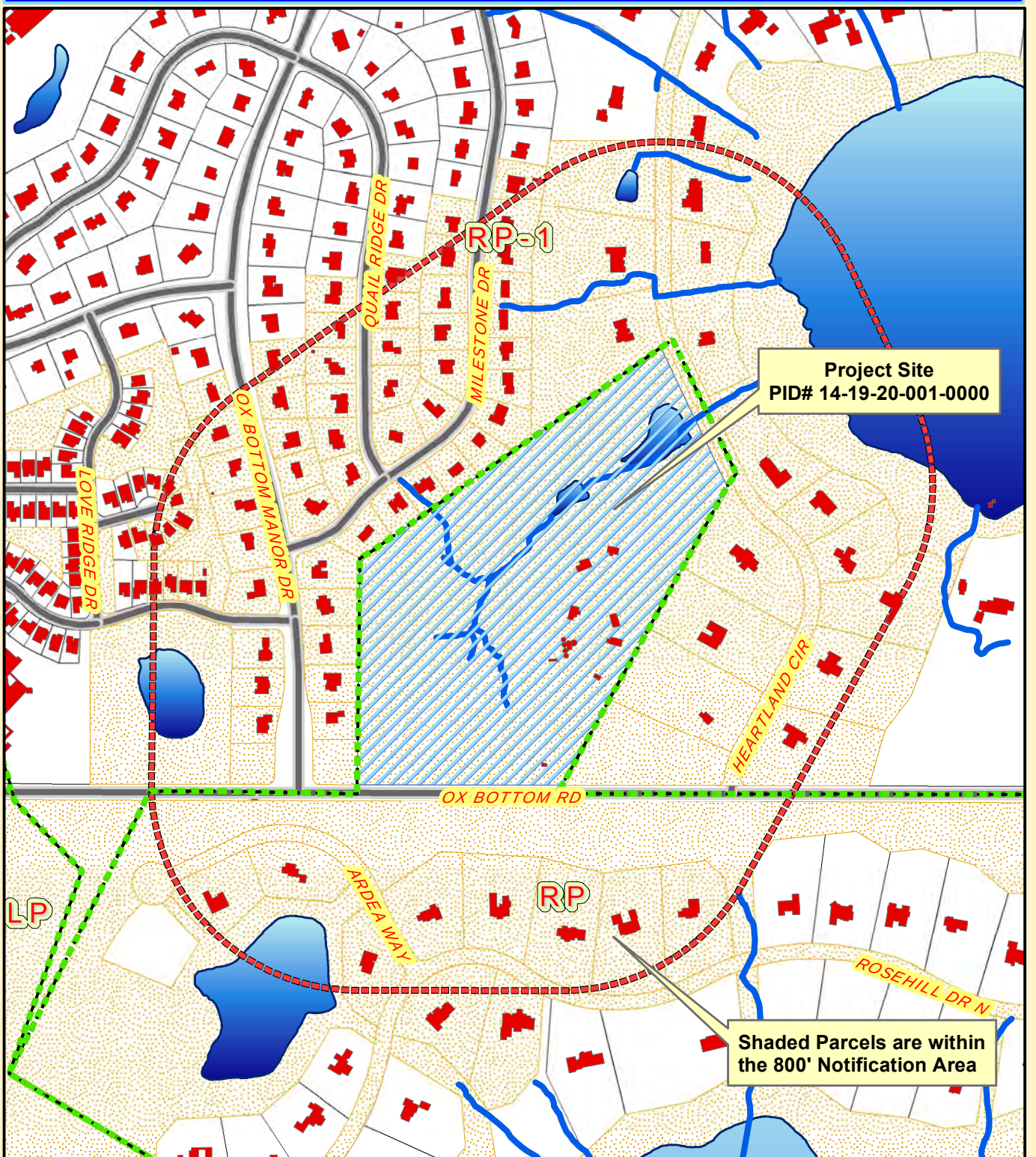
_____

Place
Stamp
Here

Leon County Department of Development Support
and Environmental Management
Development Services Division
Renaissance Center Building
435 N. Macomb Street, 2nd Floor
Tallahassee, FL 32301

Project: Brookside Village (LSP150035)
DRC: August 16, 2017

BROOKSIDE VILLAGE RESIDENTIAL SUBDIVISION
Type "B" Site & Development Plan, FDPA Track (LSP150035)



Site
Notification Area
Notified Parcels
Zoning Boundary
Buildings
Watercourse
Waterbody
Roads

BROOKSIDE VILLAGE RESIDENTIAL SUBDIVISION
Located at 550 Ox Bottom Road
Map by Shawna Martin, Principal Planner
8/2/2017

0 305 610 Feet

N

JOINT EXHIBIT OF THE PARTIES 26

CHIMNEY SWIFT HOLLOW PROP OWNERS

2048 CHIMNEY SWIFT HOLLOW
TALLAHASSEE FL 32312

LAKE MCBRIDE AREA RESIDENTS ASSOC
MR JACK CONRAD
7600 BRADFORDVILLE RD
TALLAHASSEE FL 32308

MOORE POND HOA
MR NEIL SKENE
6737 HEARTLAND CIRCLE
TALLAHASSEE FL 32312

OX BOTTOM GARDENS HOA
ROGER CARSON
2121 KILLARNEY WAY
TALLAHASSEE FL 32309

OX BOTTOM HOA
MARK A ALEXANDER
8106 EVENING STAR LN
TALLAHASSEE FL 32312-3593

OX BOTTOM MANOR COMMUNITY ASSOC
CHRIS KEENA
2709-5 KILLARNEY WAY
TALLAHASSEE FL 32309

PAREMORE COMMUNITY HOA
WILLIAM FOUTZ
6504 N MERIDIAN RD
TALLAHASSEE FL 32312

ROSEHILL HOA
GLENN W ROBERTSON
307 E ROSEHILL DR
TALLAHASSEE FL 32312

ROSEHILL NEIGHBORHOOD ASSOC
MR DAN VOLLMER
PO BOX 4181
TALLAHASSEE FL 32303

ROSEHILL PROPERTY OWNERS ASSOC
MICHAEL HARRELL
319 ROSEHILL DRIVE EAST
TALLAHASSEE FL 32312

SPENCER RD & SARA LEE LN HOA
DICK MORGAN
7030 SPENCER ROAD
TALLAHASSEE FL 32312

JOINT EXHIBIT OF THE PARTIES 27

QUADAGNO DAVID M
QUADAGNO J B
250 ROSEHILL DR N
TALLAHASSEE FL 32312

BAYLISS SLATER W
BAYLISS SARA J
4552 GROVE PARK DR
TALLAHASSEE FL 32311

ENGLISH GEORGE W IV
ENGLISH DEBRA J
238 ROSEHILL DR N
TALLAHASSEE FL 32312

DEE DAVID S
MARTHA L D
234 ROSEHILL DR N
TALLAHASSEE FL 32312

YELTON EMERY J & YELTON SUSAN WALLICK
232 ROSEHILL DR N
TALLAHASSEE FL 32312

COOPER DANA BROOKS
COOPER WILFRED WAYNE JR
209 ARDEA WAY
TALLAHASSEE FL 32312

MILLER WILLIAM P
MILLER CYNARA B
207 ARDEA WAY
TALLAHASSEE FL 32312

SASSON JOSEPH ROBERT
228 ROSEHILL DR N
TALLAHASSEE FL 32312

MOORE POND H.O.A. INC
PO BOX 228
TALLAHASSEE FL 32302

BURNNING PAUL M
BRUNING SUZANNE M
6377 HEARTLAND CIR
TALLAHASSEE FL 32312

WEAVER TONY A
WEAVER TANYA D
6337 HEARTLAND CIR
TALLAHASSEE FL 32312

KOTICK LEE R
KOTICK AUDREY SCOTT
6287 HEARTLAND CIR
TALLAHASSEE FL 32312

BOWDEN GARVIN B
BOWDEN RACHEL S
6247 HEARTLAND CIR
TALLAHASSEE FL 32312

SWEENEY TIMOTHY J
SWEENEY RENEE D
6157 HEARTLAND CIR
TALLAHASSEE FL 32312

SHERRON GENE T
SHERRON EVELYN E
6131 HEARTLAND CIR
TALLAHASSEE FL 32312

BLANK DEANNA L
BLANK JOHN L
6079 HEARTLAND CIR
TALLAHASSEE FL 32312

DOWNS PHILLIP E
DOWNS JULI O
6027 HEARTLAND CIR
TALLAHASSEE FL 32312

HOLMES R B JR
HOLMES GLORIA P
5987 HEARTLAND CIR
TALLAHASSEE FL 32312

VAN WYK ROY
VAN WYK SUZANNE AHYS
5947 HEARTLAND CIR
TALLAHASSEE FL 32312

CHARITY DOUGLAS A
CHARITY LINDA B
957 LANTERN LIGHT CT
TALLAHASSEE FL 32312

MOYA CHRISTOPHER R
MOYA ELIZABETH A
6288 HEARTLAND CIR
TALLAHASSEE FL 32312

PRICE KIMBERLY
PRICE DAVID P
6248 HEARTLAND CIR
TALLAHASSEE FL 32312

BURTON ROBERT W
6076 HEARTLAND CIR
TALLAHASSEE FL 32312

NAKIS ALEXIS S
NAKIS ADRIANA P
6036 HEARTLAND CIR
TALLAHASSEE FL 32312

BLAKE FITZ ALBERT JR
BLAKE CAMILLE J
1205 EQUESTRIAN WAY
TALLAHASSEE FL 32312

WEST TERRY
WEST TERESA N
9809 HAWK RIDGE RD
TALLAHASSEE FL 32312

MOORE POND H.O.A. INC
PO BOX 228
TALLAHASSEE FL 32302

GOLDEN OAK LAND GROUP LLC
4708 CAPITAL CIR NW
TALLAHASSEE FL 32303

CITY OF TALLAHASSEE
300 S ADAMS ST
TALLAHASSEE FL 32301

ELSBERRY JAMES L JR
ELSBERRY S J
5952 OX BOTTOM MANOR DR
TALLAHASSEE FL 32312

PICKELS ROBERT L
PICKELS CARLY D
5956 OX BOTTOM MANOR DR
TALLAHASSEE FL 32312

MCNEELY DAVID G
MCNEELY JUDITH SMYTH
5960 OX BOTTOM MANOR DR
TALLAHASSEE FL 32312

BOKHARI FARASAT A
ZUBAIR NADINE
5969 OX BOTTOM MANOR DR
TALLAHASSEE FL 32312

DAVIS TERRY L
DAVIS SUSAN H
6000 OX BOTTOM MANOR DR
TALLAHASSEE FL 32312

ERECKSON JEFFREY K
ERECKSON RENEE A
6004 OX BOTTOM MANOR DR
TALLAHASSEE FL 32312

ROBERTS TERRANCE
ROBERTS KRISTIN
6008 OX BOTTOM MANOR DR
TALLAHASSEE FL 32312

HENDRIX KRISTIN WETZEL
HENDRIX WALTER M
6012 OX BOTTOM MANOR
TALLAHASSEE FL 32312

OWNER
OWNER

GERACI MICHAEL F
GERACI M E
304 MILESTONE DR
TALLAHASSEE FL 32312

VALENTINE VINCENT EDWIN IV
VALENTINE CHRISTINA M
6007 OX BOTTOM MANOR DR
TALLAHASSEE FL 32312

WALTZ SHELLEY
WALTZ TIMOTHY
6011 OX BOTTOM MANOR DR
TALLAHASSEE FL 32312

SANDOVAL-BIRK NITZA I
6015 OX BOTTOM MANOR DR
TALLAHASSEE FL 32312

STROM LARRY
STROM HILDA
524 WOODFERN CT
TALLAHASSEE FL 32312

HARMON DENNIS WILSON
HARMON MARLA PEARSON
6022 QUAIL RIDGE DR
TALLAHASSEE FL 32312

OWNER
OWNER

COX LYDIA G
6014 QUAIL RIDGE DR
TALLAHASSEE FL 32312

WALSH MICHAEL PATRICK
WALSH CHERYL A
6010 QUAIL RIDGE DR
TALLAHASSEE FL 32312

THIELE HERBERT H TRUST
6006 QUAIL RIDGE DR
TALLAHASSEE FL 32312

THIELE RICHARD H
6002 QUAIL RIDGE DR
TALLAHASSEE FL 32312

THIELE HERBERT W A
THIELE K M
318 MILESTONE DR
TALLAHASSEE FL 32312

PARARO MATTHEW
PARARO KATHRYN P
6011 QUAIL RIDGE DR
TALLAHASSEE FL 32312

NEWMAN MARK E
NEWMAN MICHELLE J
6015 QUAIL RIDGE DR
TALLAHASSEE FL 32312

PINTACUDA J L TR
PINTACUDA J H TR
6019 QUAIL RIDGE DR
TALLAHASSEE FL 32312

MCCOMBS JASON PAUL
6023 QUAIL RIDGE DR
TALLAHASSEE FL 32312

WEBSTER BARRY JUDD
WEBSTER TIFFANIE KAE CHISM
350 MILESTONE DR
TALLAHASSEE FL 32312

BURGESS MAX P
BURGESS MARY E
346 MILESTONE DR
TALLAHASSEE FL 32312

CALDWELL MATTHEW
CALDWELL ALLISON
342 MILESTONE DR
TALLAHASSEE FL 32312

ADAMS KALVIN L
ADAMS MICHELLE
336 MILESTONE DR
TALLAHASSEE FL 32312

WAHLEN JOHN JEFFRY
WAHLEN KRISTINA MORRIS
330 MILESTONE DR
TALLAHASSEE FL 32312

HALDAS MARINA R
324 MILESTONE DR
TALLAHASSEE FL 32312

BARTON TRAVIS
BARTON ABBY
5953 OX BOTTOM MANOR DR
TALLAHASSEE FL 32312

WOODS MONTINELLA
5957 OX BOTTOM MANOR DR
TALLAHASSEE FL 32312

ALOI JAMES A
ALOI EMILY B
PO BOX 2124
TALLAHASSEE FL 32316

VIOSCA RENE CHARLES JR
VIOSCA REBECCA LYNN
5965 OX BOTTOM MANOR DR
TALLAHASSEE FL 32312

PRADHAN SANTOSH
PRADHAN ROSEMEEN K
3031 GOLDEN EAGLE DR E
TALLAHASSEE FL 32312

RHEA JOHN C
RHEA B C
307 MILESTONE DR E
TALLAHASSEE FL 32308

MORLEY SAMUEL J
MORLEY SUSAN D
311 MILESTONE DR
TALLAHASSEE FL 32312

BASS ERICA S
STIVENDER LAURIS E
315 MILESTONE DR
TALLAHASSEE FL 32312

RAPHEAL BENJAMIN
RAPHEAL KERRY-ANN
319 MILESTONE DR
TALLAHASSEE FL 32312

FISHER TERRENCE
FISHER TIFFANY
323 MILESTONE DR
TALLAHASSEE FL 32312

URASSA ERNEST
327 MILESTONE DR
TALLAHASSEE FL 32312

PEARCE JACK M
PEARCE BARBARA D
331 MILESTONE DR
TALLAHASSEE FL 32312

PARKER DAVID MATTHEW
PARKER ELIZABETH KISSELL
335 MILESTONE DR
TALLAHASSEE FL 32312

WELLS BARTLETT C
WELLS REBECCA S
339 MILESTONE DR
TALLAHASSEE FL 32312

EDWARDS GARY K
EDWARDS LOUISE L
343 MILESTONE DR
TALLAHASSEE FL 32312

KECK DEBORAH A
347 MILESTONE DR
TALLAHASSEE FL 32312

MOFFITT RYAN
ONEAL-MOFFITT GINA
351 MILSTONE RD
TALLAHASSEE FL 32312

BROWN TONY L
ALTEVOGT MELISSA R
355 MILESTONE DR
TALLAHASSEE FL 32312

CITY OF TALLAHASSEE
300 S ADAMS ST
TALLAHASSEE FL 32301

OX BOTTOM GARDENS HOA
3372 CAPITAL CIR NE
TALLAHASSEE FL 32308

KING JILL P
KING GORDON K
218 SUGAR PLUM DR
TALLAHASSEE FL 32312

NEDD KIMBARA TENILE
214 SUGAR PLUM DR
TALLAHASSEE FL 32312

JACKSON ANGELA
210 SUGAR PLUM DR
TALLAHASSEE FL 32312

MOSES MARGUERITE C
206 SUGAR PLUM DR
TALLAHASSEE FL 32312

SIPAY JOHN S
SIPAY LYNN DRAPER
203 BAXTER CT
TALLAHASSEE FL 32312

MAUL TERRY L
YAMBOR J
205 BAXTER CT
TALLAHASSEE FL 32312

GOODSON MYRLENE C
GOODSON TIM
207 BAXTER CT
TALLAHASSEE FL 32312

HARRIS JOHN
HARRIS SUSAN
209 BAXTER CT
TALLAHASSEE FL 32312

MICHAELS THOMAS AA
210 BAXTER CT
TALLAHASSEE FL 32312

FOSTER JOHN T JR
PO BOX 414
TALLAHASSEE FL 32302

ROSEHILL PROPERTY OWNERS
ASSOCIATION INC
295 ROSEHILL DR E 221
TALLAHASSEE FL 32312

ROSEHILL PROPERTY OWNERS
ASSOCIATION INC
1625 METROPOLITAN
TALLAHASSEE FL 32308

CARSON LEONARD A
CARSON M LISA
233 ROSEHILL DR N
TALLAHASSEE FL 32312

KNOWLES HAROLD M
KNOWLES PATRICIA ANNE
235 ROSEHILL DR N
TALLAHASSEE FL 32312

Ms. Mallory Harrell
319 Rosehill Drive E.
Tallahassee, FL 32312

JOINT EXHIBIT OF THE PARTIES 28

Approved as to form:
Leon County Attorney's Office
301 South Monroe St., Suite 217
Tallahassee, FL 32303

Sign Posting Affidavit

Leon County
Board of County Commissioners

Department of Development Support & Environmental Management
435 North Macomb St., 2nd Floor
Tallahassee, FL 32301

Phone#: (850) 606-1300
Fax#: (850) 606-1301

This Sign Posting Affidavit shall be signed and dated in the presence of a Notary Public and uploaded, with attached photographs of the sign(s) posted on the property, to the project's associated ProjectDox file within 7 calendar days of an application being submitted for review. Property that is subject to site and development review shall meet Development Services' Sign Posting Specifications.

SIGN POSTING CERTIFICATION

I, Sean Marston SEM, hereby attest that, as required by Chapter 10, Leon County Code of Laws, and as demonstrated by the attached photograph(s), which was taken at 11:45 a.m / p.m. on (date) ~~am~~ 8/4/17, by me or under my direct supervision by _____, a sign(s) has been prominently displayed that is clearly visible and centrally located along the primary street(s) immediately adjacent to the property for the following project. I also understand that the sign(s) shall remain in place as posted until all applicable approvals for the project are obtained, and will be removed within 10 days after completion of all applicable approvals.

PROJECT NAME: Brookside Village

PROJECT #: LSP 150035 | PARCEL ID #: 14-19-20-001-0000

APPLICANT OR AGENT SIGNATURE: Sean K. Marston

APPLICANT EMAIL: smarston@ucceng.com | APPLICANT PHONE NO.: 850-999-4241

STREET(S) POSTED: Ox Bottom Rd.

NOTARY PUBLIC – CROSS THROUGH NOTARY SECTIONS NOT USED

STATE OF: Florida COUNTY OF: Leon

☒ **For an individual or individuals acting in his, her or their own right; or**

Sworn to (or affirmed) and subscribed before me this 4th day of August 20 17, by Sean Marston,
(name of person acknowledging)
who is personally known to me or who has produced M623791720680 as identification.
(type of identification produced)

☐ **For Corporation or Governmental Entity; or**

Sworn to (or affirmed) and subscribed before me this _____ day of _____, 20_____,
by _____, as _____ of _____, a _____
(name of officer or agent, title of officer or agent) *(office held)* *(name of corporation)* *(state)*
corporation, on behalf of the corporation. He/she is personally known to me or has produced _____ as identification.
(type of identification produced)

☐ **For Partnership**

Sworn to (or affirmed) and subscribed before me this _____ day of _____, 20 _____ by _____,
(name of acknowledging partner)
partner on behalf of _____, a partnership.
(name of partnership)
He/she is personally known to me, or has produced _____ as identification.
(type of identification produced)

Signature of Notary

Kristina Darnell
Print, Type or Stamp Commissioned Name of Notary

NOTARY SEAL
KRISTINA DARNELL
Notary Public - State of Florida
Commission # GG 020720
My Commission Expires Dec 9, 2020

Vice President
Title or Rank

Serial Number, If Any

Revised February 14, 2017

PROPERTY SUBJECT TO:
DEVELOPMENT REVIEW COMMITTEE MEETING (DRC)
DATE: AUGUST 16, 2017 TIME: 10:00 AM
Project Name: BROOKSIDE VILLAGE
Project #: LSP150035
Project Description: 61-LOT SINGLE-FAMILY DETACHED
RESIDENTIAL SUBDIVISION
Residential Density: 1.73 DWELLING UNITS / ACRE
Non-Residential Building Square Footage:
FOR MORE INFORMATION, CONTACT LEON COUNTY DEPARTMENT OF DEVELOPMENT SUPPORT AND ENVIRONMENTAL MANAGEMENT (DSEM) AT:
850-606-1300

PROPERTY SUBJECT TO:

JOINT EXHIBIT OF THE PARTIES 29

LEON COUNTY
Department of Development Support & Environmental Management

DEVELOPMENT REVIEW COMMITTEE MEETING
AUGUST 16 @ 10:00 a.m.

STAFF RECOMMENDATION: CONDITIONAL APPROVAL

PROJECT COORDINATOR:	Shawna Martin, Principal Planner, DSEM
PROJECT NAME:	Brookside Village Residential Subdivision (LSP150035)
ACREAGE:	35.17 +/- acres
LEVEL OF REVIEW:	Type "B" Site Plan, FDPA Track
APPLICANT/OWNER:	Golden Oak Land Group, LLC
APPLICANT'S AGENT:	Sean Marston, P.E., Urban Catalyst Consultants
CURRENT ZONING:	Residential Preservation (RP)
FUTURE LAND USE:	Residential Preservation (RP)
GROSS DENSITY:	1.73 dwelling units/acre
LOCATION:	550 Ox Bottom Road
ROADWAY ACCESS:	Ox Bottom Road (Major Collector Roadway)
UTILITY PROVIDER:	City of Tallahassee Utilities
APPROVAL BODY:	Leon County Development Review Committee (DRC)

<table>
<tr><th colspan="2">CONDITIONS OF APPROVAL</th></tr>
<tr><td>1</td><td>Development Standards: The proposed development standards shall receive a favorable recommendation from the DRC.
<table>
<tr><th colspan="3">Proposed Development Standards</th></tr>
<tr><td></td><td>Block A, B, C & D (minus Lots 12D, 14D & 15D)</td><td>Lots 12D, 14D & 15D</td></tr>
<tr><td>Front yard setback</td><td>15 feet</td><td>15 feet</td></tr>
<tr><td>Rear yard setback</td><td>15 feet</td><td>10 feet</td></tr>
<tr><td>Side interior yard setback</td><td>5 feet</td><td>5 feet</td></tr>
<tr><td>Side corner yard setback</td><td>15 feet</td><td>15 feet</td></tr>
<tr><td>Height maximum*</td><td>2 story; max of 40 feet</td><td>2 story; max of 40 feet</td></tr>
</table>
*See Finding #4</td></tr>
<tr><td>2</td><td>General Layout & Design Standards: The proposed development shall receive a favorable recommendation from the DRC waiving the code requirement for vehicular and pedestrian interconnection with adjoining residential subdivisions based on the criteria listed in Section 10-7.502(b)(2)(e).</td></tr>
<tr><td>3</td><td>Environmental Management Permit (EMP): The EMP and associated stormwater report and model shall be approved prior to site plan approval.</td></tr>
<tr><td>4</td><td>Land Development Code & Comprehensive Plan: All applicable standards in the Leon County Land Development Code and the Tallahassee-Leon County Comprehensive Plan shall be met, including but not limited to those outlined below and in the attached staff reports.</td></tr>
<tr><th colspan="2">OUTSTANDING DEFICIENCIES</th></tr>
<tr><td>1</td><td>Technical Revisions: Please refer to the attached staff memorandums and markups in ProjectDox for requested revisions to the site plan. All revisions shall be addressed prior to site plan approval.</td></tr>
</table>

PROJECT SUMMARY:

The site is located inside the Urban Services Area, is zoned Residential Preservation and has a Residential Preservation designation on the Future Land Use Map of the Tallahassee-Leon County Comprehensive Plan. The project proposes 61 single-family detached dwelling units at a density of 1.73 dwelling units per acre. Lot sizes range from 0.14 acres to 2.19 acres in size with an average lot size of 0.26 acres. Development is proposed on the upland portions of the property with environmentally sensitive areas being preserved in a conservation easement. Access is provided from Ox Bottom Road, a major collector roadway. This will be a public subdivision with streets and stormwater management facilities to be dedicated to and maintained by Leon County.

ARTICLE VII. Subdivision and Site and Development Plan Regulations; Site and Development Plan Criteria, Section 10-7.407:

The Leon County Land Development Code requires that a site and development plan comply with three general standards (in addition to compliance with Sections 10-7.107 and 10-7.108), which include:

1. Whether the applicable zoning standards and requirements have been met;
2. Whether the applicable provisions of the Environmental Management Act have been met; and
3. Whether the requirements of Chapter 10 and other applicable regulations or ordinances which impose specific requirements on site and development plans and development have been met.

APPLICATION REVIEW COMMITTEE STAFF FINDINGS:

Finding #1 – Tallahassee-Leon County Comprehensive Plan: *The application has been determined consistent with the Tallahassee-Leon County Comprehensive Plan and the Planning Department recommends conditional approval for the site plan pending approval of the Environmental Management Permit and associated stormwater report (Attachment #1).*

Finding #2 – Concurrency (Section 10-3.105a): *Leon County and City of Tallahassee Concurrency Management performed traffic impact analyses for the proposed development and determined that the proposal will not require transportation concurrency mitigation. A traffic study was not required as the project generates less than 100 p.m. peak hour trips. A Preliminary Certificate of Concurrency has been issued for the proposed development.*

A School Impact Analysis (SIA) application was submitted to the Leon County School Board for review and was approved at their board meeting on February 9, 2016. A revised SIA form that provided updated information on home sizes was submitted and approved by the School Board on June 20, 2017.

Finding #3 –Environmental Management (Article IV) and Stormwater Management (Section 10-7.521): *Environmental Services has reviewed the site plan and Environmental Management Permit, including the stormwater report and model, for consistency with the Environmental Management Act. Environmental Services has provided conditional approval of the site plan provided that the deficiencies listed in their staff report and site plan markups in ProjectDox are addressed prior to final site plan approval (Attachment #2).*

Finding #4 – Residential Preservation Zoning District (Section 10-6.617): *The metes-and-bounds property is located inside the Urban Service Area, is not located within a recorded or unrecorded subdivision, and proposes connection to City of Tallahassee central sanitary sewer and potable water. The application requests an overall gross density of 1.73 dwelling units per acre, which falls within the permitted density range of 0 to 6 dwelling units per acre allowed in the RP zoning district and defined by the LDC as low density residential. The proposed development type is detached, single-family dwellings which is consistent with adjacent residential development patterns.*

The applicant submitted a Compatibility Analysis prepared by Wendy Grey addressing common compatibility criteria such as density, building size, lot size, lot coverage and orientation, scale and height, mass and bulk, screening and buffering, architecture, setback and traffic circulation. The analysis compared these criteria with other residential subdivisions within one quarter mile of the subject site which included Moore Pond, Ox Bottom Manor, Ox Bottom Gardens and Rose Hill subdivisions. The analysis noted that there was a potential issue of compatibility related to the visual impact of smaller lot sizes and subsequently higher building mass in Brookside Village where it adjoins Moore Pond and Ox Bottom Manor. To mitigate this potential issue, the applicant has provided buffering and screening which is significantly wider and denser than required by code (see Finding #7 below for specific details).

For new residential development in the RP zoning district not located in a recorded or unrecorded subdivision, the applicable development standards including, but not limited to front, rear, side and side corner yard setbacks shall be established at the time of site and development plan review. A note has been placed on the site plan indicating the homes within the subdivision will be 1 story and 1 ½ stories with the exception of Lots 17A and 2C which may be 2 stories. The habitable area of the homes with 1 ½ stories will be located toward the front of the home and no upper story widows will be facing adjoining subdivisions. The DRC is the entity that shall approve the proposed development standards for new single-family detached developments in the RP zoning district.

> ***Condition of Approval:*** *The proposed development standards shall receive a favorable recommendation from the DRC.*

Finding #5 – General Layout and Design Standards (Section 10-7.502): *The site plan demonstrates that the lots have sufficient buildable area, meets the minimum frontage requirements of 15 feet or more, and provides sufficient off-street parking. A note has been placed on the site plan to avoid double frontage lots for those lots adjacent to Ox Bottom Road and the divided subdivision entrance drive. Public Works has provided comments related to the proposed public street system design as well as providing markups in ProjectDox (Attachment #8). All requested changes shall be reflected in the final site plan submittal.*

Section 10-7.502(b)(2) requires that streets interconnect within a development and with adjoining development, unless physical conditions preclude an interconnection now or in the future. Properties surrounding the subject parcel are fully developed as single-family detached subdivisions. To the east and northeast is Moore Pond Subdivision, a private, gated subdivision, which accesses Ox Bottom Road via Heartland Circle, a privately maintained roadway. To the west and northwest are the Ox Bottom Gardens and Ox Bottom Manor subdivisions. There does not appear to be a feasible location for future interconnection with adjoining developments now or in the foreseeable future. The DRC shall assess feasibility and make the final determination on the requirement for interconnection.

> ***Condition of Approval****: The proposed development shall receive a favorable recommendation from the DRC waiving the code requirement for vehicular and pedestrian interconnection with adjoining residential subdivisions based on the criteria listed in Section 10-7.502(b)(2)(e).*

Finding #6 – General Principals of Design Related to Impacts on Nearby Streets and Property Owners (Section 10-7.505): *The development has been designed to be as compatible as practical with nearby development and characteristics of the land by: preserving environmentally sensitive areas on-site and focusing development outside of these areas; providing recreational opportunities (hiking trails) within the conservation easement; providing boundary buffers including fencing and screening; providing for the ongoing operation and maintenance of supporting infrastructure; and providing stormwater management facilities that minimize adverse environmental impacts both on-site and off-site.*

Finding #7 – Buffer Zone Standards (Section 10-7.522)*: The RP zoning district requires a minimum of a 10 foot, Type A landscape buffer around the entire perimeter of the site adjacent to other residential development. A 10-foot, Type A landscape buffer has been provided along the majority of the northern and northeastern property lines. The applicant has provided 25-foot, Type "C" plus (enhanced) landscape buffers along the west, east and southern property boundaries. Buffer areas adjacent to Moore Pond are further enhanced with a berm and an 8 foot wooden fence interior to the buffer. An additional 8 foot wooden fence has been provided adjacent to Ox Bottom Manor parcels to the north of the cul-de-sac. The proposed boundary buffers will utilize existing vegetation and augment as needed with evergreen species to achieve the buffer standards. The landscape plan indicates that the proposed buffers will achieve approximately 75% opacity at the time of planting and 90% within 5 years.*

A landscape buffer is not required along Ox Bottom Road; however, the developer has provided a 25-foot, Type "C" plus buffer in this area as well. Environmental Services has indicated in their staff report (Attachment #2) that the proposed density and width of buffer plantings to the east of the entrance drive cannot be supported with the existing drainage swale and needs to be addressed prior to site plan approval.

Finding #8 – Water, Sewer and Electric Service (Sections 10-7.523, 10-7.524 and 10-7.526): *The City of Tallahassee Water Resources Engineering Department and the City of Tallahassee Power Engineering Department have provided approval of the concept site utility plan dated 6/30/17 (Attachments #3 and #4). The signed concept utility plan shall be included as a sheet in the final plan set.*

Finding #9 – Fire Protection Services (Section 10-7.527): *The City of Tallahassee Fire Department has provided conditional approval of the proposed development with the requirement that additional notes be placed on the Site Utility Plan (Sheet C-116) as outlined in their staff report (Attachment #5). All Fire Department requirements as set forth on Sheet C-116 and in the attached memorandum shall be met at the applicable stage of development.*

Finding #10 – Sidewalks (Section 10-7.529): *Sidewalks have been provided along one side of the new streets within the proposed residential subdivision and adjacent to Ox Bottom Road as required by code. At staff's recommendation, the applicant has extended the sidewalk along Ox Bottom Road further than required in order to connect to existing sidewalks along Ox Bottom Manor Drive. This helps to eliminate sidewalk gaps and facilitate pedestrian mobility.*

Finding #11: Off-Street Parking Spaces (Sec. 10-7.545): *The site plan indicates that a 5-bedroom home will be the maximum building standard which would require each lot to accommodate 3 parking spaces. The typical section indicates that each lot should be able to accommodate 2 parking spaces within an attached garage and 2 spaces within the driveway without blocking sidewalks or streets.*

Finding #12– Plats (Article XII, Div. 6): *No building permit shall be issued for a project that requires platting until a plat has been accepted and approved by the Board of County Commissioners and recorded in the plat books of the County. The applicant must submit a final plat. No plat shall be approved and accepted by the County unless and until the developer has installed all infrastructure improvements.*

Finding #13 – Articles, Bylaws and Restrictive Covenants (Section 10-7.610): *The County Attorney's Office has reviewed and approved as to form and manner of execution the draft Declarations and Covenants, Conditions and Restrictions, Articles of Incorporation and Bylaws for the proposed subdivision (Attachment #6). These shall be recorded along with the plat.*

Finding #14 – On-Site Signs (Article IX): *A sign easement area has been provided for a future subdivision sign adjacent to the entrance drive; however it appears the proposed easement area conflicts with drainage and underground infrastructure. The applicant shall relocate the sign easement to an appropriate area. A separate sign permit application must be submitted for approval prior to sign placement that demonstrates the sign does not create a physical or visual hazard for motorists entering or leaving the subdivision.*

Finding #15 – Aquifer Protection (Article X, Div. 1): *The Aquifer Protection Division has provided clearance contingent on the action items outlined on Sheet C-107 of the site plan being completed prior to site development.*

Finding #16 – Uniform Street Naming and Property Numbering System (Article XI) (Article XI): *The County's Addressing Unit has approved both the subdivision name and the street names for the proposed development (Attachment #7). The approved street names of Village Ridge Lane and Village Ridge Way shall be reflected on the final site plan.*

PUBLIC NOTIFICATIONS AND RESPONSES:

Agenda posted on County website	8/03/17
Legal advertisement	8/09/17
Sign posted to property (by applicant)	8/04/17
Mail notifications (property owners and HOA's)	8/04/17
Notices Mailed	104
Notices Returned	3
Written public comments submitted by 8/15/17 at 6:00 pm have been uploaded to ProjectDox and provided to the DRC for review. Any subsequent public comments will be provided to the DRC at the meeting and uploaded to ProjectDox after the meeting.	

ATTACHMENTS:

1. Memorandum from the Tallahassee Leon County Planning Department (TLCPD)
2. Memorandum from the Environmental Services Division
3. Memorandum from the City of Tallahassee Water Resources Engineering Department
4. Memorandum from the City of Tallahassee Electric Power Division
5. Memorandum from the City of Tallahassee Fire Department
6. Email from the County Attorney's Office
7. Memorandum from the DSEM Addressing Section
8. Memorandum from Public Works

PLANNING DEPARTMENT
a division of PLACE

MEMORANDUM

Submitted to ProjectDox August 14, 2017

TO: **Leon County DRC Members**

FROM: Susan Poplin, Principal Planner

THROUGH: Russell Snyder, Planning Land Use Administrator

DATE: August 4, 2017

SUBJECT: Brookside Village Residential Subdivision (Type B) FDPA Track LSP 150035
Leon County Development Review Committee Meeting August 16, 2017

APPLICANT: Golden Oak Land Group, LLC
AGENT: Sean Marston, P.E., Urban Catalyst Consultants
PARCEL ID: 14-19-20-001-0000
ZONING: Residential Preservation
FUTURE LAND USE: Residential Preservation

Findings

1. The proposed project is for the development of a 61-unit single-family residential subdivision on 35 acres north of Ox Bottom Road near Heartland Circle road. The project is adjacent to and accessed by Ox Bottom Road, which is a Leon County major collector.

2. The proposed project is consistent with the density and intensity of the Residential Preservation Future Land Use Map Category of the *Tallahassee-Leon County Comprehensive Plan*.

3. Residential Preservation Future Land Use Element Policy 2.2.3 states that its primary function is to protect existing stable and viable residential areas from incompatible land use intensities and density intrusions. The Brookside project's proposed gross density at 1.73 dwelling units per acre is classified as low-density residential in the comprehensive plan. The density of surrounding neighborhoods is also classified as low-density residential, ranging from 2.13 dwelling units/acre (Ox Bottom Gardens) down to .17 dwelling units per acre (Rosehill). The densities are consistent with low-density residential uses identified in the comprehensive plan and the land development code.

   The Leon County Land Use Development Matrix and Conservation Policies 1.3.2.d, 1.3.3., and 2.2.5, indicate density of development will be permitted only to the extent that sufficient stormwater capacity is available. A compatibility analysis dated October 19, 2016 and updated April 26, 2017, provided by the applicant, examines Conservation Policies 1.3.2 and 1.3.3 including provisions for stormwater and conservation. Conservation Policies 1.3.2.d, 1.3.3 and 2.2.5 provide that the areas permitted to develop are dependent on sufficient stormwater capacity within a closed basin (which applies in this case) to ensure maintenance of water quality and flow. The current conditions provide for surface flow of stormwater from ravines, eventually draining to Moore Pond. The application indicates that adequate

stormwater is provided for the project including on-site retention facilities for a 100-year, 24-hour storm event. Additionally, stormwater within the ponds will be recovered via exfiltration trenches, which will be filtered down to the groundwater. The applicant's response to comments dated April 19, 2017 states that the proposed stormwater facilities exceed the required Leon County stormwater standards and meet the closed basin standards for retention. A second response document submitted August 2, 2017 states that the applicant has provided a revised stormwater analysis to Leon County that demonstrates appropriate treatment and retention; and provides for continued groundwater and surface water flow to Moore Pond. Leon County staff are in the process of analyzing the recently submitted stormwater analysis to determine if it meets the local code requirements; until that analysis is completed Planning cannot determine if consistency with the Conservation Element of the comprehensive plan is maintained. It is recommended that the final approval of the site plan be contingent on the County's final approval of the stormwater analysis.

With regard to conservation within the project, the application includes a large conservation area centrally located on the property. The conservation area includes natural features on the site including floodplains, wetlands and steep slopes. The conservation areas are to be dedicated as conservation easements in perpetuity with the Brookside HOA responsible for maintenance.

Land Use Element Policy 2.2.3.e states that a number of factors shall be considered when determining a land use is compatible with the residential preservation land use category. There is no proposal to change the assigned land use in this case. It does not appear the compatibility criteria in section 2.2.3.e are readily applicable to the proposed project given both the existing and proposed uses are both low-density Residential Preservation land uses. Nonetheless, Planning staff have reviewed the criteria as additional information, including intensity, density, scale, building size, mass, bulk, height and orientation, lot coverage, lot size/configuration, architecture, screening, buffers (including vegetative buffers), setbacks, signage, lighting, traffic circulation patterns, loading area location, operating hours, noise and odor. The applicant provided a compatibility analysis dated October 19, 2016 and updated April 26, 2017, conducted by land use consultant Wendy Grey, that examines these factors with regard to the project:

- Density: The density of the proposed development is 1.73 dwelling units per acre, which is comparable with adjacent Ox Bottom Gardens and Ox Bottom Manor, 2.13 and 1.10 dwelling units per acre, respectively. It is also within the allowable range for the Residential Preservation land use category which allows up to 6 dwelling units per acre within the category.

Table 1 Subdivision Density

Subdivision	Density (dwelling units/acre)
Ox Bottom Gardens	2.13
Brookside Village	1.73
Ox Bottom Manor	1.10
Moore Pond	.23
Rose Hill	.17

- Scale: Building scale is usually associated with more urban settings that include multiple stories. The limitation of the dwellings to 2 stories or less in the Brookside development ensures that the scale of the buildings are lower and similar to those in surrounding neighborhoods.

- Building Size, Mass and Bulk: As a measure of mass and bulk, the compatibility analysis examined the ratio of the linear building to linear frontage on the property line. Brookside has a higher ratio at approximately .81 along the Ox Bottom Manor side and .82 along the Moore Pond side. Ox Bottom Manor and Moore pond have ratios of .45 and .29 respectively. There is notable difference in these ratios, but given the separation between the two subdivisions including an intervening conservation area, buffer and larger lots provided in the rear of the proposed subdivision, staff does not believe there is a negative impact based on the measure of mass and bulk. With regard to building size, there is a wide range from 3,400 square feet to 14,929 square feet in surrounding neighborhoods. Brookside dwellings are sized between 2,848 square feet and 3,278 square feet with an average of 3,063 square feet. These dwelling sizes are consistent with those in adjacent subdivisions.

Table 2 Building Size

Subdivision	Building Size Range (Square Feet)	Average Building Size (Square Feet)
Moore Pond	3,485-14,929	6,301
Rose Hill	3,732-10,620	6,143
Ox Bottom Manor	2,329-4,817	3,459
Brookside Village	2,848-3,278	3,063
Ox Bottom Gardens	1,974-3,249	2,389

- Height and Orientation: The surrounding area includes residential uses that are a mix of one-story, 1½ story and 2-story dwellings. Brookside will consist of 1 and 1½-story dwellings. The dwellings are oriented such that upper stories are on the front portion of the homes and no windows face adjacent subdivisions. This height and orientation is consistent with others in the surrounding area, and minimizes view encroachments.

- Lot Coverage, Size/Configuration: Lot coverage is measured by comparing the building size in square feet to the lot size in square feet to derive a percentage. The compatibility analysis examines the lot coverage for Brookside Village and surrounding areas and has identified the average lot coverage as 23%. Comparatively, it is within the range of surrounding subdivisions where lot coverages vary from 5% (Moore Pond) up to 28% (Ox Bottom Gardens).

Table 3 Lot Coverage

Subdivision	Lot Coverage %
Moore Pond	5%
Rose Hill	6%
Ox Bottom Manor	10%

Brookside Village	23%
Ox Bottom Gardens	28%

For lot size, Brookside Village is within the range of surrounding subdivisions, which vary from an average of 3.08 to .19. The larger lots are found in Moore Pond and Rose Hill subdivisions. To better assimilate with these subdivisions, Brookside Village has proposed two larger lots that are more than 2 acres in size in the rear of the project adjacent to Moore Pond. The project also proposes buffers and screens which are described in more detail below.

Table 4 Lot Size

Subdivision	Lot Size (Acres)	Average Lot Size (Acres)	Total # of Dwelling Units
Moore Pond	1.49-12.39	3.08	52
Rose Hill	1.48-6.97	2.53	83
Ox Bottom Manor	.53-.96	.67	623
Brookside Village	.14-2.51	.27	61
Ox Bottom Gardens	.13-.32	.19	67

- Architecture: The compatibility analysis compares the proposed architecture of Brookside Village with those in surrounding neighborhoods. Within the Ox Bottom Manor and Ox Bottom Gardens typical features include peaked roofs, brick or stucco front facades and covered entrances. The analysis provides sample pictures of anticipated Brookside Village architecture which has the same roof and entrance features. Brookside Village appears to be typical suburban development.
- Screening and Buffers: Buffers for the surrounding subdivisions were compared with those proposed for Brookside Village. The buffers are smaller than those in Rose Hill and Ox Bottom Gardens. Moore Pond and Ox Bottom Manor did not provide buffers as part of the subdivision plats.

Table 5 Buffers Provided in Subdivision Plats

Subdivision	Buffer
Rose Hill	Approximately 100 feet (labeled "Common Area"). Additional 100 foot utility easement provided along eastern property line
Ox Bottom Gardens	Approximately 75 feet along boundary with Ox Bottom Manor
Brookside Village	25 feet Type C+ Buffer (east/south/west); some 8 Foot Fence
Moore Pond	None provided in plat
Ox Bottom Manor	None provided in plat

Brookside Village is proposing a 25-foot wide buffer with Type C+ plantings along Ox Bottom Road, adjacent to Ox Bottom Manor and the along the eastern boundary adjacent to Moore Pond. The proposed Type C+ buffer includes plantings of 7 evergreen canopy trees, 6 evergreen understory trees and 24 evergreen shrubs per 100 linear feet of buffer. The buffer along the eastern and northwestern portion of the property also includes an 8-foot fence. Along the northern and northeastern boundaries, the project proposes a 10-foot Type A buffer which includes plantings of 1.2 canopy trees, .4 understory trees and 4 shrubs per 100 linear feet. Staff believes the project has provided satisfactory buffers to adjacent suburban residential development.

- Setbacks: The compatibility analysis states that site visits and aerial images reveal that setbacks appear to be typical for suburban residential development: e.g., buildings are set back from the curb (as opposed to being placed near the front property line) and from adjoining properties (e.g., no zero lot lines). Staff concurs with the analysis. It appears the setbacks for Ox Bottom Manor range from 75 to 100 feet, for Ox Bottom Gardens, from 18 to 30 feet, and for Moore Pond, from 75 to 150 feet. Brookside Village has setbacks of 15 feet from the right-of-way. Brookside Village setbacks are consistent with the pattern in neighboring Ox Bottom Gardens but not Ox Bottom Manor or Moore Pond.

- Traffic Circulation Patterns: The proposed traffic circulation pattern includes an internal road system as well as sidewalks throughout the project, connection to Ox Bottom Road, and a passive recreation path. Staff does not identify any negative issues with the proposed circulation plan.

- Items Not Applicable to the analysis for this development include signage, lighting, loading area locations, operating hours, noise and odor, which are associated with nonresidential development.

4. The Mobility Element of the Tallahassee-Leon County Comprehensive Plan requires development to provide full accommodations for pedestrian access and movement including sidewalks and enhanced crossings (Mobility Element Policies 1.1.8(a-b), 1.2.3 and 1.4.3). The application shows a 6-foot sidewalk along Ox Bottom Road and internal to the project. The sidewalk along Ox Bottom Road connects to the existing facility that runs north along Ox Bottom Manor Road. The application also indicates the intent to place passive trails within the Conservation Area (a recommended design alternative).

5. The Conservation Element of the Tallahassee-Leon County Comprehensive Plan requires that wetlands and floodplains be regulated as conservation or preservation features, and that wetland function be preserved [Conservation Policies 1.3.1, 1.3.2, 1.3.4, 1.3.6, 2.2.1 and 2.2.2]. The application identifies the details of planned wetland, floodplain and significant slope conservation within the proposed project. The features are contained within an 11+ acre conservation easement. The conservation area includes natural features on the site including floodplains, wetlands and steep slopes. Additionally, the application also reflects a passive trail within the Conservation Area which was a recommended design alternative previously. The conservation areas are to be dedicated as conservation easements in perpetuity with the Brookside HOA responsible for maintenance.

Planning Department Recommendation

The Planning Department recommends that the Brookside Village Type B site plan application (LSP1500035) as submitted on August 2, 2017 be approved subject to the condition that the applicant receive final County approval for the stormwater analysis, as discussed in detail on page 2 above.

Board of County Commissioners

Interoffice-Memorandum

DATE: August 15, 2017

TO: Shawna Martin, Principal Planner, Development Services

FROM: Anna Padilla, P.E., CFM, Sr. Environmental Engineer, Environmental Services

SUBJECT: Brookside Village
Project ID: LSP15-0035; Type B – FDPA Track
Tax Identification Number: 14-19-20-001-000-0
Development Review Committee

Environmental Services has reviewed the revised Site Plan (LSP15-0035), received August 2, 2017, and the Environmental Management Permit (LEM15-00072) resubmittal, received July 21, 2017, for the Brookside Village Subdivision. The following are our findings and deficiencies within the Site Plan.

1. The specified minimum finished floor elevations and proposed grading plan do not demonstrate compliance with Leon County's Floodplain Management section of the Land Development Code.
2. A Concept Grading Plan for lots 2D – 14D was received; however, this grading plan does not adequately demonstrate that off-site stormwater runoff from Ox Bottom Manor will not cause adverse impacts to the new residential dwelling units for all lots shown.
3. The proposed sign easement along Ox Bottom Road is also located in the middle of a stormwater swale, and at the entrance to the proposed culvert under Village Ridge Lane.
4. Several areas on the grading plan sheets need refined. Proposed contours do not tie into existing contours, several lots appear to bypass the stormwater management system, and the proposed typical swale on the lot lines cannot be constructed in some areas of proposed mass grading, causing lot-to-lot drainage issues.
5. The area of clearing within the tree line and outside of the conservation easement, as well as the associated tree debits (based on the representative sample area) is not included in the tree debit table.
6. The visual screen (proposed Carolina jasmine) is not provided along lot 1C or along the top of the retaining wall along Village Ridge Lane West.
7. Various other minor deficiencies and corrections were noted in the ProjectDox mark-ups on the Site Plan.

The Environmental Management Permit (EMP) resubmittal contains deficiencies; however, the outstanding items are minor and staff has been in contact with the Engineer regarding our comments. It is not anticipated that any revisions to the stormwater model or EMP will alter the site layout.

The Environmental Services Division does not object to a conditional approval, provided that the deficiencies listed above are addressed to the satisfaction of Environmental Services prior to final Site Plan approval.

City of Tallahassee
UNDERGROUND UTILITIES
"Setting the Standard for Excellence"

MEMORANDUM

TO: Shawna Martin
Senior Planner – Leon County
FROM: Justin Hosey, P.E.
Program Engineer - Water Resources Engineering
DATE: August 15, 2017
SUBJECT: LSP150035 Brookside Village

I. Project Description:

Proposed single-family residential detached subdivision on a 35.18 acre parcel along Ox Bottom Road. The parcel is zoned Residential Preservation (RP).

II. Standards of Review:

1) Water Resources Engineering reviews utility service/concept plans for compliance with, *the Water and Sewer Agreement, The City of Tallahassee Design Specifications for Water and Sewer, Florida Department of Environmental Protection (FDEP) F.A.C. Section 62-555, The American Water Works Associations Manual of Practice "M31", FDEP F.A.C. Section 62-604, and FDEP MOP 9, as well as sound engineering practice.*

III. Findings of Fact:

1) Water and sewer are available to the site.
2) Connection to water and sewer is required.

IV. Condition of Approval:

1) Water Resources Engineering has approved a "Water and Sewer Concept Plan" dated 6/30/17.
2) A Letter of Agreement (LOA) will be required prior construction plan approval.
3) Construction plans must be stamped approved by Water Resources Engineering prior to holding a pre-construction conference.

Water Resources Engineering Contact Information

Justin Hosey, P.E.
justin.hosey@talgov.com
891-6182

Bruce Kessler
bruce.kessler@talgov.com
891-6105

Mailing Address:
300 S. Adams St. B-26
Tallahassee, FL 32301

Office Location
408 N. Adams St. 3rd Floor
Tallahassee, FL 32301

City of Tallahassee
Your Own Utilities℠

Date: August 15, 2017

To: Shawna Martin

From: Tina Drose, COT Electric – Power Engineering
2602 Jackson Bluff Road, Tall, FL 32304
Tina.Drose@Talgov.com

Subject: LSP150035 – Brookside Village Residential

The proposed development is within the City of Tallahassee – Electric Utility's service territory. Electric service is available from an existing overhead power lines along Ox Bottom Road. Easements will be required to serve the development as part of final plat and Letter of Agreement. Developer will be required to provide the Electric Utility with final plans that included the final approved water and sewer layout. Electric has approved the proposed utility placements as indicated in the submitted plan set. Subdivision is located outside the city limits and will pay a fee for underground electric power within the development. Relocation of any existing facilities that must remain in service will be at the property owner's expense. Please contact Houston Whitfield (850-891-5609) to coordinate electric design for the subdivision.

TALLAHASSEE FIRE DEPARTMENT
SITE PLAN REQUIREMENTS

Project Name:	Brookside Village
Parcel ID #	14-19-20-001-0000
	LSP 150035
AGENT:	Urban Catalyst Consultants
PLANNER:	Shawna Martin
MEETING DATE:	August 16, 2017

Listed below are the Tallahassee Fire Department's conditions of approval for the Brookside Village project. Notes shall be placed on the Site Utility Plan (Sheet C-116) that state:

1. "Consistency with applicable provisions of the currently adopted Florida Fire Prevention Code shall be required during the building plan review process for each home built on Lots 17A and 2C."

2. "If unsupervised and isolated above ground fuel storage tanks are to be located on the property during construction, City of Tallahassee Plans Review staff must be contacted prior to tank installation. *NFPA 1, 66.21.7.2.1 and 66.21.7.2.2, Fifth Edition of the Florida Fire Prevention Code."*

3. "The required width of a fire department access road shall not be obstructed in any manner, including the parking of vehicles. *NFPA 1, 18.2.4.1.1, Fifth Edition of the Florida Fire Prevention Code)."*

Gary Donaldson
Tallahassee Fire Department
435 N. Macomb St. – 1st Floor
Tallahassee FL 32301
(850)891-7179
Gary.Donaldson@talgov.com

ATTACHMENT #6

Shawna Martin - Re: Covenants & Restrictions ~ Brookside Village

From: Patti Poppell
To: Martin, Shawna
Date: 08/04/2017 4:24 PM
Subject: Re: Covenants & Restrictions ~ Brookside Village
CC: Icerman, Jessica

Shawna,

Yes, the Covenants & Restrictions are fine as to form.

Thank you,

Patti

Patti L. Poppell
Sr. Paralegal
Leon County Attorney's Office
Suite 202
301 South Monroe Street
Tallahassee, Florida 32301
(850) 606-2500 Phone
(850) 606-2501 Fax

Legal Notice: Please note that under Florida's Public Records laws, most written communications to or from county staff or officials regarding county business are public records available to the public and media upon request. Your e-mail communications may therefore be subject to public disclosure. The information contained in this transmission may contain privileged and confidential information. It is intended only for the use of the person(s) named above. If you are not the intended recipient, you are hereby notified that any review, dissemination, distribution or duplication of this communication is strictly prohibited. If you are not the intended recipient, please contact the sender by reply email and destroy all copies of the original message. Tax Advice Disclosure: To ensure compliance with requirements imposed by the IRS under Circular 230, we inform you that any U.S. federal tax advice contained in this communication (including any attachments), unless otherwise specifically stated, was not intended or written to be used, and cannot be used, for the purpose of (1) avoiding penalties under the Internal Revenue Code or (2) promoting, marketing or recommending to another party any matters addressed herein.

>>> Shawna Martin 8/4/2017 8:28 AM >>>
Patti,
Can you please take one final look at the revised C&R for Brookside (attached) and let me know if you approve them to form?
Thank you!
Shawna

Shawna Martin, AICP
Principal Planner,
Development Services Division
Department of Development Support & Environmental Management
Renaissance Center, 2nd Floor
435 North Macomb Street
Tallahassee, Florida 32301-1019

LEON COUNTY
DEVELOPMENT SUPPORT AND ENVIRONMENTAL MANAGEMENT
Addressing Unit *Memorandum*

DATE: August 7, 2017

SUBJECT: LSP150035 – Brookside Village Residential Subdivision

Addressing Staff Contact: Lisa Scott, Addressing Program Coordinator

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Finding:

Agreed Upon Suffix Changes from the May 2, 2017 Street Naming Communication.

Suffixes must be changed on the existing site plan to:

A. Village Ridge Lane – starting at the intersection of Ox Bottom Rd continuing west.

B. Village Ridge Way – branching east off Village Ridge Ln.

BOARD OF COUNTY COMMISSIONERS
MEMORANDUM

DATE: August 15, 2017

TO: Shawna Martin, Principal Planner

FROM: Charley M. Schwartz, P.E., Senior Design Engineer

THROUGH: Kimberly A. Wood, P.E., Chief of Engineering Coordination

SUBJECT: Brookside Village Subdivision (LSP150035) : Type B – FDPA Track
Development Review Committee Meeting for August 16, 2017

Public Works recommends approval subject to the following conditions being addressed (A markup layer is also provided on the site plan in Projectdox):

1. The Environmental Management Permit (EMP) and associated stormwater analysis shall be approved.
2. Overall Plan Cleanup: Address minor cleanup issues as identified on the Projectdox markup layer (ex. update engineer address, ensure any referenced details are included (ex. brick pavers), update proposed road names, etc.).
3. Demolition & Erosion Control Plan (Sheets C-107 & C-108): Add a note stating that final sediment and erosion control measures will be depicted within the environmental management permit.
4. Preliminary Plat (Sheets C-109 to C-111): Minor revisions and cleanup are necessary see Projectdox markup.
5. Site Plan (Sheets C112.1 & C-112.2): Expand the off-site sidewalk extension note to indicate that sidewalk shall be approved by Leon County Public Works and Environmental Services. Revise the proposed fencing note for Lot 11B to clarify that fencing within the HOA drainage easement, including the perimeter fence, shall not obstruct stormwater flow. Add a note clarifying that infrastructure shall comply with FDOT standards.
6. Autoturn (Sheet C-114): Restore the grading information around Pond 100 and 200 to demonstrate the path of the vehicle does not conflict with steep slopes.
7. Grading Plan (Sheet C-115 & C-115.1):
    a. Provide additional grading or notes showing runoff from Lots 1D, 2D and Lot 1C being routed to the SWMF drainage system. Add a note that additional information will be provided in the EMP demonstrating that offsite storm water runoff will be routed around proposed residential structures.
    b. Provide additional grading information in the southeast corner of Pond 200 sufficient to demonstrate runoff flow directions.
    c. The sand filter discharge pipe shall be included within the fenced area.
8. Utility Plan (Sheet C-116): Ensure sanitary sewer between Lots 16A and 18A is configured such that Lot 17A is accessible in the event the sewer requires repair or replacement. Remove the extra gas line in the vicinity of Lots 11D through 15D. Beneath the Brookside Utility Placement Guide detail specifically identify the deviations from the typical utility placement guide.
9. Landscape Plan (Sheet C-132): Minor revisions and cleanup are necessary see Projectdox markup.
10. Home Owners Association (HOA) Declaration of Covenants: Minor revisions and cleanup are necessary see Projectdox markup.

JOINT EXHIBIT OF THE PARTIES 30

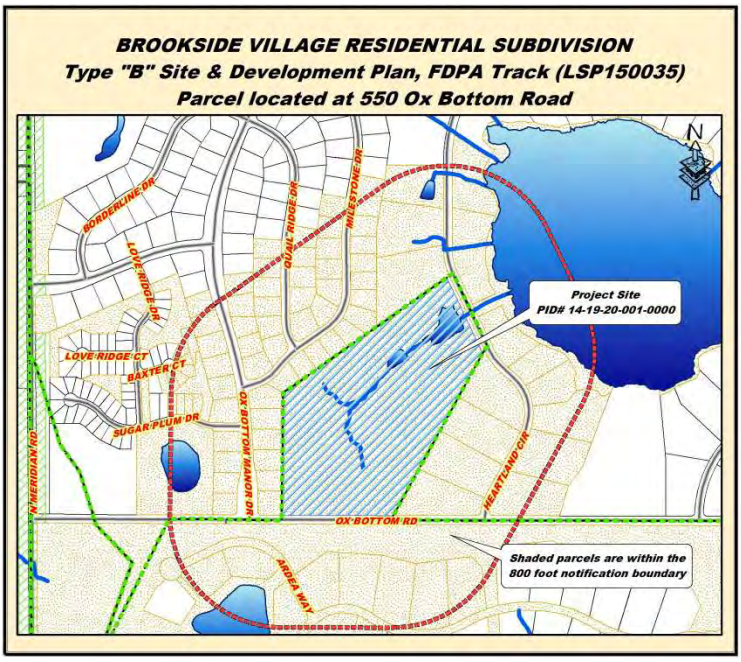
LEON COUNTY
DEPARTMENT OF DEVELOPMENT SUPPORT
AND ENVIRONMENTAL MANAGEMENT

Renaissance Center – 2nd Floor Conference Room
435 N. Macomb Street
Wednesday, August 16, 2017
10:00 a.m.

DEVELOPMENT REVIEW COMMITTEE MEETING:

10:00 a.m.	Project Name:	Brookside Village Residential Subdivision
	Review Level:	Type "B", Final Design Plan Approval (FDPA) Track
	Project ID#:	LSP150035
	Applicant:	Golden Oak Land Group, LLC
	Agent:	Urban Catalyst Consultants, Inc. (Sean Marston, P.E.)
	Parcel ID#:	14-19-20-001-0000
	Location:	550 Ox Bottom Road

The application proposes the development of a 61-lot single-family detached residential subdivision on the upland portion of the 35 +/- acre parcel with environmentally sensitive areas being contained within a conservation easement. Lot sizes range from 0.14 acres to 0.42 acres, with two larger lots of 2.00 acres and 2.19 acres being proposed adjacent to Heartland Circle. The project is being reviewed through the Type "B" Final Design Plan Approval (FDPA) Track. The Development Review Committee will make the final disposition on this project.



Development Services Contact: Shawna Martin
MartinS@leoncountyfl.gov
850-606-1385

In accordance with the Americans with Disabilities Act and Section 286.26, Florida Statutes, persons needing a special accommodation to participate in this proceeding should contact Community & Media Relations, 606-5300, or Facilities Management, 606-5000, by written or oral request at least 48 hours prior to the proceeding. 7-1-1 (TDD and Voice), via Florida Relay Service.

JOINT EXHIBIT OF THE PARTIES 31

Leon County

Board of County Commissioners

301 South Monroe Street, Tallahassee, Florida 32301
(850) 606-5302 www.leoncountyfl.gov

Commissioners

JOHN E. DAILEY
District 3
Chairman

NICK MADDOX
At-Large
Vice Chairman

BILL PROCTOR
District 1

JIMBO JACKSON
District 2

BRYAN DESLOGE
District 4

KRISTIN DOZIER
District 5

MARY ANN LINDLEY
At-Large

VINCENT S. LONG
County Administrator

HERBERT W.A. THIELE
County Attorney

Department of Development Support &
Environmental Management
Development Services Division
Renaissance Center, 2nd Floor
435 North Macomb Street
Tallahassee, Florida 32301-1019
Phone (850) 606-1300

August 18, 2017

Sean Marston, P.E. (agent)
Urban Catalyst Consultants, Inc.
2851 Remington Green Cir., Suite D
Tallahassee, FL 32308

RE: DRC Preliminary Decision of Conditional Approval
Brookside Village Residential Subdivision, Type "B" Site and Development Plan
Leon County Project ID#: LSP150035
Parcel ID#: 14-19-20-001-0000

Dear Mr. Marston:

This letter shall serve as the written preliminary decision of the DRC in accordance with Section 10-7.404 of the Leon County Land Development Code (LDC).

Leon County has completed the review process for the Brookside Village Residential Subdivision application in accordance with the requirements outlined in the LDC for Type "B" Site and Development Plan Review. This letter is to notify you that on Wednesday, August 16, 2017, the Leon County Development Review Committee (DRC) approved the above-referenced site and development plan subject to the conditions outlined in the Development Services staff report (and included attachments). A copy of this staff report is attached hereto and incorporated herein, and contains the findings in support of the decision of approval with conditions. Additional DRC conditions of approval were clarified on the record at the meeting in response to public comment received on the record and are set forth below.

The DRC approved the applicant's proposed development standards for the subdivision that included front, rear, side and side corner setbacks, as well as maximum building height, as outlined in the Development Services staff report. The DRC also granted a waiver from the requirement to provide vehicular and pedestrian interconnection pursuant to the criteria outlined in Section 10-7.502 (b)(2)(e)(ii) of the LDC.

The DRC made an additional condition of approval on the record, beyond those listed in the Development Services Staff Report, in response to public comment received on the record:

1. The applicant shall augment the existing natural buffer (proposed as a Type C+ buffer on the site plan) to achieve 90% opacity immediately at the time of planting from the southern property line of Lot 15A to the northern property line of Lot 17A to address visual impacts to a neighboring property in Moore Pond.

In addition to the conditional approval, the DRC strongly encourages the developer to work with the residents of the Rosehill subdivision to further address their concerns regarding car lights from the development being directed towards adjacent homes in their neighborhood.

Subsequent to the action of the DRC to approve a Type "B" site and development plan subject to conditions, the applicant shall furnish for review and verification by the DRC or their designee, a revised site and development plan application demonstrating compliance with all conditions. The revised site and development plan and Environmental Management Permit shall be submitted to the DRC or their designee within 90 days of the date of approval entity's action; however, the applicant may, upon demonstration of good faith effort and hardship that is not self-created, be granted a 90-day extension by the DRC or designee. Subsequent 90-day extensions may be requested and granted based on the same criteria. Failure to comply with these time limits shall render the site and development plan application approval expired.

Please submit one (1) hard copy of the revised site and development plan with signature block and upload a digital set to Project Dox. If you have a question about the information in this letter, please contact our office immediately. After the revised site and development plan has been received by this office, it will be provided to the DRC members for signature. After each DRC member signs the plans, a copy will be digitally uploaded into the Project Dox system for access by all interested parties. Please be advised that the site and development plan should only reflect changes that may be necessary to satisfy the above-referenced conditions. In all other regards, the plan should be identical to the site and development plan originally submitted for review.

AN AGGRIEVED OR ADVERSELY AFFECTED PERSON MAY REQUEST A QUASI-JUDICIAL HEARING PURSUANT TO SECTION 10-7.404 OF THE LDC.
Pursuant to Section 10-7.404 of the Leon County Land Development Code, this written preliminary decision of the DRC shall become the DRC's final decision 15 calendar days after it is rendered unless a person who qualifies as a party, as defined in Section 10-7.414, and who had filed written comments with the Department of Development Support & Environmental Management prior to the adjournment of the DRC meeting at which the decision was rendered, files a Notice of Intent to file an appeal of a decision on a site and development plan application. Subsequent to the filing of a Notice of Intent, a Petition must be filed within 30 calendar days from the date of rendition of the DRC's decision. Petitions shall be made in writing and directed to the Clerk of the DRC, and shall include the project name, application number, a description of the facts upon which the decision is challenged and all allegations of inconsistency with the Comprehensive Plan and land development regulations and any argument in support thereof. Failure to file both a Notice of Intent and a Petition is jurisdictional and will result in a waiver of the hearing. Hearings before a special master will be conducted in accordance with the procedures outlined in Sections 10-7.414 and 10-7.415 of the LDC.

This approval was based on the information presented at the DRC meeting, and is intended to meet the procedural requirements of the Leon County Code of Laws. As such, it does not waive any other applicable local, state, or federal regulations.

If you have any questions, please do not hesitate to contact Shawna Martin of our office at (850) 606-1300 or send email to "MartinS@leoncountyfl.gov".

Sincerely,

DAVID R MCDEVITT

David McDevitt, Development Support & Environmental Management Director
Chairman, Development Review Committee

cc: ProjectDox File LSP150035
Vincent S. Long, County Administrator (email)
Steve Ghazvini, Golden Oak Land Group LLC (email)
Tom Asbury, Golden Oak Land Group LLC (email)
Gary Hunter/David Powell, Hopping Green & Sams, P.O. Box 6526, Tallahassee, FL 32314
Phillip Downs (email: pd@dsg-research.com)
Bob Burton (email: bob.burton@wildwoodchurchonline.org)
Douglas Charity (email: charityda@att.net)
Chris Kise (email: CKise@foley.com)
Daniel Grant (email: danieljgrant@aol.com)
Diane Perkins (email: dedp70@gmail.com)
Gavin Burgess (email: gburgess14@gmail.com)
Jeannette Andrews (email: jandrews@Andrewscrabtree.com)
Moore Pond HOA, 3968 N. Monroe Street, Tallahassee, FL 32303 and 7113 Beech Ridge Tr., Suite #2, Tallahassee, FL 32312
Paul Mitchell (email: PMitchellKWF@aol.com)
Susan Morley (email: sdmorley311@gmail.com)
Susan & Emery Yelton, 232 Rosehill Drive North, Tallahassee, FL 32312 (email: susanwyelton@gmail.com)
Teresa Little, 7305 Heartland Circle, Tallahassee, FL 32312 (email: TELFL@aol.com)
Thomas Watkins, 323 Milestone Drive, Tallahassee, FL 32312
Gene Sherron, 6131 Heartland Circle, Tallahassee, FL 32312
Mallory Harrell, 319 Rosehill Drive E, Tallahassee, FL 32312
John Nowlin (email: johnwnowlin@earthlink.net)
Judy Barrett-Elmer (email: judyelmer@hotmail.com)
Lee Kotick, 6287 Heartland Circle, Tallahassee, FL 32312
Robert Reilly, Sara Lee/Spencer Road HOA (email: marreilly@comcast.net, ROJREILLY@comcast.net)
John Rhea (email: johngrhea@comcast.net)
Wesley White, 317 Thornberg Drive, Tallahassee, FL 32312
Chris Keena, 163 Cotillion Circle, Tallahassee, FL 32312
Rachel Bowden, 6247 Heartland Circle, Tallahassee, FL 32312 (email: yogadog@me.com)
Ox Bottom Manor HOA (Email List Attached)

I hereby certify that this order was rendered ~~unto~~ me this 18th day of Aug., 2017.

Pam Scott

Pam Scott
Clerk of the Development Review Committee

LEON COUNTY
Department of Development Support & Environmental Management

DEVELOPMENT REVIEW COMMITTEE MEETING
AUGUST 16 @ 10:00 a.m.

STAFF RECOMMENDATION: CONDITIONAL APPROVAL

PROJECT COORDINATOR:	Shawna Martin, Principal Planner, DSEM
PROJECT NAME:	Brookside Village Residential Subdivision (LSP150035)
ACREAGE:	35.17 +/- acres
LEVEL OF REVIEW:	Type "B" Site Plan, FDPA Track
APPLICANT/OWNER:	Golden Oak Land Group, LLC
APPLICANT'S AGENT:	Sean Marston, P.E., Urban Catalyst Consultants
CURRENT ZONING:	Residential Preservation (RP)
FUTURE LAND USE:	Residential Preservation (RP)
GROSS DENSITY:	1.73 dwelling units/acre
LOCATION:	550 Ox Bottom Road
ROADWAY ACCESS:	Ox Bottom Road (Major Collector Roadway)
UTILITY PROVIDER:	City of Tallahassee Utilities
APPROVAL BODY:	Leon County Development Review Committee (DRC)

<table>
<tr><th colspan="2">CONDITIONS OF APPROVAL</th></tr>
<tr><td>1</td><td>Development Standards: The proposed development standards shall receive a favorable recommendation from the DRC.
<table>
<tr><th colspan="3">Proposed Development Standards</th></tr>
<tr><td></td><td>Block A, B, C & D (minus Lots 12D, 14D & 15D)</td><td>Lots 12D, 14D & 15D</td></tr>
<tr><td>Front yard setback</td><td>15 feet</td><td>15 feet</td></tr>
<tr><td>Rear yard setback</td><td>15 feet</td><td>10 feet</td></tr>
<tr><td>Side interior yard setback</td><td>5 feet</td><td>5 feet</td></tr>
<tr><td>Side corner yard setback</td><td>15 feet</td><td>15 feet</td></tr>
<tr><td>Height maximum*</td><td>2 story; max of 40 feet</td><td>2 story; max of 40 feet</td></tr>
</table>
*See Finding #4</td></tr>
<tr><td>2</td><td>General Layout & Design Standards: The proposed development shall receive a favorable recommendation from the DRC waiving the code requirement for vehicular and pedestrian interconnection with adjoining residential subdivisions based on the criteria listed in Section 10-7.502(b)(2)(e).</td></tr>
<tr><td>3</td><td>Environmental Management Permit (EMP): The EMP and associated stormwater report and model shall be approved prior to site plan approval.</td></tr>
<tr><td>4</td><td>Land Development Code & Comprehensive Plan: All applicable standards in the Leon County Land Development Code and the Tallahassee-Leon County Comprehensive Plan shall be met, including but not limited to those outlined below and in the attached staff reports.</td></tr>
<tr><th colspan="2">OUTSTANDING DEFICIENCIES</th></tr>
<tr><td>1</td><td>Technical Revisions: Please refer to the attached staff memorandums and markups in ProjectDox for requested revisions to the site plan. All revisions shall be addressed prior to site plan approval.</td></tr>
</table>

PROJECT SUMMARY:
The site is located inside the Urban Services Area, is zoned Residential Preservation and has a Residential Preservation designation on the Future Land Use Map of the Tallahassee-Leon County Comprehensive Plan. The project proposes 61 single-family detached dwelling units at a density of 1.73 dwelling units per acre. Lot sizes range from 0.14 acres to 2.19 acres in size with an average lot size of 0.26 acres. Development is proposed on the upland portions of the property with environmentally sensitive areas being preserved in a conservation easement. Access is provided from Ox Bottom Road, a major collector roadway. This will be a public subdivision with streets and stormwater management facilities to be dedicated to and maintained by Leon County.

ARTICLE VII. Subdivision and Site and Development Plan Regulations; Site and Development Plan Criteria, Section 10-7.407:
The Leon County Land Development Code requires that a site and development plan comply with three general standards (in addition to compliance with Sections 10-7.107 and 10-7.108), which include:
1. Whether the applicable zoning standards and requirements have been met;
2. Whether the applicable provisions of the Environmental Management Act have been met; and
3. Whether the requirements of Chapter 10 and other applicable regulations or ordinances which impose specific requirements on site and development plans and development have been met.

APPLICATION REVIEW COMMITTEE STAFF FINDINGS:

Finding #1 – Tallahassee-Leon County Comprehensive Plan: *The application has been determined consistent with the Tallahassee-Leon County Comprehensive Plan and the Planning Department recommends conditional approval for the site plan pending approval of the Environmental Management Permit and associated stormwater report (Attachment #1).*

Finding #2 – Concurrency (Section 10-3.105a): *Leon County and City of Tallahassee Concurrency Management performed traffic impact analyses for the proposed development and determined that the proposal will not require transportation concurrency mitigation. A traffic study was not required as the project generates less than 100 p.m. peak hour trips. A Preliminary Certificate of Concurrency has been issued for the proposed development.*

A School Impact Analysis (SIA) application was submitted to the Leon County School Board for review and was approved at their board meeting on February 9, 2016. A revised SIA form that provided updated information on home sizes was submitted and approved by the School Board on June 20, 2017.

Finding #3 –Environmental Management (Article IV) and Stormwater Management (Section 10-7.521): *Environmental Services has reviewed the site plan and Environmental Management Permit, including the stormwater report and model, for consistency with the Environmental Management Act. Environmental Services has provided conditional approval of the site plan provided that the deficiencies listed in their staff report and site plan markups in ProjectDox are addressed prior to final site plan approval (Attachment #2).*

Finding #4 – Residential Preservation Zoning District (Section 10-6.617): *The metes-and-bounds property is located inside the Urban Service Area, is not located within a recorded or unrecorded subdivision, and proposes connection to City of Tallahassee central sanitary sewer and potable water. The application requests an overall gross density of 1.73 dwelling units per acre, which falls within the permitted density range of 0 to 6 dwelling units per acre allowed in the RP zoning district and defined by the LDC as low density residential. The proposed development type is detached, single-family dwellings which is consistent with adjacent residential development patterns.*

The applicant submitted a Compatibility Analysis prepared by Wendy Grey addressing common compatibility criteria such as density, building size, lot size, lot coverage and orientation, scale and height, mass and bulk, screening and buffering, architecture, setback and traffic circulation. The analysis compared these criteria with other residential subdivisions within one quarter mile of the subject site which included Moore Pond, Ox Bottom Manor, Ox Bottom Gardens and Rose Hill subdivisions. The analysis noted that there was a potential issue of compatibility related to the visual impact of smaller lot sizes and subsequently higher building mass in Brookside Village where it adjoins Moore Pond and Ox Bottom Manor. To mitigate this potential issue, the applicant has provided buffering and screening which is significantly wider and denser than required by code (see Finding #7 below for specific details).

For new residential development in the RP zoning district not located in a recorded or unrecorded subdivision, the applicable development standards including, but not limited to front, rear, side and side corner yard setbacks shall be established at the time of site and development plan review. A note has been placed on the site plan indicating the homes within the subdivision will be 1 story and 1 ½ stories with the exception of Lots 17A and 2C which may be 2 stories. The habitable area of the homes with 1 ½ stories will be located toward the front of the home and no upper story widows will be facing adjoining subdivisions. The DRC is the entity that shall approve the proposed development standards for new single-family detached developments in the RP zoning district.

> ***Condition of Approval:*** *The proposed development standards shall receive a favorable recommendation from the DRC.*

Finding #5 – General Layout and Design Standards (Section 10-7.502): *The site plan demonstrates that the lots have sufficient buildable area, meets the minimum frontage requirements of 15 feet or more, and provides sufficient off-street parking. A note has been placed on the site plan to avoid double frontage lots for those lots adjacent to Ox Bottom Road and the divided subdivision entrance drive. Public Works has provided comments related to the proposed public street system design as well as providing markups in ProjectDox (Attachment #8). All requested changes shall be reflected in the final site plan submittal.*

Section 10-7.502(b)(2) requires that streets interconnect within a development and with adjoining development, unless physical conditions preclude an interconnection now or in the future. Properties surrounding the subject parcel are fully developed as single-family detached subdivisions. To the east and northeast is Moore Pond Subdivision, a private, gated subdivision, which accesses Ox Bottom Road via Heartland Circle, a privately maintained roadway. To the west and northwest are the Ox Bottom Gardens and Ox Bottom Manor subdivisions. There does not appear to be a feasible location for future interconnection with adjoining developments now or in the foreseeable future. The DRC shall assess feasibility and make the final determination on the requirement for interconnection.

> ***Condition of Approval****: The proposed development shall receive a favorable recommendation from the DRC waiving the code requirement for vehicular and pedestrian interconnection with adjoining residential subdivisions based on the criteria listed in Section 10-7.502(b)(2)(e).*

Finding #6 – General Principals of Design Related to Impacts on Nearby Streets and Property Owners (Section 10-7.505): *The development has been designed to be as compatible as practical with nearby development and characteristics of the land by: preserving environmentally sensitive areas on-site and focusing development outside of these areas; providing recreational opportunities (hiking trails) within the conservation easement; providing boundary buffers including fencing and screening; providing for the ongoing operation and maintenance of supporting infrastructure; and providing stormwater management facilities that minimize adverse environmental impacts both on-site and off-site.*

Finding #7 – Buffer Zone Standards (Section 10-7.522)*: The RP zoning district requires a minimum of a 10 foot, Type A landscape buffer around the entire perimeter of the site adjacent to other residential development. A 10-foot, Type A landscape buffer has been provided along the majority of the northern and northeastern property lines. The applicant has provided 25-foot, Type "C" plus (enhanced) landscape buffers along the west, east and southern property boundaries. Buffer areas adjacent to Moore Pond are further enhanced with a berm and an 8 foot wooden fence interior to the buffer. An additional 8 foot wooden fence has been provided adjacent to Ox Bottom Manor parcels to the north of the cul-de-sac. The proposed boundary buffers will utilize existing vegetation and augment as needed with evergreen species to achieve the buffer standards. The landscape plan indicates that the proposed buffers will achieve approximately 75% opacity at the time of planting and 90% within 5 years.*

A landscape buffer is not required along Ox Bottom Road; however, the developer has provided a 25-foot, Type "C" plus buffer in this area as well. Environmental Services has indicated in their staff report (Attachment #2) that the proposed density and width of buffer plantings to the east of the entrance drive cannot be supported with the existing drainage swale and needs to be addressed prior to site plan approval.

Finding #8 – Water, Sewer and Electric Service (Sections 10-7.523, 10-7.524 and 10-7.526): *The City of Tallahassee Water Resources Engineering Department and the City of Tallahassee Power Engineering Department have provided approval of the concept site utility plan dated 6/30/17 (Attachments #3 and #4). The signed concept utility plan shall be included as a sheet in the final plan set.*

Finding #9 – Fire Protection Services (Section 10-7.527): *The City of Tallahassee Fire Department has provided conditional approval of the proposed development with the requirement that additional notes be placed on the Site Utility Plan (Sheet C-116) as outlined in their staff report (Attachment #5). All Fire Department requirements as set forth on Sheet C-116 and in the attached memorandum shall be met at the applicable stage of development.*

Finding #10 – Sidewalks (Section 10-7.529): *Sidewalks have been provided along one side of the new streets within the proposed residential subdivision and adjacent to Ox Bottom Road as required by code. At staff's recommendation, the applicant has extended the sidewalk along Ox Bottom Road further than required in order to connect to existing sidewalks along Ox Bottom Manor Drive. This helps to eliminate sidewalk gaps and facilitate pedestrian mobility.*

Finding #11: Off-Street Parking Spaces (Sec. 10-7.545): *The site plan indicates that a 5-bedroom home will be the maximum building standard which would require each lot to accommodate 3 parking spaces. The typical section indicates that each lot should be able to accommodate 2 parking spaces within an attached garage and 2 spaces within the driveway without blocking sidewalks or streets.*

Finding #12– Plats (Article XII, Div. 6): *No building permit shall be issued for a project that requires platting until a plat has been accepted and approved by the Board of County Commissioners and recorded in the plat books of the County. The applicant must submit a final plat. No plat shall be approved and accepted by the County unless and until the developer has installed all infrastructure improvements.*

Finding #13 – Articles, Bylaws and Restrictive Covenants (Section 10-7.610): *The County Attorney's Office has reviewed and approved as to form and manner of execution the draft Declarations and Covenants, Conditions and Restrictions, Articles of Incorporation and Bylaws for the proposed subdivision (Attachment #6). These shall be recorded along with the plat.*

Finding #14 – On-Site Signs (Article IX): *A sign easement area has been provided for a future subdivision sign adjacent to the entrance drive; however it appears the proposed easement area conflicts with drainage and underground infrastructure. The applicant shall relocate the sign easement to an appropriate area. A separate sign permit application must be submitted for approval prior to sign placement that demonstrates the sign does not create a physical or visual hazard for motorists entering or leaving the subdivision.*

Finding #15 – Aquifer Protection (Article X, Div. 1): *The Aquifer Protection Division has provided clearance contingent on the action items outlined on Sheet C-107 of the site plan being completed prior to site development.*

Finding #16 – Uniform Street Naming and Property Numbering System (Article XI) (Article XI): *The County's Addressing Unit has approved both the subdivision name and the street names for the proposed development (Attachment #7). The approved street names of Village Ridge Lane and Village Ridge Way shall be reflected on the final site plan.*

PUBLIC NOTIFICATIONS AND RESPONSES:

Agenda posted on County website	8/03/17
Legal advertisement	8/09/17
Sign posted to property (by applicant)	8/04/17
Mail notifications (property owners and HOA's)	8/04/17
Notices Mailed	104
Notices Returned	3
Written public comments submitted by 8/15/17 at 6:00 pm have been uploaded to ProjectDox and provided to the DRC for review. Any subsequent public comments will be provided to the DRC at the meeting and uploaded to ProjectDox after the meeting.	

ATTACHMENTS:

1. Memorandum from the Tallahassee Leon County Planning Department (TLCPD)
2. Memorandum from the Environmental Services Division
3. Memorandum from the City of Tallahassee Water Resources Engineering Department
4. Memorandum from the City of Tallahassee Electric Power Division
5. Memorandum from the City of Tallahassee Fire Department
6. Email from the County Attorney's Office
7. Memorandum from the DSEM Addressing Section
8. Memorandum from Public Works

PLANNING DEPARTMENT
a division of PLACE

MEMORANDUM

Submitted to ProjectDox August 14, 2017

TO: **Leon County DRC Members**

FROM: Susan Poplin, Principal Planner

THROUGH: Russell Snyder, Planning Land Use Administrator

DATE: August 4, 2017

SUBJECT: Brookside Village Residential Subdivision (Type B) FDPA Track LSP 150035
Leon County Development Review Committee Meeting August 16, 2017

APPLICANT: Golden Oak Land Group, LLC
AGENT: Sean Marston, P.E., Urban Catalyst Consultants
PARCEL ID: 14-19-20-001-0000
ZONING: Residential Preservation
FUTURE LAND USE: Residential Preservation

Findings

1. The proposed project is for the development of a 61-unit single-family residential subdivision on 35 acres north of Ox Bottom Road near Heartland Circle road. The project is adjacent to and accessed by Ox Bottom Road, which is a Leon County major collector.

2. The proposed project is consistent with the density and intensity of the Residential Preservation Future Land Use Map Category of the *Tallahassee-Leon County Comprehensive Plan*.

3. Residential Preservation Future Land Use Element Policy 2.2.3 states that its primary function is to protect existing stable and viable residential areas from incompatible land use intensities and density intrusions. The Brookside project's proposed gross density at 1.73 dwelling units per acre is classified as low-density residential in the comprehensive plan. The density of surrounding neighborhoods is also classified as low-density residential, ranging from 2.13 dwelling units/acre (Ox Bottom Gardens) down to .17 dwelling units per acre (Rosehill). The densities are consistent with low-density residential uses identified in the comprehensive plan and the land development code.

   The Leon County Land Use Development Matrix and Conservation Policies 1.3.2.d, 1.3.3., and 2.2.5, indicate density of development will be permitted only to the extent that sufficient stormwater capacity is available. A compatibility analysis dated October 19, 2016 and updated April 26, 2017, provided by the applicant, examines Conservation Policies 1.3.2 and 1.3.3 including provisions for stormwater and conservation. Conservation Policies 1.3.2.d, 1.3.3 and 2.2.5 provide that the areas permitted to develop are dependent on sufficient stormwater capacity within a closed basin (which applies in this case) to ensure maintenance of water quality and flow. The current conditions provide for surface flow of stormwater from ravines, eventually draining to Moore Pond. The application indicates that adequate

stormwater is provided for the project including on-site retention facilities for a 100-year, 24-hour storm event. Additionally, stormwater within the ponds will be recovered via exfiltration trenches, which will be filtered down to the groundwater. The applicant's response to comments dated April 19, 2017 states that the proposed stormwater facilities exceed the required Leon County stormwater standards and meet the closed basin standards for retention. A second response document submitted August 2, 2017 states that the applicant has provided a revised stormwater analysis to Leon County that demonstrates appropriate treatment and retention; and provides for continued groundwater and surface water flow to Moore Pond. Leon County staff are in the process of analyzing the recently submitted stormwater analysis to determine if it meets the local code requirements; until that analysis is completed Planning cannot determine if consistency with the Conservation Element of the comprehensive plan is maintained. It is recommended that the final approval of the site plan be contingent on the County's final approval of the stormwater analysis.

With regard to conservation within the project, the application includes a large conservation area centrally located on the property. The conservation area includes natural features on the site including floodplains, wetlands and steep slopes. The conservation areas are to be dedicated as conservation easements in perpetuity with the Brookside HOA responsible for maintenance.

Land Use Element Policy 2.2.3.e states that a number of factors shall be considered when determining a land use is compatible with the residential preservation land use category. There is no proposal to change the assigned land use in this case. It does not appear the compatibility criteria in section 2.2.3.e are readily applicable to the proposed project given both the existing and proposed uses are both low-density Residential Preservation land uses. Nonetheless, Planning staff have reviewed the criteria as additional information, including intensity, density, scale, building size, mass, bulk, height and orientation, lot coverage, lot size/configuration, architecture, screening, buffers (including vegetative buffers), setbacks, signage, lighting, traffic circulation patterns, loading area location, operating hours, noise and odor. The applicant provided a compatibility analysis dated October 19, 2016 and updated April 26, 2017, conducted by land use consultant Wendy Grey, that examines these factors with regard to the project:

- Density: The density of the proposed development is 1.73 dwelling units per acre, which is comparable with adjacent Ox Bottom Gardens and Ox Bottom Manor, 2.13 and 1.10 dwelling units per acre, respectively. It is also within the allowable range for the Residential Preservation land use category which allows up to 6 dwelling units per acre within the category.

Table 1 Subdivision Density

Subdivision	Density (dwelling units/acre)
Ox Bottom Gardens	2.13
Brookside Village	1.73
Ox Bottom Manor	1.10
Moore Pond	.23
Rose Hill	.17

- Scale: Building scale is usually associated with more urban settings that include multiple stories. The limitation of the dwellings to 2 stories or less in the Brookside development ensures that the scale of the buildings are lower and similar to those in surrounding neighborhoods.

- Building Size, Mass and Bulk: As a measure of mass and bulk, the compatibility analysis examined the ratio of the linear building to linear frontage on the property line. Brookside has a higher ratio at approximately .81 along the Ox Bottom Manor side and .82 along the Moore Pond side. Ox Bottom Manor and Moore pond have ratios of .45 and .29 respectively. There is notable difference in these ratios, but given the separation between the two subdivisions including an intervening conservation area, buffer and larger lots provided in the rear of the proposed subdivision, staff does not believe there is a negative impact based on the measure of mass and bulk. With regard to building size, there is a wide range from 3,400 square feet to 14,929 square feet in surrounding neighborhoods. Brookside dwellings are sized between 2,848 square feet and 3,278 square feet with an average of 3,063 square feet. These dwelling sizes are consistent with those in adjacent subdivisions.

Table 2 Building Size

Subdivision	Building Size Range (Square Feet)	Average Building Size (Square Feet)
Moore Pond	3,485-14,929	6,301
Rose Hill	3,732-10,620	6,143
Ox Bottom Manor	2,329-4,817	3,459
Brookside Village	2,848-3,278	3,063
Ox Bottom Gardens	1,974-3,249	2,389

- Height and Orientation: The surrounding area includes residential uses that are a mix of one-story, 1½ story and 2-story dwellings. Brookside will consist of 1 and 1½-story dwellings. The dwellings are oriented such that upper stories are on the front portion of the homes and no windows face adjacent subdivisions. This height and orientation is consistent with others in the surrounding area, and minimizes view encroachments.

- Lot Coverage, Size/Configuration: Lot coverage is measured by comparing the building size in square feet to the lot size in square feet to derive a percentage. The compatibility analysis examines the lot coverage for Brookside Village and surrounding areas and has identified the average lot coverage as 23%. Comparatively, it is within the range of surrounding subdivisions where lot coverages vary from 5% (Moore Pond) up to 28% (Ox Bottom Gardens).

Table 3 Lot Coverage

Subdivision	Lot Coverage %
Moore Pond	5%
Rose Hill	6%
Ox Bottom Manor	10%

Brookside Village	23%
Ox Bottom Gardens	28%

For lot size, Brookside Village is within the range of surrounding subdivisions, which vary from an average of 3.08 to .19. The larger lots are found in Moore Pond and Rose Hill subdivisions. To better assimilate with these subdivisions, Brookside Village has proposed two larger lots that are more than 2 acres in size in the rear of the project adjacent to Moore Pond. The project also proposes buffers and screens which are described in more detail below.

Table 4 Lot Size

Subdivision	Lot Size (Acres)	Average Lot Size (Acres)	Total # of Dwelling Units
Moore Pond	1.49-12.39	3.08	52
Rose Hill	1.48-6.97	2.53	83
Ox Bottom Manor	.53-.96	.67	623
Brookside Village	.14-2.51	.27	61
Ox Bottom Gardens	.13-.32	.19	67

- Architecture: The compatibility analysis compares the proposed architecture of Brookside Village with those in surrounding neighborhoods. Within the Ox Bottom Manor and Ox Bottom Gardens typical features include peaked roofs, brick or stucco front facades and covered entrances. The analysis provides sample pictures of anticipated Brookside Village architecture which has the same roof and entrance features. Brookside Village appears to be typical suburban development.
- Screening and Buffers: Buffers for the surrounding subdivisions were compared with those proposed for Brookside Village. The buffers are smaller than those in Rose Hill and Ox Bottom Gardens. Moore Pond and Ox Bottom Manor did not provide buffers as part of the subdivision plats.

Table 5 Buffers Provided in Subdivision Plats

Subdivision	Buffer
Rose Hill	Approximately 100 feet (labeled "Common Area"). Additional 100 foot utility easement provided along eastern property line
Ox Bottom Gardens	Approximately 75 feet along boundary with Ox Bottom Manor
Brookside Village	25 feet Type C+ Buffer (east/south/west); some 8 Foot Fence
Moore Pond	None provided in plat
Ox Bottom Manor	None provided in plat

Brookside Village is proposing a 25-foot wide buffer with Type C+ plantings along Ox Bottom Road, adjacent to Ox Bottom Manor and the along the eastern boundary adjacent to Moore Pond. The proposed Type C+ buffer includes plantings of 7 evergreen canopy trees, 6 evergreen understory trees and 24 evergreen shrubs per 100 linear feet of buffer. The buffer along the eastern and northwestern portion of the property also includes an 8-foot fence. Along the northern and northeastern boundaries, the project proposes a 10-foot Type A buffer which includes plantings of 1.2 canopy trees, .4 understory trees and 4 shrubs per 100 linear feet. Staff believes the project has provided satisfactory buffers to adjacent suburban residential development.

- Setbacks: The compatibility analysis states that site visits and aerial images reveal that setbacks appear to be typical for suburban residential development: e.g., buildings are set back from the curb (as opposed to being placed near the front property line) and from adjoining properties (e.g., no zero lot lines). Staff concurs with the analysis. It appears the setbacks for Ox Bottom Manor range from 75 to 100 feet, for Ox Bottom Gardens, from 18 to 30 feet, and for Moore Pond, from 75 to 150 feet. Brookside Village has setbacks of 15 feet from the right-of-way. Brookside Village setbacks are consistent with the pattern in neighboring Ox Bottom Gardens but not Ox Bottom Manor or Moore Pond.

- Traffic Circulation Patterns: The proposed traffic circulation pattern includes an internal road system as well as sidewalks throughout the project, connection to Ox Bottom Road, and a passive recreation path. Staff does not identify any negative issues with the proposed circulation plan.

- Items Not Applicable to the analysis for this development include signage, lighting, loading area locations, operating hours, noise and odor, which are associated with nonresidential development.

4. The Mobility Element of the Tallahassee-Leon County Comprehensive Plan requires development to provide full accommodations for pedestrian access and movement including sidewalks and enhanced crossings (Mobility Element Policies 1.1.8(a-b), 1.2.3 and 1.4.3). The application shows a 6-foot sidewalk along Ox Bottom Road and internal to the project. The sidewalk along Ox Bottom Road connects to the existing facility that runs north along Ox Bottom Manor Road. The application also indicates the intent to place passive trails within the Conservation Area (a recommended design alternative).

5. The Conservation Element of the Tallahassee-Leon County Comprehensive Plan requires that wetlands and floodplains be regulated as conservation or preservation features, and that wetland function be preserved [Conservation Policies 1.3.1, 1.3.2, 1.3.4, 1.3.6, 2.2.1 and 2.2.2]. The application identifies the details of planned wetland, floodplain and significant slope conservation within the proposed project. The features are contained within an 11+ acre conservation easement. The conservation area includes natural features on the site including floodplains, wetlands and steep slopes. Additionally, the application also reflects a passive trail within the Conservation Area which was a recommended design alternative previously. The conservation areas are to be dedicated as conservation easements in perpetuity with the Brookside HOA responsible for maintenance.

Planning Department Recommendation

The Planning Department recommends that the Brookside Village Type B site plan application (LSP1500035) as submitted on August 2, 2017 be approved subject to the condition that the applicant receive final County approval for the stormwater analysis, as discussed in detail on page 2 above.

Board of County Commissioners

Interoffice-Memorandum

DATE: August 15, 2017

TO: Shawna Martin, Principal Planner, Development Services

FROM: Anna Padilla, P.E., CFM, Sr. Environmental Engineer, Environmental Services

SUBJECT: Brookside Village
Project ID: LSP15-0035; Type B – FDPA Track
Tax Identification Number: 14-19-20-001-000-0
Development Review Committee

Environmental Services has reviewed the revised Site Plan (LSP15-0035), received August 2, 2017, and the Environmental Management Permit (LEM15-00072) resubmittal, received July 21, 2017, for the Brookside Village Subdivision. The following are our findings and deficiencies within the Site Plan.

1. The specified minimum finished floor elevations and proposed grading plan do not demonstrate compliance with Leon County's Floodplain Management section of the Land Development Code.
2. A Concept Grading Plan for lots 2D – 14D was received; however, this grading plan does not adequately demonstrate that off-site stormwater runoff from Ox Bottom Manor will not cause adverse impacts to the new residential dwelling units for all lots shown.
3. The proposed sign easement along Ox Bottom Road is also located in the middle of a stormwater swale, and at the entrance to the proposed culvert under Village Ridge Lane.
4. Several areas on the grading plan sheets need refined. Proposed contours do not tie into existing contours, several lots appear to bypass the stormwater management system, and the proposed typical swale on the lot lines cannot be constructed in some areas of proposed mass grading, causing lot-to-lot drainage issues.
5. The area of clearing within the tree line and outside of the conservation easement, as well as the associated tree debits (based on the representative sample area) is not included in the tree debit table.
6. The visual screen (proposed Carolina jasmine) is not provided along lot 1C or along the top of the retaining wall along Village Ridge Lane West.
7. Various other minor deficiencies and corrections were noted in the ProjectDox mark-ups on the Site Plan.

The Environmental Management Permit (EMP) resubmittal contains deficiencies; however, the outstanding items are minor and staff has been in contact with the Engineer regarding our comments. It is not anticipated that any revisions to the stormwater model or EMP will alter the site layout.

The Environmental Services Division does not object to a conditional approval, provided that the deficiencies listed above are addressed to the satisfaction of Environmental Services prior to final Site Plan approval.

City of Tallahassee
UNDERGROUND UTILITIES
"Setting the Standard for Excellence"

MEMORANDUM

TO: Shawna Martin
Senior Planner – Leon County
FROM: Justin Hosey, P.E.
Program Engineer - Water Resources Engineering
DATE: August 15, 2017
SUBJECT: LSP150035 Brookside Village

I. Project Description:

Proposed single-family residential detached subdivision on a 35.18 acre parcel along Ox Bottom Road. The parcel is zoned Residential Preservation (RP).

II. Standards of Review:

1) Water Resources Engineering reviews utility service/concept plans for compliance with, *the Water and Sewer Agreement, The City of Tallahassee Design Specifications for Water and Sewer, Florida Department of Environmental Protection (FDEP) F.A.C. Section 62-555, The American Water Works Associations Manual of Practice "M31", FDEP F.A.C. Section 62-604, and FDEP MOP 9, as well as sound engineering practice.*

III. Findings of Fact:

1) Water and sewer are available to the site.
2) Connection to water and sewer is required.

IV. Condition of Approval:

1) Water Resources Engineering has approved a "Water and Sewer Concept Plan" dated 6/30/17.
2) A Letter of Agreement (LOA) will be required prior construction plan approval.
3) Construction plans must be stamped approved by Water Resources Engineering prior to holding a pre-construction conference.

Water Resources Engineering Contact Information

Justin Hosey, P.E.
justin.hosey@talgov.com
891-6182

Bruce Kessler
bruce.kessler@talgov.com
891-6105

Mailing Address:
300 S. Adams St. B-26
Tallahassee, FL 32301

Office Location
408 N. Adams St. 3rd Floor
Tallahassee, FL 32301

City of Tallahassee
Your Own Utilities℠

Date: August 15, 2017

To: Shawna Martin

From: Tina Drose, COT Electric – Power Engineering
2602 Jackson Bluff Road, Tall, FL 32304
Tina.Drose@Talgov.com

Subject: LSP150035 – Brookside Village Residential

The proposed development is within the City of Tallahassee – Electric Utility's service territory. Electric service is available from an existing overhead power lines along Ox Bottom Road. Easements will be required to serve the development as part of final plat and Letter of Agreement. Developer will be required to provide the Electric Utility with final plans that included the final approved water and sewer layout. Electric has approved the proposed utility placements as indicated in the submitted plan set. Subdivision is located outside the city limits and will pay a fee for underground electric power within the development. Relocation of any existing facilities that must remain in service will be at the property owner's expense. Please contact Houston Whitfield (850-891-5609) to coordinate electric design for the subdivision.

TALLAHASSEE FIRE DEPARTMENT
SITE PLAN REQUIREMENTS

Project Name:	Brookside Village
Parcel ID #	14-19-20-001-0000
	LSP 150035
AGENT:	Urban Catalyst Consultants
PLANNER:	Shawna Martin
MEETING DATE:	August 16, 2017

Listed below are the Tallahassee Fire Department's conditions of approval for the Brookside Village project. Notes shall be placed on the Site Utility Plan (Sheet C-116) that state:

1. "Consistency with applicable provisions of the currently adopted Florida Fire Prevention Code shall be required during the building plan review process for each home built on Lots 17A and 2C."

2. "If unsupervised and isolated above ground fuel storage tanks are to be located on the property during construction, City of Tallahassee Plans Review staff must be contacted prior to tank installation. *NFPA 1, 66.21.7.2.1 and 66.21.7.2.2, Fifth Edition of the Florida Fire Prevention Code."*

3. "The required width of a fire department access road shall not be obstructed in any manner, including the parking of vehicles. *NFPA 1, 18.2.4.1.1, Fifth Edition of the Florida Fire Prevention Code)."*

Gary Donaldson
Tallahassee Fire Department
435 N. Macomb St. – 1st Floor
Tallahassee FL 32301
(850)891-7179
Gary.Donaldson@talgov.com

ATTACHMENT #6

Shawna Martin - Re: Covenants & Restrictions ~ Brookside Village

From: Patti Poppell
To: Martin, Shawna
Date: 08/04/2017 4:24 PM
Subject: Re: Covenants & Restrictions ~ Brookside Village
CC: Icerman, Jessica

Shawna,

Yes, the Covenants & Restrictions are fine as to form.

Thank you,

Patti

Patti L. Poppell
Sr. Paralegal
Leon County Attorney's Office
Suite 202
301 South Monroe Street
Tallahassee, Florida 32301
(850) 606-2500 Phone
(850) 606-2501 Fax

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>>> Shawna Martin 8/4/2017 8:28 AM >>>
Patti,
Can you please take one final look at the revised C&R for Brookside (attached) and let me know if you approve them to form?
Thank you!
Shawna

Shawna Martin, AICP
Principal Planner,
Development Services Division
Department of Development Support & Environmental Management
Renaissance Center, 2nd Floor
435 North Macomb Street
Tallahassee, Florida 32301-1019

LEON COUNTY
DEVELOPMENT SUPPORT AND ENVIRONMENTAL MANAGEMENT
Addressing Unit *Memorandum*

DATE: August 7, 2017

SUBJECT: LSP150035 – Brookside Village Residential Subdivision

Addressing Staff Contact: Lisa Scott, Addressing Program Coordinator

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Finding:

Agreed Upon Suffix Changes from the May 2, 2017 Street Naming Communication.

Suffixes must be changed on the existing site plan to:

A. Village Ridge Lane – starting at the intersection of Ox Bottom Rd continuing west.

B. Village Ridge Way – branching east off Village Ridge Ln.

BOARD OF COUNTY COMMISSIONERS
MEMORANDUM

DATE: August 15, 2017

TO: Shawna Martin, Principal Planner

FROM: Charley M. Schwartz, P.E., Senior Design Engineer

THROUGH: Kimberly A. Wood, P.E., Chief of Engineering Coordination

SUBJECT: Brookside Village Subdivision (LSP150035) : Type B – FDPA Track
Development Review Committee Meeting for August 16, 2017

Public Works recommends approval subject to the following conditions being addressed (A markup layer is also provided on the site plan in Projectdox):

1. The Environmental Management Permit (EMP) and associated stormwater analysis shall be approved.
2. Overall Plan Cleanup: Address minor cleanup issues as identified on the Projectdox markup layer (ex. update engineer address, ensure any referenced details are included (ex. brick pavers), update proposed road names, etc.).
3. Demolition & Erosion Control Plan (Sheets C-107 & C-108): Add a note stating that final sediment and erosion control measures will be depicted within the environmental management permit.
4. Preliminary Plat (Sheets C-109 to C-111): Minor revisions and cleanup are necessary see Projectdox markup.
5. Site Plan (Sheets C112.1 & C-112.2): Expand the off-site sidewalk extension note to indicate that sidewalk shall be approved by Leon County Public Works and Environmental Services. Revise the proposed fencing note for Lot 11B to clarify that fencing within the HOA drainage easement, including the perimeter fence, shall not obstruct stormwater flow. Add a note clarifying that infrastructure shall comply with FDOT standards.
6. Autoturn (Sheet C-114): Restore the grading information around Pond 100 and 200 to demonstrate the path of the vehicle does not conflict with steep slopes.
7. Grading Plan (Sheet C-115 & C-115.1):
    a. Provide additional grading or notes showing runoff from Lots 1D, 2D and Lot 1C being routed to the SWMF drainage system. Add a note that additional information will be provided in the EMP demonstrating that offsite storm water runoff will be routed around proposed residential structures.
    b. Provide additional grading information in the southeast corner of Pond 200 sufficient to demonstrate runoff flow directions.
    c. The sand filter discharge pipe shall be included within the fenced area.
8. Utility Plan (Sheet C-116): Ensure sanitary sewer between Lots 16A and 18A is configured such that Lot 17A is accessible in the event the sewer requires repair or replacement. Remove the extra gas line in the vicinity of Lots 11D through 15D. Beneath the Brookside Utility Placement Guide detail specifically identify the deviations from the typical utility placement guide.
9. Landscape Plan (Sheet C-132): Minor revisions and cleanup are necessary see Projectdox markup.
10. Home Owners Association (HOA) Declaration of Covenants: Minor revisions and cleanup are necessary see Projectdox markup.

Ox Bottom Manor HOA Letters [Email Recipients]:

Aagaard, Harold <Harald.aagaard@gmail.com>,Aagaard, Teresa <Aim4proverbs31@yahoo.com>,Abraham, Sunil <sendsunilmail@yahoo.com>,Allen, Beth <beth@robertjallen.com>,Allen, Robert <rob@robertjallen.com>,Aloi, James <ms1boom@aol.com>,Alsentzer, Francine <alsentzers@gmail.com>,Ault, Jennifer <Jgymfamily@comcast.net>,Avalon HOA <smc1332@comcast.net>,Avellone, Dana <dmavellone@yahoo.com>,Baglione, Frank <fmbaglione@aol.com>,Barch, Douglas <Dougbarch2@comcast.net>,Barch, Rebecca <Btbarch@comcast.net>,Barrett-Elmer, Judy <judyelmer@hotmail.com>,Barry, Debbie <DebbieB543@comcast.net>,Barton, Abby <abarton386@gmail.com>,Bauer, David <Dbauer2335@gmail.com>,Bigley, Mark <Mjbigley@comcast.net>,Bingham, Jerry <Jerry.d.bingham@gmail.com>,Block, Laura <lauramurphy@yahoo.com>,Block, Tom <twblock@yahoo.com>,Bonner, Felicia <feliciabonner@rocketmail.com>,Boor, Joseph <joeboor@comcast.net>,Bowden, Rachel <Yogadog@me.com>,Bowman, Jerry <Threebows@yahoo.com>,Bristow, Jon <jondbristow@gmail.com>,Bristow, Karen <karenlbristow@gmail.com>,Brown, Mary <Brownmaryc@aol.com>,Brownfield, Jared <jaredrbrownfield@gmail.com>,Brownfield, Jennifer <Lanham.jen@gmail.com>,Bryant, David <dc_bryant@yahoo.com>,Bryom, Ron <FL_Broker_1@yahoo.com>,Buck, Anna <annabuck@gmail.com>,Burgess, Betsy <betsybrownburgess@gmail.com>,Burgess, Mary <bquilts@comcast.net>,Burgess, Max <jazzpicker@comcast.net>,Caldwell, Allison <acaldwellslp@gmail.com>,Carlson, Myra <carlsonme@comcast.net>,Castano, David <castanod@yahoo.com>,Caster, Karin <karinc1106@yahoo.com>,Cefola, Rich <Cefolar@embarqmail.com>,Chafin, Mary <pmchafin@gmail.com>,Clay, Lauren <ldc.aug@gmail.com>,Collins, Alyson <BrookeCollins328@yahoo.com>,Conner, Anne <Aconnor13@comcast.net>,Cromartie, Andrea <aeddy0924@yahoo.com>,Donohue, Judy <donohuewha@yahoo.com>,Dowell, Kristin <kristin.dowell@yahoo.com>,Edwards, Gary <gtothree89@comcast.net>,Edwards, Louise <devodoggie@comcast.net>,Elmer, Elbert <gelmer58@icloud.com>,Elsberry, Sharon <sjelsberry@yahoo.com>,Faircloth, Christopher <faircloth_99@yahoo.com>,Falzoi, Angi <Angee72@aol.com>,Feijoo, Pierre <Pierre63rdr@aol.com>,Fennell, Scott <Scottfennell@comcast.net>,Fenniman, Desiree <Dfenniman@gmail.com>,Fisher, March <march.m.fisher@gmail.com>,Fisher, Tiffany <smithtif29@yahoo.com>,Foote, Kristen <fsufoote@aol.com>,Foote, Patrick <patrick.foote@comcast.net>,Friedman, Donn <donnfriedman@embarqmail.com>,Gaddy, Angie <Agaddy98@gmail.com>,Gaddy, Walter <Walter.gaddy@igt.com>,Gaines, Raymond <rgaines@windstream.net>,Giles, James <freefromDC@yahoo.com>,Goggin, Brooke <Brooke.Goggin@gmail.com>,Goggin, Noreen <drnod10@gmail.com>,Gould, Charlotte <charlotte.gould@ahca.myflorida.com>,Granquist, Cindy <cgranquist99@yahoo.com>,Groom, Karen <kwgroom@comcast.net>,Groom, Matthew <kwgroom@comcast.net>,Guemple, Randy <rrguemple@comcast.net>,HONN, KAREN <khonn74@gmail.com>,Hartley, Sonya <Sonyadeen@hotmail.com>,Hatch, Rose <rosemary.hatch@amerisbank.com>,Hawkins, Patty <Tallyhawk5@icloud.com>,Hawkins, Thomas

<Tallyhawk5@outlook.com>,Haynes, Beth <Bethh22361@ail.com>,Haywood, Brian <hayride@rocketmail.com>,Henkel, Kenneth <Kennethhenkel@aol.com>,Henshaw, Hollie <hollie@rbitrucking.com>,Henshaw, Matthew <matthenshaw14@gmail.com>,Hernandez, Denise <Sheguate@aol.com>,Herrington, David <Davidherrington@comcast.net>,Herrington, Michelle <m_east1@hotmail.com>,Hersel, Michelle <mhershel@feca.com>,Holcomb, Marla <marlaholcomb@yahoo.com>,Honn, Darren <skydone7@gmail.com>,Hunt, Christopher <hundboy@gmail.com>,Hunt, Joanna <carter@bio.fsu.edu>,JR Harding <jr@jrharding.com>,Jacobsen, Kathy <kkjacobsen@comcast.net>,Jenkins, Joshua <joshua.jenkins315@gmail.com>,Johnson, James <jjjohnson30@hotmail.com>,Junkins, Sharon <crsmithga@yahoo.com>,Kalinoski, Laura <Lnjester@yahoo.com>,Kallumkal, Harikumar <Sjayanair@yahoo.com>,Kallumkal, Karikumar <Hkallumkal@yahoo.com>,Kamenicky, Randy <Kalico@nettally.com>,Karmanos, Bev <beverleyk@aol.com>,Kelly, Colleen <Ptd2694@comcast.net>,Koul, Pradeep <parsint96@yahoo.com>,Kulkarni, Aniket <aniketkulkarni@gmail.com>,Landis, Ann <annlandis@gmail.com>,Latham, Benjamin <lathamben@yahoo.com>,Lee, Courtney <Clee0805@aol.com>,Lewis, Fran <Franlewis821@yahoo.com>,Line, Nathan <nline@fsu.edu>,Long, Mindi <mindilong@gmail.com>,Long, Nate <natelongpr@gmail.com>,Long, Richard <rslong32@gmail.com>,Lorenzo, Cynthia <crlorenzo1@hotmail.com>,Madigan, Barbara <blmadigan@comcast.net>,Mahdavi, Sam <mahdavis@comcast.net>,Mark, Carrie <ms_coles@hotmail.com>,Mark, Richard <rickrmark@hotmail.com>,Marsh, Julia <jaj7963@yahoo.com>,Mather, Jerry <jmather100@me.com>,McGill, Robert <mcgillfam01@gmail.com>,McGinley, Michael <mcginleymd@gmail.com>,McGinley, Michelle <michelle_mcginley@yahoo.com>,McIver, Mike <Mikemciver8@yahoo.com>,McKissack, Todd <toddemc61@comcast.net>,McLaughlin, John <Rdmclaughlin@comcast.net>,McMullen, Christoper <clmcmullen@yahoo.com>,Miller, Bonnie <Bonniem76@yahoo.com>,Miller, Cynara <cynaramiller@gmail.com>,Miller, Joseph <Jd4fsu73@yahoo.com>,Mountain, Eric <emountin@msn.com>,Mountin, Gina <gmmountin@yahoo.com>,Naff, Jennifer <Janaff78@gmail.com>,Nair, Jaya <Sjayanair@yahoo.com>,Nedd, Kimbara <kimbaraus@yahoo.com>,Newman, Mark <beachman14@gmail.com>,Newman, Michelle <ldsmom02@gmail.com>,Otoole, Holly <Hcotoole@gmail.com>,Otto, Susan <sue_otto@yahoo.com>,Overstreet, Tom <dkoverstreet@aol.com>,Pararo, Kate <kpararo@gmail.com>,Parra, Fernando <ferparrav@hotmail.com>,Paterson, Julie <juliepaterson@comcast.net>,Paterson, Tom <Tpaterson@allstate.com>,Patrenos, Sally <Sallypatrenos@embarqmail.com>,Payne, Tyler <Paynetyler5@yahoo.com>,Pearce, Jennifer <Jenniferpearce@hotmail.com>,Penn, Mikah <queenmikah@gmail.com>,Perkins, Charles <chipperkins20@gmail.com>,Perkins, Diane <dedp70@gmail.com>,Pintacuda, Larry <ljpintacuda@yahoo.com>,Poage, Stuart <jaxpoage@icloud.com>,Price, Christopher <Price229@yahoo.com>,Price, Dawn <dmporter535@yahoo.com>,Price, Kimberly <price.kimberly0@gmail.com>,Rivet, Roland <roland.rivet@basf.com>,Rodrigue, Lindsey <mikeandlindseyrod@gmail.com>,Rogers, Jennifer <jrogers@aggienetwork.com>,Rosen, Carol <carolrosen@comcast.net>,Ruff, Allison <allisoniruff@comcast.net>,Ruff, Michael <mikeruff75@comcast.net>,Scarboro, Susan <sscarboro@comcast.net>,Sharp, Philip

<philipvsharp@gmail.com>,Shores, Cassie <cassiemshores@gmail.com>,Shores, Kevin <kevindshores@gmail.com>,Shreve, Dale <dshreve9754@msn.com>,Simmons, Daniel <dcgsimmons@gmail.com>,Simmons, Dawn <dawnpsimmons@gmail.com>,Smith, Carri <carrismith@comcast.net>,Smith, Jason <Jason.home91@gmail.com>,Smith, Stacey <stacey@smithsmith.net>,Smith, Stacey <stacey@smithsmith.net>,Spook, Dianne <sspook@comcast.net>,Spook, Stephen <Stephen.spook@sbafla.com>,Stauffer, Jason <jasondstauffer@gmail.com>,Stephens, Daniel <drstephens07@hotmail.com>,Stephens, Richard <stephens021@comcast.net>,Stout, Gary <Gpstout_98@yahoo.com>,Strano, Joyce <Jmstrano99@gmail.com>,Tedder, Brandon <brandontedder@gmail.com>,Tharpe, Danielle <Daniflory@aol.com>,Thompson, Carrie <Eqizna@yahoo.com>,Thompson, John <johilli@yahoo.com>,Torres, Clifford <cliffbiongtorres@aol.com>,Townsend, Jeffrey <jeffrey.townsend850@gmail.com>,Tozzi, Casey <Casey.tozzi@gmail.com>,Traft, Brian <Bktraft@gmail.com>,Wagnon, Daniel <daniel.wagnon@icloud.com>,Wang, Yin <ywang183@gmail.com>,Ward, John <wardfarrell694@gmail.com>,Ward, Zachary <zach@cowheyward.com>,White, Wesley <wesleygwhite@gmail.com>,Wiggins, James <Wigginj1@comcast.net>,Wilder, David <Rdwandddw62@yahoo.com>,Wilder, Rhonda <Rdwandddw@aol.com>,Wilkerson, Lisa <lisaandbert@comcast.net>,Williams, Chelsea <Cwilliams2234@gmail.com>,Williams, Jeff <Jgw04e@yahoo.com>,Williams, Lynn <lynn@rose.net>,Williams, Vaughan <vaughanw01@comcast.net>,Wohlrab, Lindsey <Lindseyjo@gmail.com>,Woodward, Tracy <trelyn@rocketmail.com>,Wostel, Zandra <zwostel@yahoo.com>,Wussler, Doug <doug.wussler@comcast.net>,Xanders, Beth <Bethelxanders@yahoo.com>,Xanders, Gregory <Gregxanders57@gmail.com>,Zimmerman, Sarah <Fourzimmers@comcast.net>,Zubaly, Mark <Mzubaly@comcast.net>,ancheta, marcus <mdanch1981@yahoo.com>,ludes, michael <mludes@crowncars.com>,woodward, andrew <andrewjrwoodward@gmail.com>

JOINT EXHIBIT OF THE PARTIES 32

DEVELOPMENT REVIEW COMMITTEE
MEETING MINUTES
August 16, 2017

DRC members: David McDevitt, Development Support & Environmental Mgt. Director
Tony Park, P.E., Director of Public Works
Russell Snyder, Land Use Planning Division Administrator, PLACE

Note to reader: An aggrieved or adversely affected party may request a quasi-judicial hearing pursuant to Section 10-7.404(i) of the Leon County Land Development Code, to appeal the DRC's decision to recommend approval, approval with conditions, or denial of a development application which constitutes a procedural Leon County action on such application.

NEW BUSINESS:
Brookside Village Residential Subdivision Type B Site and Development Plan, FDPA Track:
The meeting was called to order by David McDevitt at 10:00 a.m. He explained the review process for the project and explained the role of the Development Review Committee (DRC). He also explained the appeal process and provided guidelines for public speakers.

Mr. McDevitt invited public comment, and several citizens in attendance spoke.

Elizabeth Moya, Vice-President of the Moore Pond Homeowner's Association, read aloud a letter she provided to the DRC, stating their opposition to the proposed development, based on inconsistency with adjacent residential types and additional traffic concerns. She did, however, state that Leon County staff and the developer have coordinated with them to address some of the environmental concerns. Her letter outlined specific conditions to address stormwater discharge and density that they request be added as conditions of approval for the project. The letter was submitted to staff for the record.

David Powell, attorney with Hopping Green and Sams who is representing the applicant, stated his firm's support of staff's recommendation on the project.

Gene Sherron, resident of Moore Pond Subdivision, shared his concerns regarding potential stormwater runoff onto his property from the proposed development, and stated he didn't feel the project was consistent with adjacent residential development.

Representing the Ox Bottom Manor Community Association, Chris Kenna spoke of their opposition to the development, citing incompatibility and density intrusion.

Rachel Bowden, Moore Pond Subdivision resident, shared concerns over the design of the homes proposed since they will have garages extending beyond the homes in front ("snout houses"), and that it may cause congestion issues if parked cars extend over the sidewalk. She further stated that she didn't feel this proposed project was compatible with adjacent neighborhoods.

Phillip Downs, resident of Moore Pond Subdivision, began by lodging a formal protest to the DRC meeting being scheduled during the day, as he feels many people can't attend due to work commitments. He felt this meeting warranted being scheduled after hours. He further stated his opposition to the proposed development, citing density intrusion and incompatibility.

Another resident of Moore Pond Subdivision, Chris Kise, asked if the DRC received a copy of the letter previously read aloud by Ms. Moya. It was confirmed a copy of the letter was on record.

Rosehill Property Owner's Association Secretary, Mallory Harrell, voiced opposition to the proposed development based on the density and incompatibility with surrounding neighborhoods. She further stated that if the project was to be approved, she requested the developer add buffering on Rosehill property along Ox Bottom Road to help minimize impact from traffic entering and exiting the Brookside Subdivision. She also expressed her appreciation to staff and the developer for their cooperation during this process.

The final speaker, Bruce Meintjies, a resident of Moore Pond Subdivision, spoke of his opposition to the development due to incompatibility. He is concerned the development will reduce his property's value. He suggested the City and County have a joint town hall meeting to discuss the proposed development.

With no more citizens to speak, Shawna Martin, Principal Planner, gave an overview of the project, including the history of the project to date. She stated that since the original submittal, the developer has revised the site plan in response to neighboring residents' suggestions. The overall number of lots proposed has decreased by three, individual lot sizes and minimum home square footages have increased, landscape buffers have increased in width and density of planting, perimeter fencing has been added in some areas, the sidewalk along Ox Bottom Road will be extended beyond the project site, and the developer agreed to not have windows on second story floors facing adjacent home sites.

Currently, the applicant is proposing to develop a 61 single-family detached subdivision at a density of 1.73 dwelling units per acre on lot sizes ranging from 0.14 acres to 2.19 acres. The site is located inside the Urban Service Area, is zoned Residential Preservation (RP) and has an RP designation on the Future Land Use Map of the Tallahassee-Leon County Comprehensive Plan. Access is provided from Ox Bottom Road. Environmentally sensitive areas on the site are being preserved in a conservation easement on which walking trails are proposed.

Susan Poplin of the Tallahassee-Leon County Planning Department stated that staff review of the proposed project found it consistent with the Comprehensive Plan and recommended approval subject to the condition that the applicant receive final County approval for the stormwater analysis.

Ryan Guffey, Concurrency Management Planner, stated that traffic impact analyses conducted for the project indicated that transportation concurrency mitigation would not be required, and due to the project generating less than 100 p.m. peak hour trips, a traffic study was not required. Mr. Guffey further stated that the Leon County School Board approved an updated School Impact Analysis reflecting the increase in the square footage of homes.

Ms. Martin stated that due to the property's RP designation, the DRC shall provide a favorable recommendation for approval of the proposed development standards for the subdivision, including setbacks and maximum building height. She added that the applicant is also requesting the DRC approve the request to waive the code requirement for vehicular and pedestrian interconnection due to existing developments on adjacent lands precludes a connection now or in the future.

In response to the many comments from citizens regarding the density of the proposed development, Ms. Martin explained how staff calculated gross density, and that the actual developable property amounts to approximately 16 acres, not 8 acres as stated in a citizen comment earlier. She stated that Wendy Grey of Wendy Grey Land Use Planning, LLC, completed a compatibility analysis and analysis of comprehensive plan policies affecting density that demonstrates the proposed project is

compatible with the uses that exist in relative proximity to the project. The analysis noted that there was a potential issue of compatibility related to the visual impact of smaller lot sizes and subsequently higher building mass and to mitigate this issue the applicant has provided buffering and screening that is wider and denser than required by code.

Anna Padilla, Sr. Environmental Engineer, reviewed the memorandum submitted of her review, which was included as an attachment to the Development Services Staff Report. She recommended support of the proposed project, contingent upon the outstanding issues listed in her memorandum being addressed.

Ms. Martin made note of two emails which were received requesting modifications to the project, one from Bob Burton, a resident in Moore Pond Subdivision, and another from John Nowlin, both of which were included in the public record. Mr. Burton requested an extension of the proposed fence along lot 15A, adjacent to his property. He also requested additional plantings on the slope at the rear of lot 15A and the addition of a 10 foot buffer on top of the referenced slope. Mr. Nowlin requested a deceleration lane on Ox Bottom Road for the Brookside Village entrance to help mitigate potential traffic blockage.

Charley Schwartz, Senior Design Engineer with Public Works, reviewed the memorandum submitted of his review, which was included as an attachment to the Development Services Staff Report. He supports approval of the proposed project, contingent upon the conditions listed in his memorandum being met. In response to an inquiry from Russell Snyder regarding Mr. Nowlin's request for a deceleration lane on Ox Bottom Road, Mr. Schwartz stated that typically, deceleration lanes are only proposed for larger subdivision projects.

A discussion ensued regarding Mr. Burton's requests. Mr. McDevitt stated that due to the proposed location of the home close to the property line on lot 15A, it would be difficult to add a 10 foot buffer at the top of the slope. Ms. Padilla clarified that Mr. Burton requested evergreen plantings on the slope in addition to the 10 foot buffer on top of the slope. Carly Schrader, outside counsel for Leon County, stated that if a buffer was added, the maintenance entity would need to be included in the covenants and restrictions.

Tom Asbury stated that since Mr. Burton's home is lower than the proposed home site, evergreen plantings on the slope and the addition of a fence on the top of the slope should address Mr. Burton's privacy issues, and the issue could be more readily addressed at the time of construction so the actual slope impact can be determined. Nawfal Ezzagaghi, Environmental Review Supervisor, reminded that once the environmental permit is issued, construction has to commence as indicated in the permit and cannot be modified onsite. Mr. McDevitt stated that the lots impacted by the slope should be highlighted on the site plan as having potential issues. Mr. Powell asked for a copy of Mr. Burton's letter so they can incorporate his requests into the site plan.

The DRC Chairman, Mr. McDevitt, requested a break at 11:40 a.m. to allow the developer time to review Mr. Burton's letter for possible recommendation for condition of approval.

The meeting reconvened at 11:47 a.m. Ms. Padilla showed an aerial view of Mr. Burton's home to show the existing natural buffer. She added a contour layer, and calculated the approximate distance from the corner of his back yard pool to the top of the slope on lot 15A. After reviewing this information, it was determined that a condition that addressed opacity of the buffer would be more

effective than requiring a specific size buffer. Mr. Ezzagaghi suggested adding a condition of approval that requires 90% immediate opacity of the buffer at the rear of lot 15A.

Mr. Snyder made a motion to approve the applicant's proposed development standards for the subdivision that include front, rear, side and side corner setbacks, as well as maximum building height, as outlined in the Development Services staff report. Tony Park seconded the motion, all voted in favor and motion passed.

Mr. Park made a motion to waive the interconnect requirement due to the adjacent subdivisions being fully developed. Mr. Snyder seconded the motion, all voted in favor and motion passed.

Mr. Snyder made a motion to approve the Brookside Village Residential Subdivision Type "B" Site and Development Plan with the conditions outlined in the Development Services Staff Report and attached staff memorandums, with an additional condition that the applicant shall augment the existing natural buffer (proposed as a Type C+ buffer on the site plan) to achieve 90% opacity immediately at the time of planting from the southern property line of Lot 15A to the northern property line of Lot 17A to address visual impacts to a neighboring property in Moore Pond. In addition to the conditional approval, the DRC strongly encourages the developer to work with the residents of the Rosehill subdivision to further address their concerns regarding car lights from the development being directed towards adjacent homes in their neighborhood. Mr. Park seconded the motion, all voted in favor and motion passed.

Susan Yelton, resident of Rosehill Subdivision, stated that her rear property line runs parallel to Ox Bottom Road and she is concerned about lighting issues from vehicles entering and exiting the Brookside Subdivision. She is opposed to the proposed development due to incompatibility. Mr. Powell responded that his client will continue to cooperate with adjacent residents to accommodate their concerns.

The meeting adjourned at 12:10 p.m.

JOINT EXHIBIT OF THE PARTIES 33

Leon County, Florida, Comprehensive Plan Excerpts

TALLAHASSEE-LEON COUNTY 2030 COMPREHENSIVE PLAN

The Tallahassee-Leon County Comprehensive Plan was adopted on July 16, 1990. The plan horizon for the Tallahassee-Leon County Comprehensive Plan is 2030. The Comprehensive Plan is a dynamic document, amended annually. This volume contains amendments effective through August 27, 2017. As other amendments come into effect, this volume will be updated accordingly. For information concerning the amendment process, please contact the Tallahassee-Leon County Planning Department.

PLANNING DEPARTMENT

Location: Frenchtown Renaissance Center, 435 N. Macomb Street, Tallahassee FL 32301
Mail: City Hall, 300 S. Adams St., Tallahassee FL 32301
Telephone: 850-891-6400
Website: http://www.talgov.com/place/planning.aspx

INTRODUCTION

The Tallahassee-Leon County Comprehensive Plan was adopted on July 16, 1990. The Comprehensive Plan contains three volumes. Volumes II and III contain the data and analysis on which the Goals, Objectives, and Policies within Volume I are based. Volume I provides guidance in evaluating individual development proposals within a defined growth management strategy. The Goals, Objectives and Policies within Volume I also provide the basis for the individual development regulation formulated to implement this Plan.

The plan horizon for the Tallahassee-Leon County Comprehensive Plan is 2030. The Comprehensive Plan is a dynamic document, amended annually. This volume contains effective amendments through January 22, 2016. As other amendments come into effect, this volume will be updated accordingly. Information concerning the amendment process is available at the Tallahassee-Leon County Planning Department. The Tallahassee-Leon County Planning Department is located at the Renaissance Center, 435 N. Macomb Street or can be reached by telephone at (850) 891-6400.

VISION STATEMENT AND IMPLEMENTATION

(REV. EFF. 7/26/06; REV. EFF. 1/7/10)

In the early 1820s, Florida government alternated business between St. Augustine and Pensacola. At that time, travel between the cities was hazardous and the journey long. In 1823, the site of Tallahassee was chosen as the seat of government for the Territory of Florida because of its central location and abundance of natural resources. It was noted then, "A more beautiful country can scarcely be imagined; it is high, rolling, and well watered." In the new capital, commerce expanded and a new school of higher learning was founded. From these historic roots, Tallahassee and Leon County is now the center of Florida's government and respected worldwide for its schools of higher education.

We are fortunate to have retained the natural beauty that inspired the sitting of Florida's state capital. The community relies upon the comprehensive plan to protect the natural resources and scenic beauty while encouraging the responsible, healthy growth of Tallahassee and Leon County. The comprehensive plan seeks to balance the management of growth with environmental protection but gives precedence to environmental protection.

Evolving land use patterns within the County have exhibited sprawl characteristics. Sprawl is, perhaps, the most inefficient pattern of land use. Costs associated with the provision of both capital and social infrastructure are higher than more compact patterns. This must be taken into consideration when local government is faced with limited fiscal resources and increasing demand for services.

Sprawl encourages degradation of the County's natural resources by prematurely committing vast areas to the impact of urbanization. Phased, orderly growth mitigates this situation by comprehensively addressing development impacts to our natural systems. Leap frog development associated with sprawl is piecemeal in nature and is detrimental to any type of comprehensive framework.

Another aspect of urban sprawl is the tendency toward strip commercial development, i.e., the commercialization along major streets which occurs as infill between sprawled developments. This strip development negatively affects traffic safety and flow, as well as creating aesthetic problems associated

with advertising signs. While many of the negative effects of strip development can be controlled to some extent by regulatory means, a more positive approach is to prevent its spread by means of land use policies.

The purpose of the comprehensive plan is to preserve, protect and enhance the quality of life for all citizens. The plan encourages and supports economically sound residential, educational, employment, cultural, recreational, commercial and industrial opportunities for the citizens. This is facilitated by systematically planning for growth, development and redevelopment.

The natural environment is one of the many criteria which, when combined, form the community's perceived quality of life. The natural environment is a major component in the quality of life equation for Leon County. As such, it must be protected. Development and the ancillary activities associated with it must be channeled into locations that protect the natural and aesthetic environment. Unwise land use decisions which ultimately require expensive environmental retrofitting, paid for by the general populace, must be eliminated. In order to achieve this, it is the intent of this Plan to include strong environmental objectives and policies within the Land Use Element and other applicable portions of the Plan.

The residential environment is also one of many criteria which form the community's perceived quality of life and must be protected. An economic base of stable public employment has fostered development of stable residential neighborhoods. Citizens identify with and value their neighborhoods in all parts of the community and at all income levels. Containing sprawl will necessarily increase density and intensity in the existing urban area. Unwise land use decisions and premature non-residential development in established residential areas can seriously and permanently alter the character of a neighborhood. Not only actual changes, but also the perception of a constant assault on a neighborhood undermines an otherwise desirable residential environment. Development and its ancillary activities should be channeled into locations that offer the greater opportunity for the higher density and mixture of uses that a policy of urban containment encourages. It is the intent of the plan to maintain the integrity of existing neighborhoods while encouraging new residential developments to incorporate a wider range of non-residential uses.

Essential for planning are objectives and policies that protect and enhance the natural environment, water resources, the canopy roads, and residential neighborhoods. To this end, regulatory tools such as concurrency management, urban service area designation, planned unit developments and special protection zones are used to foster the community's vision. An underlying premise is the linkage between land use and infrastructure. The plan is based on the principle that development should pay for itself and this vision is implemented, in part, through the accomplishment of several strategies described below.

Traditional values within Leon County prohibit the strict implementation of an urban containment strategy. Urban service area demarcations must be located to allow for some degree of large lot, single family subdivisions. In addition, some urban areas located away from the core, such as Chaires, Fort Braden, and Miccosukee, must be provided for. Overall, however, it is the intent of this comprehensive plan to concentrate development in the Tallahassee urban area plus provide for a minimum number of designated areas of urban development.

It is the responsibility of every citizen of Leon County to pay his or her fair share first to achieve and then to maintain the community wide adopted levels of service (LOS) for capital infrastructure and urban services. However, it is not a current resident's responsibility to pay for new developments' fair share

costs through subsidization. Thus, in a sense, future development must be self-sufficient.

Existing and new residents should not be bound by minimum level of service standards adopted community wide. The ability to enhance these minimums should be provided for as long as the end user pays for the incurred costs. User fees, special assessments or MSTUs are instruments, which can be used to accomplish this. Furthermore, it should be recognized that congestion can actually be a sign of a healthy urban area, and that automobile congestion can lead to individuals making a modal switch to transit, provided the transit system provides access to common destinations with convenient frequency.

The plan encourages projects and activities that provide significant additional value to the community. This includes supporting development in strategic areas such as the Downtown Overlay, Multimodal Transportation District and Southern Strategy Areas.

The intent of the Southern Strategy is to direct quality development and redevelopment into the area designated as the Southern Strategy area. Success of the Southern Strategy will benefit the entire community in terms of an increased tax base, greater choices for residential and employment opportunities, and other general quality of life factors such as greater availability of shopping, recreation and educational opportunities throughout the community. The focus of this strategy is to make this area of the community a desirable residential location for people of all incomes. This area contains many assets we strive for in other parts of the community such as close proximity to jobs and downtown, walk-to commercial, neighborhood schools and parks, and affordable housing. Similarly, the Lake Bradford Chain of Lakes, the St. Marks Bike Trail and its extensions, and the proximity of the National Forest make this area important for environmental and recreational reasons. It also contains historic neighborhoods and is in proximity to cultural activities in the community, with museums and nearby concert facilities; educational activities, with two nearby universities and the community college. It contains a great diversity of neighborhoods, housing, and employment close to the urban core. These are the assets that make a true city.

The Downtown Overlay consists primarily of the urban core of the City of Tallahassee and is intended to clearly distinguish the City's Downtown Boundary. This overlay district primarily comprises the Capital Center area, Gaines Street Corridor, and parts of the Southern Strategy Area. The intent of this overlay district is to encourage high density and quality redevelopment as well as remove barriers to achieving the allowable densities within this area.

In order to ensure the long-term viability of our entire community as well as the efficiency of our public and private investments, it is important to protect the housing resources, neighborhoods, and business and commercial districts that make up the Multimodal Transportation District and the Downtown Overlay by adopting strategies which promote neighborhood revitalization, urban infill, homeownership, and redevelopment.

The plan also supports diversification of our local economy, utilizing our highly educated workforce, our two local universities, community college and various technical schools and state government. With approximately 38% of all employment in Tallahassee-Leon County based in the government sector, this community is a reflection of its role as the State Capital and as a center for higher education. This employment structure has long provided a stable and predictable economic base.

This plan recognizes the likely continuation of growth in the State government and university segments of the local economy. A

major strength of this aspect of our community is the opportunity that it provides for selective diversification. With a strong economic base, the focus for the future can be to actively seek desirable industries that will have a synergy with existing economic resources, such as job training and research and development activities associated with the universities and other educational entities.

This Plan is based on maintaining the historical growth rate of Leon County. Specifically, Tallahassee-Leon County should continue to grow with an emphasis on selected growth that pays for itself through the provision of well-paid jobs and economic leverage factors which enhance the quality of life of the community. The universities and state government, which have been our traditional economic strengths, should be built upon and encouraged to expand. Thus, selected recruitment and continued expansion of the universities and state government should form the nucleus for the continued growth of Leon County.

Our comprehensive plan is a living document, used every day in decisions made by local governments. It is regularly reviewed and amended to ensure that it remains current and consistent with our community vision.

LAND USE
GOALS, OBJECTIVES AND POLICIES

Goal 1: [L] (EFF. 7/16/90)

The Comprehensive Plan shall protect and enhance the quality of life in this community by providing economically sound educational, employment, cultural, recreational, commercial, industrial and professional opportunities to its citizens while channeling inevitable growth into locations and activities that protect the natural and aesthetic environments and residential neighborhoods.

GROWTH MANAGEMENT/ URBAN SERVICES AREA
Objective 1.1: [L] (EFF.7/16/90; REV. EFF. 7/26/06; REV. EFF. 12/24/10)

Direct development to those areas which have in place, or have agreements to provide, the land and water resources, fiscal abilities, and the service capacity to accommodate growth in an environmentally acceptable manner. This shall be accomplished in part through the establishment and maintenance of an Urban Service Area (USA) concept. This Urban Service Area (USA) concept is based upon a desire to have Tallahassee and Leon County grow in a responsible manner, with infrastructure provided economically and efficiently, and surrounding forest and agricultural lands protected from unwarranted and premature conversion to urban land use. An urban service strategy provides for well-managed, orderly growth, which preserves natural resources and promotes fiscal responsibility. The location and size of the USA shall be depicted on the Future Land Use Map and is based upon the area necessary to accommodate 90% of new residential dwelling units within the County by the Plan Horizon; the ability to provide urban infrastructure; and, the presence of environmentally sensitive lands and water bodies, requiring protection from the impacts of urban development.

Policy 1.1.1: [L] (REV. EFF. 7/20/05)

In order to discourage urban sprawl, new development shall be concentrated in the urban service area plus in the Woodville Rural Community future land use category and the rural communities of Capitola, Chaires, Ft. Braden and Miccosukee, as designated on the future land use map.

Policy 1.1.2: [L] (REV. EFF. 12/10/91)

Improvement of capital infrastructure shall be provided within the designated urban service area and shall be phased over the life of the plan.

Policy 1.1.3: [L] (REV. EFF. 12/10/91; REV. EFF. 7/26/06)

Capital infrastructure designed to support urban density outside the Urban Service Area shall be prohibited except as described below. Capital infrastructure which is designed or intended to provide services to the population of the Urban Service Area may be located outside the Urban Service Area. This policy includes but is not limited to landfill, spray irrigation facilities, and inter-county transportation roadways.

Capital improvement projects or expenditures designed to support urban density outside of the Urban Service Area will not occur outside the designated Urban Service Area unless a demonstrated hardship can be shown to occur for existing

Policy 1.1.9: [L] (EFF. 7/26/06)

In order to achieve efficient and effective use of infrastructure and land, residential density within the USA shall average no less than 2 dwelling units per gross acre. Some future land use categories may establish higher minimum densities and minimum intensity requirements for nonresidential development. Attainment of minimum densities and intensities will be measured and reported annually and be evaluated at a minimum during subsequent Evaluation and Appraisal Reports and adjustments to the Comprehensive Plan necessary to achieve this measure will be recommended as warranted in the future.

Policy 1.1.10: [L] (EFF.7/16/90; RENUMBERED EFF. 7/26/06; FORMERLY POLICY 1.1.8.)

Compliance with the Conservation Element shall be met prior to consideration of requirements in the Land Use Element.

Policy 1.1.11: [L] (REV. EFF. 3/14/07; REV. EFF. 1/7/10)

The growth management strategy of the Tallahassee-Leon County Comprehensive Plan is designed to be implemented by a series of instruments which include:

1) An **Urban Service Area** strategy to guide and coordinate land use densities and intensities with the availability of capital infrastructure and to discourage urban sprawl.

2) A **Land Use Map** to graphically distribute broad categories of land use and allowable densities and intensities. In conjunction with the Land Use Map, an environmental overlay system has been included which depicts the general location of environmental features which are to be preserved as required by the Conservation Element, or to which development limitations will apply as identified in the Conservation Element.

3) A **Future Right-of-Way Needs Map** to graphically represent planned future transportation projects in the City of Tallahassee (City) and Leon County (County) and a table of projects indicating the project termini and access classifications. This map, table, and corresponding land development regulations are intended to provide a basis for coordinating new development with the provision of transportation facilities by designating corridors where the construction and improvement of transportation facilities is expected. Objectives and policies related to the Future Right-of-Way Needs Map are provided in the Transportation Element. (EFF. 7/1/04)

4) **Commercial Site Location** standards, which apply to certain Future Land Use Categories other than Central Core, Central Urban, Village Mixed Use, Suburban, Bradfordville Mixed Use, Planned Development and Woodville Rural Community shall be implemented through the Land Development Regulations, are intended to integrate commercial land uses into the transportation network and development patterns in order to assure accessibility by the general public. (REV. EFF. 3/14/07; REV. EFF. 1/7/10)

5) **Land Use Category Summaries** for each Future Land Use which in conjunction with the land use map provide the allowable densities and intensities of uses use on specific sites.

Policy 1.3.1: [L] (EFF. 7/16/90)

Before a development order or permit is issued, local government shall ensure that the adopted level of service standards for the affected public facilities will be maintained in accordance with the Concurrency Management System.

Policy 1.3.2: [L] (REV. EFF. 12/16/94)

Residential density and/or non-residential intensity of development allowed for individual sites shall be determined by the degree of compliance with the goals, objectives and policies of the Comprehensive Plan and the land use development matrix, which is intended to be a pictorial representation of existing policies in the plan, as implemented by the land development regulations. Overall densities and intensities should be consistent with capital facilities and services being available at the adopted level.

Policy 1.3.3: [L] (REV. EFF. 12/10/91)

Environmental and development ordinances shall include the following:

(a) Explicit and strict protection of environmentally sensitive areas, thus minimizing future costs to taxpayers by prohibiting unsound uses; and

(b) Availability and use of the conservation and preservation overlays as detailed in the Conservation Element prior to the issuance of development orders.

(c) Apportioning development costs so that those fees collected from the existing population be applied to elimination of current "deficits" in levels of service, while those fees collected in new developments are applied to maintain levels of service established by the entire community. Maintenance and enhancements to the adopted levels of service shall be the responsibility of both. This policy shall not preclude new development paying toward current deficits if such an arrangement can be worked out between the local government and the developer.

(d) Policies and procedures in the land development regulations shall ensure that the range of development types by percentage distribution are monitored and maintained.

This policy shall not preclude new development paying toward current deficits if such an arrangement can be worked out between the local government and the developer.

Policy 1.3.4: [L] (DEL. EFF. 3/14/07)

Reserved

LAND DEVELOPMENT REGULATIONS

Objective 1.4: [L] (REV. EFF. 7/20/05)

Maintain a set of specific and detailed Land Development Regulations, which implement and are consistent with the goals, objectives and policies of the Tallahassee-Leon County Comprehensive Plan.

Policy 1.4.1: [L] (REV. EFF. 12/10/91)

Density and intensity incentives shall be established within the required land development regulations to encourage growth in

(a) In those future land use categories that encourage a mixing of land uses, the land development regulations shall contain provisions that facilitate multiple land uses within the same site, the same development, or the same structure.

(b) When appropriate, the land development regulations may provide for zoning districts that allow for two or more land use types, consistent with the intent of the future land use category.

(c) The land development regulations may also provide for zoning districts that further divide any of the allowed land use types into two or more subsets.

Policy 1.4.11: [L] (EFF. 9/19/91)

The land development regulations shall include standards and criteria such as minimum open space requirements (between 25% and 10% depending on the land use and existing vegetation), internal circulation and minimum setbacks and buffers for uncomplimentary land uses. These buffer requirements will contain buffer widths between land uses, required number of trees and shrubs per linear foot of buffer, opacity of the buffer, etc. Additional buffering requirements may be related to Planned Unit Developments (PUDs).

Policy 1.4.12: [L] (EFF. 9/19/91)

(a) The intent of Site Plan and PUD planning and design requirements shall be to encourage and require the development of urban living and work spaces that minimize impacts to the natural environment. Environmental impacts shall be minimized through the development and redevelopment of compact and efficient urban land use patterns that closely integrate living and work spaces while maintaining compatibility through specified performance design criteria. Neighborhood and inter-site compatibility shall be implemented through site planning and design criteria that require objectionable impacts of particular land use activities to be internally located within site or building designs, rather than relying exclusively on standard landscape and setback buffering methods to reduce perimeter oriented objectionable impacts.

(b) Objectionable impacts of service and delivery areas, refuse and recycling collection areas, as well as the outdoor storage and work areas generally associated with commercial and residential buildings shall be planned to minimize off-site impacts.

(c) Site Plan and PUD requirements shall minimize impacts to the natural environment resulting from urban sprawl by not only identifying and protecting environmentally sensitive lands, but just as importantly by limiting urban sprawl into less environmentally sensitive lands through the implementation of compact and efficient urban development and redevelopment.

Policy 1.4.13: [L] (REV. EFF. 3/14/07)

The intent of designating roads as nonresidential is to recognize existing nonresidential development patterns and to allow for planned mixed-use or nonresidential developments. As such, street access requirements contained in the Land Use Summary Charts are waived for those streets designated as nonresidential by clearly defining areas where existing development patterns will be allowed to continue. It also serves to protect residential and residential components such as elementary schools and

Goal 2: [L] (EFF. 7/16/90; REV. EFF. 7/26/06)

Provide for a high quality of life by planning for population growth, public and private development and redevelopment and the proper distribution, location and extent of land uses by type, density and intensity consistent with adequate levels of services and efficient use of facilities and the protection of natural resources and residential neighborhoods.

RESIDENTIAL LAND USE
Objective 2.1: [L] (REV. EFF. 7/20/05)

Enhance the livability of existing neighborhoods and in new neighborhoods provide for future mixed residential areas which will accommodate growth and provide a wide choice of housing types, densities and prices as well as commercial opportunities based on performance criteria. In furtherance of this, maintain a system of land development regulations and ordinances which will facilitate the implementation of the policies adopted in relation to residential land use. These shall include but not be limited to:

1) Setback requirements from natural waterbodies and wetlands
2) Buffering requirements
3) Open space requirements
4) Landscape requirements
5) Tree protection
6) Stormwater management requirements

Policy 2.1.1: [L] (REV. EFF. 6/28/95; REV. EFF. 7/26/06)

Protect existing residential areas from encroachment of incompatible uses that are destructive to the character and integrity of the residential environment. Comprehensive Plan provisions and Land Development Regulations to accomplish this shall include, but are not limited to:

a) Inclusion of a Residential Preservation category on the Future Land Use Map.

b) Limitations on future commercial intensities adjoining low density residential areas. Such limitations are to result in effective visual and sound buffering (either through vegetative buffering or other design techniques) between the commercial uses and the low density residential uses; and are to allow only those commercial activities which are compatible with low density residential development in terms of size and appearance.

c) Limitations on future higher density residential adjoining low density residential areas. Such limitations are to result in effective visual and sound buffering (either through vegetative buffering or other design techniques) between the higher density residential uses and the low density residential uses.

d) Limitations on future light industry adjoining low and medium density residential areas. Such limitations are to result in effective visual and sound buffering (either through vegetative buffering or other design techniques) between the light industrial uses and the low density residential uses.

e) Preclusion of future heavy industrial adjoining any residential area.

FUTURE LAND USE MAP CATEGORIES

Objective 2.2: [L] (REV. EFF. 7/26/06)

To coordinate future land uses with suitable topography and soil conditions, the protection of natural resources and with the availability of adequate infrastructure through the establishment of a Future Land Use Map depicting appropriate land use categories. In order to fulfill this intent, the Land Use Plan establishes policies and guidance for the mapping of Future Land Use Categories, which are depicted on the Future Land Use Map. These categories are designed to promote a variety of land use types and patterns to meet the needs of the community.

The Tallahassee-Leon County Comprehensive Plan shall promote appropriate location of land uses and regulation of development

density and intensity based upon: (1) protection of conservation and preservation features; (2) compatibility with adjacent existing and future residential land uses; (3) access to transportation facilities in keeping with their intended function; and (4) the availability of infrastructure.

The Plan shall also establish policies and guidance for the mapping of Future Land Use Categories, which are depicted on the Future Land Use Map. These categories are designed to promote a variety of land use types and patterns to meet the needs of the community and are shown on the following maps:

NOTES APPLICABLE TO URBAN AREA FUTURE LAND USE MAP (REV. EFF. 3/14/07)

Parcels 21-26-35-C-0010, 21-26-35-C-0020, 21-26-35-C-130 may be developed as an independent living facility for the elderly only if a Planned Unit Development is approved which includes Parcels 21-26-51-000-0040, 21-26-51-000-0050, and 21-26-51-000-120. Development intensity on the vacant parcels is limited to 45 units and 34,000 square feet and building height is limited to three stories. If the Planned Unit Development is not completed or approved, the vacant parcels shall only be developed as low-density residential development allowed under the R-1 or R-2 zoning districts.

Parcel 11-08-20-630-0000 shall only be developed with general office that may include a lending institution with a drive-through facility on the first floor. The total amount of development is limited to 30,000 square feet. The architecture and site design must be consistent with the adjacent Thomasville Road/I-10 Planned Unit Development. Site plans must be submitted to the Live Oak Plantation and Piedmont Neighborhood Associations, the 1300 Live Oak Plantation Property Owners Association, as well as the developers of the Thomasville Road/I-10 Planned Unit Development for comments prior to submitting the site plan to the City.

The area designated University Transition with hatching is subject to Transportation Element Objective 2.2, which may limit density to less than the maximum permitted by the category.

NOTES APPLICABLE TO LEON COUNTY FUTURE LAND USE MAP (REV. EFF. 6/19/07)

The allowable density is limited to 200 single-family residential dwelling units on parcels 15-17-20-224-0000 and 15-20-20-034-0000 combined and no non-residential development is permitted on these parcels. Also, for these parcels at least 50% of the entire combined acreage must be placed in permanent open space. The permanent protection of this open space shall be further defined through the PUD process.
(Parcels) 12-02-20-602-0000 and 12-11-20-202-0000 will be developed at a cumulative density no greater than 81 residential detached units.

Appropriately sized minor commercial activities and minor offices are permitted. Industrial, office and more intensive commercial land uses are prohibited due to lack of present infrastructure services or potential negative environmental impacts. Present or future agricultural, silviculture and forestry activities may be allowed.

Policy 2.2.3: [L]

RESIDENTIAL PRESERVATION (EFF. 7/16/90; REV. EFF. 7/26/06; REV. EFF. 4/10/09)

Characterized by existing homogeneous residential areas within the community which are predominantly accessible by local streets. The primary function is to protect existing stable and viable residential areas from incompatible land use intensities and density intrusions. Future development primarily will consist of infill due to the built out nature of the areas. Commercial, including office as well as any industrial land uses, are prohibited. Future arterial and/or expressways should be planned to minimize impacts within this category. Single family, townhouse and cluster housing may be permitted within a range of up to six units per acre. Consistency with surrounding residential type and density shall be a major determinant in granting development approval.

For Residential Preservation areas outside the Urban Service area the density of the residential preservation area shall be consistent with the underlying land use category.

The Residential Preservation category shall be based on the following general criteria. For inclusion, a residential area should meet most, but not necessarily all of these criteria.

1) Existing land use within the area is predominantly residential

2) Majority of traffic is local in nature

a) Predominance of residential uses front on local street
b) Relatively safe internal pedestrian mobility

3) Densities within the area generally of six units per acre or less

4) Existing residential type and density exhibits relatively homogeneous patterns

5) Assessment of stability of the residential area, including but not limited to:

a) Degree of home ownership
b) Existence of neighborhood organizations

In order to preserve existing stable and viable residential neighborhoods within the Residential Preservation land use category, development and redevelopment activities in and adjoining Residential Preservation areas shall be guided by the following principles:

a) The creation of transitional development area (TDA) for low density residential developments.

Higher density residential developments proposed for areas adjoining an established neighborhood within the residential preservation land use category shall provide a transitional development area along the shared property line in the higher density residential development. The development density in the transitional development area shall be the maximum density allowed in the Residential Preservation land use category. Development within the transitional development area shall be designed, sized and scaled to be compatible with the adjoining residential preservation area.

Transitional development areas shall be non-mapped areas and shall be approved at the time of site plan approval. The factors cited in paragraph (e) below shall be considered when determining the size of transitional development areas. The land

development regulations shall specify development thresholds for the implementation of transitional development areas.

b) Limitation on future commercial intensities adjoining low density residential preservation neighborhoods.

New or redeveloped commercial uses adjoining residential preservation designated areas shall mitigate potential impacts by providing a transitional development area between the commercial uses and residential preservation uses and only those commercial activities which are compatible with low density residential development in terms of size and appearance shall be allowed. The factors cited in paragraph (e) below shall be used when determining the compatibility, design techniques and the size of transitional development areas. The design and layout of adjoining commercial uses shall be oriented to place the section of the development with the least potential negative impacts next to the residential preservation area.

c) Limitations on existing light industry adjoining residential preservation neighborhoods.

New, expanding or redeveloped light industrial uses adjoining low density residential areas within the residential preservation land use category shall mitigate potential negative impacts by providing a transitional development area between the light industrial uses and the low and medium density residential uses. The factors cited in paragraph (e) below shall be considered when determining compatibility, design techniques and the size of the transitional development area.

The design and layout of adjoining light industrial uses shall be oriented to place the section of the development with the least potential negative impacts in the area next to the existing and/or future low density residential area in the residential preservation land use category. New light industrial land uses shall not be designated next to a residential preservation area.

d) Additional development requirements for allowed community facilities when adjoining low density residential areas, except for cemeteries or religious facilities to be used solely for religious functions. Such development requirements will also apply to ancillary facilities when proposed in conjunction with religious facilities, and are to result in effective visual and sound buffering (either through vegetative buffering or other design techniques) between the community facilities and the adjoining residential preservation area.

e) Land use compatibility with low density residential preservation neighborhoods

A number of factors shall be considered when determining a land use compatible with the residential preservation land use category. At a minimum, the following factors shall be considered to determine whether a proposed development is compatible with existing or proposed low density residential uses and with the intensity, density, and scale of surrounding development within residential preservation areas: proposed use(s); intensity; density; scale; building size, mass, bulk, height and orientation; lot coverage; lot size/ configuration; architecture; screening; buffers, including vegetative buffers; setbacks; signage; lighting; traffic circulation patterns; loading area locations; operating hours; noise; and odor. These factors shall also be used to determine the size of transitional development areas.

f) Limitations on Planned Unit Developments in the Residential Preservation land use category.

Planned Unit Developments proposed within the interior of a Residential Preservation designated recorded or unrecorded subdivisions shall be generally consistent with the density of the existing residential development in the recorded or unrecorded subdivision. Parcels abutting arterial roadways and/or major collectors may be permitted to achieve six dwelling units per acre.

The existing predominant development density patterns in Residential Preservation are listed in paragraph (g) below. Within 18 months of adoption, the PUD regulations shall be amended to include provisions addressing the preservation of established residential preservation designated areas. Said provisions shall address any proposed increase in density and the factors cited in paragraph (e) above.

g) Limitations on resubdivision of lots within established Residential Preservation designated areas.

To protect established single family neighborhoods from density intrusions, consistency within the recorded or unrecorded subdivision shall be the primary factor in granting approval for development applications. Consistency for the purposes of this paragraph shall mean that parcels proposed for residential development shall develop consistent with the lot size and density of the recorded or unrecorded subdivision.

1. Guidance on the resubdivision of lots in recorded and unrecorded single family subdivisions shall be provided in the Land Development Code.
2. Parcels proposed for residential development shall develop at densities generally consistent with the density of existing residential development in the recorded or unrecorded subdivision with the exception of parcels abutting arterial and/or major collector roadways which may be permitted up to six dwelling units per acre.

   There may be two distinct density patterns in the Residential Preservation land use category as shown below:

Existing land use character of the subdivision	Gross residential density
Homogenous, very low density single family detached units (City Only)	0-3.6 dwelling units per acre (generally consistent with density of the subdivision)
Low density single family detached and/or non-single family detached units (including but not limited to townhomes and duplexes)	0-6.0 dwelling units per acre (generally consistent with density of the subdivision)

This section shall not be construed as to restrict the development of building types allowed by the applicable zoning district.

Policy 2.2.4: [L]

VILLAGE MIXED USE (REV. EFF. 12/23/96; REV. EFF. 7/26/06; REV. EFF. 3/14/07)

To create traditional neighborhood developments with an emphasis on low to medium density residential land use, small to medium scale commercial shopping opportunities for area residents, schools and small to moderate scale churches, and recreational and leisure-oriented amenities for the enjoyment of area residents. Development in this category shall require compliance with traditional neighborhood development standards to be established in the Land Development Regulations. New development in this category requires the establishment of a true, mixed-use project, either through buildings that integrate a mixture of uses or series of buildings that result in a compatible mix of uses. Integration includes the establishment of pedestrian connections, shared public spaces, streetscapes that focus on people before automobiles and parking designs that minimize their visibility. Commercial development shall be of a walkable scale and intensity. Residential development shall include a mix of housing densities and housing types.

Traditional neighborhood development regulations shall include specific criteria to ensure that development in this category results in walkable, mixed-use neighborhoods that satisfy a

conditions, can be found compatible with the character of the surrounding land uses and the environmental conditions of the subject land. This district may allow residential and non-residential uses that might otherwise not be allowed in the underlying land use category, subject to unique design features or other regulatory conditions adopted to promote compatibility with adjacent areas. Such features include but are not limited to recreational areas, mixed use development, buffering, and landscaping. Development within this overlay shall result in an integrated plan of development~~.~~ and each adopted Planned Use Overlay District designation shall address the following: the intent of the specific overlay district designation, density and intensity; permitted uses; access and interconnectivity by car, foot, bicycle, and transit; trip generation and trip capture; identification and protection of environmental features; open space; buffering of adjacent uses when necessary; and unique design features.

Applicants seeking amendment of the Future Land Use map in order to apply this overlay district to (a) specified parcel(s) shall be required to meet with those registered neighborhood association(s), if any, within ¼ mile circumference of the amendment site prior to the first scheduled public hearing regarding the specific development proposal. This meeting shall be in addition to the normal Comprehensive Plan amendment notice procedures and requirements. Due to the requirements above, applicants shall be required to request the application of the Planned Use Overlay District prior to the relevant Comprehensive Plan amendment application deadline. Planned Unit Development zoning shall be required to implement each Planned Use Overlay District and the entitlements granted through the application of the Planned Use Overlay District may be further limited by the Planned Unit Development zoning requirements. However, the minimum size requirement for Planned Unit Development shall not apply.

In the event that the Future Land Use Map overlay district has been applied to a site and no Planned Unit Development zoning has received approval by action of the City or County within 18 months of land use designation effective date, the Planned Use Overlay District shall be deemed null and void and shall be removed from the Future Land Use Map, leaving the original and underlying land use category in place. If, subsequent to the amendment to the Planned Unit Development (PUD) zoning district, the applicant seeks to rezone the property from PUD to another zoning district, the rezoning must be consistent with the underlying and existing Future Land Use Map category unless an amendment to the Future Land Use Map is also sought and approved. In instances where rezonings to zoning districts other than the required PUD zoning district and amendments to the Future Land Use Map, if necessary, are approved the Planned Unit Overlay District shall be deemed null and void.

Policy 2.2.26: [L]

LAND USE DEVELOPMENT MATRIX (REV. EFF. 7/26/06; REV. EFF. 3/14/07; REV. EFF. 6/6/08)

The land use development matrix depicts set performance criteria from which an individual can measure the development potential of any parcel of property. In effect the matrix provides guidance as to where a parcel would fall on the permittable development ranges outlined within the future land use categories. As mentioned earlier, the relationships within the matrix are based upon the policies included within the individual elements of the plan. The matrix measures a parcel's development potential based on the following land use principles:

(1) The parcel's designation on the future land use map.
(2) Its potential compatibility with surrounding existing land use.

(3) The degree of accessibility to the parcel (commercial uses only).
(4) Potential land use in relation to the function of the road which will carry traffic resulting from any subsequent development of the parcel.
(5) Environmental constraints on site.
(6) Availability of sewer and water.

The review standards outlined above are listed across the top of the matrix. Potential land uses beginning with minor commercial and ending with heavy industrial are listed vertically and are measured in relation to the review standards listed across the top. Each cell of the matrix contains an inherent policy based on the relationship between the proposed land use for that parcel (vertical axis) and a performance standard (horizontal axis). An "X" in that cell indicates the proposed use would be allowed. Conversely, an "O" indicates that the proposed use is not allowed. All cell blocks which are applicable to a proposed land use must contain an "x" in order for the proposal to be allowed. Thus an individual would locate the proposed land use along the vertical axis and review along the row of cells next to it in a left to right direction to determine which conditions would allow or prohibit the proposed use. As stated under the performance concept, each site is individually measured for suitability in relation to performance standards. As a result, growth management guidance is provided.

(Note: The Land Use Development Matrix does not apply to Bradfordville Mixed Use, Suburban, Urban Residential 2, Village Mixed Use, Planned Development, Central Core, Central Urban, University Transition, and Woodville Rural Community.) (REV. EFF. 6/28/02; REV. EFF. 3/14/07; REV. EFF. 6/6/08; REV. EFF. 1/7/10)

Table 5: Land Use Development Matrix, Tallahassee

TALLAHASSEE *
LAND USE DEVELOPMENT MATRIX

FUTURE LAND USES

PROPOSED LAND USE	TYPE	NEIGHBORHOOD BOUNDARY	RURAL/AGRICULTURAL	URBAN FRINGE	ACTIVITY CENTER	RURAL COMMUNITY	LAKE PROTECTION	RESIDENTIAL PRESERVATION	LAKE TALQUIN	GOV. OPERATIONAL	REC./OPEN SPACE	EDUCATIONAL	HEAVY INDUSTRIAL	URBAN RESIDENTIAL	~~RESIDENTIAL CORRIDOR~~	~~RESIDENTIAL CORRIDOR NODE~~
COMMERCIAL	MINOR	24	X	X	X	X	19	0	X	0	0	0	X	0	~~0~~	~~26~~
	NEIGHBORHOOD	0	0	0	X	X	0	0	X	0	0	0	0	0	~~0~~	~~0~~
	COMMUNITY	0	0	0	X	0	0	0	0	0	0	0	0	0	~~0~~	~~0~~
	REGIONAL	0	0	0	X	0	0	0	0	0	0	0	0	0	~~0~~	~~0~~
	HIGHWAY	0	0	0	X	0	0	0	X	0	0	0	0	0	~~0~~	~~0~~
OFFICE	MINOR	24	0	0	X	0	19	0	X	0	0	0	0	0	0	~~26~~
	MAJOR	0	0	0	X	0	0	0	0	0	0	0	0	0	0	~~0~~
	PARK	0	0	0	X	0	0	0	0	0	0	0	0	0	~~0~~	~~0~~
RESIDENTIAL	LOW	X	X	X	0	X	X	X	X	0	0	0	12	X	~~X~~	~~X~~
	MEDIUM	0	0	0	X	0	0	0	0	0	0	0	0	25	~~0~~	~~X~~
	HIGH	0	0	0	X	0	0	0	0	0	0	0	0	0	~~0~~	0
RECREATIONAL	PASSIVE	0	X	X	X	X	X	X	X	X	X	X	0	X	~~0~~	0
	ACTIVE	0	X	X	X	X	X	X	X	X	X	X	0	0	~~0~~	0
COMMUNITY FACILITIES	COMMUNITY SERVICES	X	X	X	X	X	X	X	X	X	X	X	0	X	~~X~~	~~X~~
	LIGHT INFRASTRUCTURE	0	X	X	X	X	X	X	X	X	X	X	X	0	~~0~~	~~0~~
	HEAVY INFRASTRUCTURE	0	X	X	0	0	0	0	X	X	0	0	X	0	~~0~~	~~0~~
	POST-SECONDARY	0	X	0	X	X	0	0	X	0	0	X	0	0	~~0~~	~~0~~
LIGHT INDUSTRIAL	MINOR	0	10	10	X	10	0	0	0	0	0	0	X	0	~~0~~	~~0~~
	PARK	0	0	0	1	0	0	0	0	0	0	0	X	0	~~0~~	~~0~~
HEAVY INDUSTRIAL	HEAVY INDUSTRIAL	0	10	0	0	0	0	0	0	0	0	0	X	0	~~0~~	~~0~~

EXISTING ADJOINING LAND USES (A) (D) (G)

PROPOSED LAND USE	TYPE	COMMERCIAL MINOR	COMMERCIAL NEIGHBORHOOD	COMMERCIAL COMMUNITY	COMMERCIAL REGIONAL	COMMERCIAL HIGHWAY	OFFICE MINOR	OFFICE MAJOR	OFFICE PARK	RES. LOW	RES. MEDIUM	RES. HIGH	REC. PASSIVE	REC. ACTIVE	EDUC. ELEMENTARY	EDUC. MIDDLE	EDUC. HIGH	COMMUNITY FACILITIES: COMMUNITY SERVICE	COMMUNITY FACILITIES: LIGHT INFRASTRUCTURE	COMMUNITY FACILITIES: HEAVY INFRASTRUCTURE	COMMUNITY FACILITIES: POST SECONDARY	LGT. IND. MINOR	LGT. IND. PARK	HVY. IND.
COMMERCIAL	MINOR	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	0	X	X	X	X
	NEIGHBORHOOD	X	X	X	X	X	X	X	X	0	X	X	X	X	0	X	X	X	X	0	X	X	X	0
	COMMUNITY	X	X	X	X	X	X	X	X	0	X	X	0	X	0	X	X	X	X	X	X	X	X	0
	REGIONAL	X	X	X	X	X	X	X	X	0	0	X	0	0	0	0	X	X	X	X	X	X	X	0
	HIGHWAY	X	X	X	X	X	X	X	X	0	X	X	X	X	0	X	X	X	X	X	X	X	X	X
OFFICE	MINOR	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	0	X	X	X	13
	MAJOR	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	1
	PARK	X	X	X	X	X	X	X	X	0	X	X	X	X	0	X	X	X	X	1	X	X	X	1
RESIDENTIAL	LOW	X	0	0	0	0	X	X	0	X	X	X	X	X	X	X	X	X	X	0	X	0	0	0
	MEDIUM	X	X	X	9	X	X	X	X	14	X	X	X	X	X	X	X	X	X	0	X	0	0	0
	HIGH	X	X	X	X	X	X	X	X	0	X	X	X	X	X	X	X	X	X	X	X	X	X	0
RECREATIONAL	PASSIVE	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
	ACTIVE	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
COMMUNITY FACILITIES	COMMUNITY SERVICES	X	X	X	X	X	X	X	X	2	X	X	X	X	X	X	X	X	X	X	X	X	X	X
	LIGHT INFRASTRUCTURE	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
	HEAVY INFRASTRUCTURE		X	X	X	X	0	1	1	0	0	0	0	X	0	0	0	1	X	X	0	X	X	X
	POST-SECONDARY	X	X	X	X	X	X	X	X	0	X	X	X	X	1	X	X	X	X	X	X	X	X	0
LIGHT INDUSTRIAL	MINOR	X	X	X	X	X	X	X	X	0	0	X	X	X	0	0	0	X	X	X	X	X	X	X
	PARK	X	X	X	X	X	X	X	X	0	0	X	0	X	0	0	0	X	X	X	X	X	X	X
HEAVY INDUSTRIAL	HEAVY INDUSTRIAL	X	0	0	0	X	0	0	0	0	0	0	0	X	0	0	0	X	X	X	0	X	X	X

TRANSPORTATION ACCESS (B) (J) — INTERSECTION LOCATION (E); STREET ACCESS (F)

PROPOSED LAND USE	TYPE	PRIN. ART./PRIN. ART	PRIN. ART./MIN. ART	PRIN. ART./MAJ. COL	PRIN. ART./MIN. COL	PRIN. ART./LOCAL	MIN. ART./MIN. ART	MIN. ART./MAJ. COL	MIN. ART./MIN. COL	MIN. ART./LOCAL	MAJ. COL./MAJ. COL	MAJ. COL./MIN. COL	MAJ. COL. / LOCAL	MIN. COL./MIN. COL	MIN. COL. / LOCAL	LOCAL / LOCAL	STREET ACCESS: PRINCIPAL ARTERIAL	STREET ACCESS: MINOR ARTERIAL	STREET ACCESS: MAJOR COLLECTOR	STREET ACCESS: MINOR COLLECTOR	STREET ACCESS: LOCAL
COMMERCIAL	MINOR	0	0	X	X	23	0	X	X	23	X	X	0	X	0	0	X	X	X	X	0
	NEIGHBORHOOD	X	X	23	0	0	X	23	0	0	18	0	0	0	0	0	X	X	X	15	0
	COMMUNITY	X	X	0	0	0	X	0	0	0	0	0	0	0	0	0	X	X	0	0	0
	REGIONAL	X	X	X	0	0	X	X	0	0	0	0	0	0	0	0	X	X	15	0	0
	HIGHWAY	6	6	X	0	0	6	X	0	0	0	0	0	0	0	0	X	X	X	O	0
OFFICE	MINOR	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	X	X	X	X	0
	MAJOR	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	X	X	X	O	0
	PARK	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	X	X	X	O	0
RESIDENTIAL	LOW	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	16	16	16	X	X
	MEDIUM	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	X	X	X	X	0
	HIGH	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	X	X	X	O	0
RECREATIONAL	PASSIVE	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	X	X	X	X	X
	ACTIVE	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	X	X	X	X	0
COMMUNITY FACILITIES	COMMUNITY SERVICES	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	X	X	X	X	0
	LIGHT INFRASTRUCTURE	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	X	X	X	X	X
	HEAVY INFRASTRUCTURE	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	X	X	X	O	0
	POST-SECONDARY	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	X	X	X	O	0
LIGHT INDUSTRIAL	MINOR	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	X	X	X	O	0
	PARK	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	X	X	X	O	0
HEAVY INDUSTRIAL	HEAVY INDUSTRIAL	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	X	X	X	O	0

ENVIRONMENTAL CONSTRAINTS (C) / **INFRA-STRUCTURE**

PROPOSED LAND USE	TYPE	FLOODWAY/FLOODPLAIN UNDEVELOPED	SEVERE GRADES	SIGNIFICANT GRADES 10 - 20%	WETLAND	REGULATED CLOSED BASIN	HIGH QUALITY SUCCESSIONAL FOREST	NATIVE FOREST	GROUNDWATER RESOURCE PROTECTION	CANOPY ROAD	SEWER SYSTEM	SEPTIC TANK	WATER SYSTEM	WATER WELL
COMMERCIAL	MINOR	0	0	1	0	3	1	0	X	17	X	5	X	5
	NEIGHBORHOOD	0	0	0	0	3	1	0	4	11	X	0	X	0
	COMMUNITY	0	0	0	0	3	1	0	0	0	X	0	X	0
	REGIONAL	0	0	0	0	3	0	0	0	0	X	0	X	0
	HIGHWAY	0	0	1	0	3	1	0	4	0	X	0	X	0
OFFICE	MINOR	0	X	X	0	3	X	0	X	X	X	0	X	0
	MAJOR	0	0	1	0	3	1	0	X	17	X	0	X	0
	PARK	0	0	0	0	3	1	0	4	17	X	0	X	0
RESIDENTIAL	LOW	1	X	X	0	3	X	8	X	17	X	20	X	20
	MEDIUM	0	0	8	0	3	1	0	4	17	X	0	X	0
	HIGH	0	0	0	0	3	1	0	0	17	X	0	X	0
RECREATIONAL	PASSIVE	X	X	X	X	X	X	X	X	X	X	X	X	X
	ACTIVE	X	0	1	0	3	1	0	X	X	X	5	X	5
COMMUNITY FACILITIES	COMMUNITY SERVICES	0	0	X	0	3	X	0	X	X	X	19	X	5
	LIGHT INFRASTRUCTURE	0	0	X	0	X	1	0	X	X	X	5	X	5
	HEAVY INFRASTRUCTURE	0	0	0	0	3	1	0	4	17	X	21	X	21
	POST-SECONDARY	0	0	1	0	3	1	0	X	X	X	0	X	0
LIGHT INDUSTRIAL	MINOR	0	0	1	0	3	1	0	4	0	X	10	X	10
	PARK	0	0	0	0	3	1	0	4	0	X	0	X	0
HEAVY INDUSTRIAL	HEAVY INDUSTRIAL	0	0	0	0	3	1	0	0	0	X	22	X	22

X – Land use is compatible/allowable
0 – Land use incompatible/not allowable
1 – PUD or site plan review
2 – Planned unit development required, except for cemetaries or for religious facilities to be used solely for religious functions. P.U.D. requirement will apply if ancillary facilities are proposed in in conjunction with religious facilities.
3 – Permitted where sufficient stormwater management capacity exists within the basin
4 – Consistent with aquifer recharge policies contained within the Conservation Element
5 – Permitted outside of Urban Service Boundary
6 – Permitted only at those intersection quadrants which previously have been developed
7 – Permitted in conjunction with mixed use project (footnote deleted)
8 – Cluster development required
9 – Intended for upper level of density range
10 – Agricultural related only
11 – No access to canopy road
12 – Residence for security or caretaker personnel allowed
13 – Office use permitted if ancillary to industrial use
14 – Intended for lower level of density range
15 – Secondary access only approved in conjunction with site plan, PUD or DRI
16 – Direct access allowed outside urban service area or on previously platted lot
17 – Primary access to canopy road permitted only when alternate access to non-canopy roads is unavailable
Primary access shall be restricted to one driveway designed to mitigate impacts. Planned development required for approval.
18 – Commercial restricted to 50,000 sq ft
19 – Where sewer is not available, permitted for community services with less than 5000 sq ft or a 500 gal septic tank.
20 – Permitted on lots greater than 2 acres inside the Urban Service Area, permitted outside Urban Service Area
(Sewer Policy 2.1.3)
21 – Permitted for appropriate facilities located outside of Urban Service Area (Sewer Policy 1.3.7)
22 – May be permitted for sandmines or borrow pits (Conservation Policy 3.2.2)
23 – Commercial limited to one quadrant of the intersection
24 – Commercial restricted to 5000 sq ft of gross building floor area per parcel and 10,000 sq ft of gross building floor area per acre provided **BOTH** standards are met.
25 – Density limited to 10 Dwelling units per acre
~~26 – Commercial and office restricted to 4,000 sq. feet of gross building floor area per parcel and 8,500 sq. feet of gross building floor area per acre when developed as a single use provided both standards are met or; 10,000 sq. feet of gross building floor area per parcel and 20,000 sq feet of gross building floor area per acre when developed as a mixed use development provided both standards are met.~~

NA Not applicable

* – To be used in conjunction with Future Land Use Map and applicable goals, objectives and policies contained within the Comprehensive Plan

(A) – An incompatible land use may be permitted with an adequate buffer when its incompatibility with an adjoining land use is along rear property lines. This does not apply to heavy industrial adjoining residential.
(B) – Non-residentail uses permitted on all streets and intersections designated as non-residential streets.
(C) – Applies to the specific environmentally significant area on site and the plan requires site specific assessment of development impact on endangered, threatened and species of special concern (plants and animals)
(D) – This portion of the matrix does not apply when existing land use is nonconforming
(E) – May be waived pursuant to land use policy 3.1.5. or if commercial contained within Mixed Use PUD or DRI development
(F) – See Transportation Policy 1.6.4
(G) – Existing adjoining land uses, access, intersection restrictions are not a factor in Activity Center as per conditions of land Use policy 1.4.22

Effective 06-6-08
Cycle 2007-2

Note:
Matrix is intended to be a pictorial representation of existing policies in the Comprehensive Plan.

DOES NOT APPLY TO BRADFORDVILLE MIXED USE, SUBURBAN, URBAN RESIDENTIAL 2, VILLAGE MIXED USE, PLANNED DEVELOPMENT, UNIVERSITY TRANSITION, DOWNTOWN, WOODVILLE RURAL COMMUNITY, AND CENTRAL URBAN

Table 6: Land Use Development Matrix, Leon County

LEON COUNTY*
LAND USE DEVELOPMENT MATRIX

FUTURE LAND USES

PROPOSED LAND USE	TYPE	NEIGHBORHOOD BOUNDARY	RURAL	URBAN FRINGE	ACTIVITY CENTER	RURAL COMMUNITY	LAKE PROTECTION	RESIDENTIAL PRESERVATION	LAKE TALQUIN	GOV. OPERATIONAL	REC./OPEN SPACE	EDUCATIONAL	HEAVY INDUSTRIAL	URBAN RESIDENTIAL	~~RESIDENTIAL CORRIDOR~~	~~RESIDENTIAL CORRIDOR NODE~~
COMMERCIAL	MINOR	25	X	X	X	X	19	0	X	0	0	0	X	0	~~0~~	28
	NEIGHBORHOOD	0	0	0	X	X	0	0	X	0	0	0	0	0	~~0~~	~~0~~
	COMMUNITY	0	0	0	X	0	0	0	0	0	0	0	0	0	~~0~~	~~0~~
	REGIONAL	0	0	0	X	0	0	0	0	0	0	0	0	0	~~0~~	~~0~~
	HIGHWAY	0	0	0	X	0	0	0	X	0	0	0	0	0	~~0~~	0
OFFICE	MINOR	25	0	X	X	X	19	0	X	0	0	0	0	0	~~0~~	28
	MAJOR	0	0	0	X	0	0	0	0	0	0	0	0	0	~~0~~	~~0~~
	PARK	0	0	0	X	0	0	0	0	0	0	0	0	0	~~0~~	~~0~~
RESIDENTIAL	LOW	X	X	X	0	X	X	X	X	0	0	0	12	X	~~X~~	~~X~~
	MEDIUM	0	0	0	X	0	0	0	0	0	0	0	0	27	~~0~~	X
	HIGH	0	0	0	X	0	0	0	0	0	0	0	0	0	~~0~~	~~0~~
RECREATIONAL	PASSIVE	0	X	X	X	X	X	X	X	X	X	X	0	X	~~0~~	~~0~~
	ACTIVE	0	X	X	X	X	X	X	X	X	X	X	0	0	~~0~~	~~0~~
COMMUNITY FACILITIES	COMMUNITY SERVICES	X	X	X	X	X	X	X	X	X	X	X	0	X	~~X~~	~~X~~
	LIGHT INFRASTRUCTURE	0	X	X	X	X	X	X	X	X	X	X	X	0	~~0~~	~~0~~
	HEAVY INFRASTRUCTURE	0	X	X	0	0	0	0	X	X	0	0	X	0	~~0~~	~~0~~
	POST-SECONDARY	0	X	X	X	X	0	0	X	0	0	X	0	0	~~0~~	~~0~~
LIGHT INDUSTRIAL	MINOR	0	10	10	X	10	0	0	0	0	0	0	X	0	~~0~~	~~0~~
	PARK	0	0	0	1	0	0	0	0	0	0	0	X	0	~~0~~	~~0~~
HEAVY INDUSTRIAL	HEAVY INDUSTRIAL	0	10	0	0	0	0	0	0	0	0	0	X	0	~~0~~	~~0~~

EXISTING ADJOINING LAND USES (A)(D)(G)

PROPOSED LAND USE	TYPE	COMMERCIAL: MINOR	COMMERCIAL: NEIGHBORHOOD	COMMERCIAL: COMMUNITY	COMMERCIAL: REGIONAL	COMMERCIAL: HIGHWAY	OFFICE: MINOR	OFFICE: MAJOR	OFFICE: PARK	RES.: LOW	RES.: MEDIUM	RES.: HIGH	REC.: PASSIVE	REC.: ACTIVE	EDUC.: ELEMENTARY	EDUC.: MIDDLE	EDUC.: HIGH	COMMUNITY FACILITIES: COMMUNITY SERVICE	COMMUNITY FACILITIES: LIGHT INFRASTRUCTURE	COMMUNITY FACILITIES: HEAVY INFRASTRUCTURE	COMMUNITY FACILITIES: POST SECONDARY	LGT. IND.: MINOR	LGT. IND.: PARK	HVY. IND.
COMMERCIAL	MINOR	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	0	X	X	X	X
	NEIGHBORHOOD	X	X	X	X	X	X	X	X	0	X	X	X	X	0	X	X	X	X	0	X	X	X	0
	COMMUNITY	X	X	X	X	X	X	X	X	0	X	X	0	X	0	X	X	X	X	X	X	X	X	0
	REGIONAL	X	X	X	X	X	X	X	X	0	0	X	0	0	0	0	X	X	X	X	X	X	X	0
	HIGHWAY	X	X	X	X	X	X	X	X	0	X	X	X	X	0	X	X	X	X	X	X	X	X	X
OFFICE	MINOR	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	0	X	X	X	X	X	13
	MAJOR	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	1
	PARK	X	X	X	X	X	X	X	X	0	X	X	X	X	0	X	X	X	X	1	X	X	X	1
RESIDENTIAL	LOW	X	0	0	0	0	X	X	0	X	X	X	X	X	X	X	X	X	X	0	X	0	0	0
	MEDIUM	X	X	X	9	X	X	X	X	14	X	X	X	X	X	X	X	X	X	0	X	0	0	0
	HIGH	X	X	X	X	X	X	X	X	0	X	X	X	X	X	X	X	X	X	X	X	X	X	0
RECREATIONAL	PASSIVE	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
	ACTIVE	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
COMMUNITY FACILITIES	COMMUNITY SERVICES	X	X	X	X	X	X	X	X	2	X	X	X	X	X	X	X	X	X	X	X	X	X	X
	LIGHT INFRASTRUCTURE	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
	HEAVY INFRASTRUCTURE	0	X	X	X	X	0	1	1	0	0	0	0	X	0	0	0	1	X	X	0	X	X	X
	POST-SECONDARY	X	X	X	X	X	X	X	X	0	X	X	X	X	1	X	X	X	X	X	X	X	X	0
LIGHT INDUSTRIAL	MINOR	X	X	X	X	X	X	X	X	0	0	X	X	X	0	0	0	X	X	X	X	X	X	X
	PARK	X	X	X	X	X	X	X	X	0	0	X	0	X	0	0	0	X	X	X	X	X	X	X
HEAVY INDUSTRIAL	HEAVY INDUSTRIAL	X	0	0	0	X	0	0	0	0	0	0	0	X	0	0	0	X	X	X	0	X	X	X

TRANSPORTATION ACCESS (B)(J) — INTERSECTION LOCATION (E)

PROPOSED LAND USE	TYPE	PRIN. ART/PRIN. ART	PRIN. ART/MIN. ART	PRIN. ART/MAJ. COL	PRIN. ART/MIN. COL	PRIN. ART/LOCAL	MIN. ART/MIN. ART	MIN. ART/MAJ. COL	MIN. ART/MIN. COL	MIN. ART/LOCAL	MAJ. COL/MAJ. COL	MAJ. COL/MIN. COL	MAJ. COL /LOCAL	MIN. COL/MIN. COL	MIN. COL /LOCAL	LOCAL /LOCAL
COMMERCIAL	MINOR	0	0	X	X	23	0	X	X	23	X	X	0	X	0	0
	NEIGHBORHOOD	X	X	23	0	0	X	X	0	0	18	0	0	0	0	0
	COMMUNITY	X	X	0	0	0	X	0	0	0	0	0	0	0	0	0
	REGIONAL	X	X	X	0	0	X	X	0	0	0	0	0	0	0	0
	HIGHWAY	6	6	X	0	0	6	X	0	0	0	0	0	0	0	0
OFFICE	MINOR	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA
	MAJOR	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA
	PARK	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA
RESIDENTIAL	LOW	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA
	MEDIUM	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA
	HIGH	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA
RECREATIONAL	PASSIVE	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA
	ACTIVE	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA
COMMUNITY FACILITIES	COMMUNITY SERVICES	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA
	LIGHT INFRASTRUCTURE	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA
	HEAVY INFRASTRUCTURE	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA
	POST-SECONDARY	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA
LIGHT INDUSTRIAL	MINOR	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA
	PARK	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA
HEAVY INDUSTRIAL	HEAVY INDUSTRIAL	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA

TRANSPORTATION ACCESS — STREET ACCESS (F)

PROPOSED LAND USE	TYPE	PRINCIPAL ARTERIAL	MINOR ARTERIAL	MAJOR COLLECTOR	MINOR COLLECTOR (G)	LOCAL (H)
COMMERCIAL	MINOR	X	X	X	X	0
	NEIGHBORHOOD	X	X	X	15	0
	COMMUNITY	X	X	0	0	0
	REGIONAL	X	X	15	0	0
	HIGHWAY	X	X	X	O	0
OFFICE	MINOR	X	X	X	X	0
	MAJOR	X	X	X	O	0
	PARK	X	X	X	O	0
RESIDENTIAL	LOW	16	16	16	X	X
	MEDIUM	X	X	X	X	0
	HIGH	X	X	X	O	0
RECREATIONAL	PASSIVE	X	X	X	X	X
	ACTIVE	X	X	X	X	0
COMMUNITY FACILITIES	COMMUNITY SERVICES	X	X	X	X	24
	LIGHT INFRASTRUCTURE	X	X	X	X	X
	HEAVY INFRASTRUCTURE	X	X	X	O	0
	POST-SECONDARY	X	X	X	O	0
LIGHT INDUSTRIAL	MINOR	X	X	X	O	0
	PARK	X	X	X	O	0
HEAVY INDUSTRIAL	HEAVY INDUSTRIAL	X	X	X	O	0

ENVIRONMENTAL CONSTRAINTS (C) and **INFRA-STRUCTURE**

PROPOSED LAND USE	TYPE	FLOODWAY/FLOODPLAIN UNDEVELOPED	SEVERE GRADES	SIGNIFICANT GRADES 10 - 20%	WETLAND	REGULATED CLOSED BASIN	HIGH QUALITY SUCCESSIONAL FOREST	NATIVE FOREST	GROUNDWATER RESOURCE PROTECTION	CANOPY ROAD	SEWER SYSTEM/ PACKAGE PLANT	SEPTIC TANK	WATER SYSTEM	WATER WELL
COMMERCIAL	MINOR	0	0	1	0	3	1	0	X	17	X	X	X	X
	NEIGHBORHOOD	0	0	0	0	3	1	0	4	11	X	0	X	0
	COMMUNITY	0	0	0	0	3	1	0	0	0	X	0	X	0
	REGIONAL	0	0	0	0	3	0	0	0	0	X	0	X	0
	HIGHWAY	0	0	1	0	3	1	0	4	0	X	0	X	0
OFFICE	MINOR	0	X	X	0	3	X	0	X	X	X	X	X	X
	MAJOR	0	0	1	0	3	1	0	X	17	X	0	X	0
	PARK	0	0	0	0	3	1	0	4	17	X	0	X	0
RESIDENTIAL	LOW	1	X	X	0	3	X	8	X	17	X	20	X	X
	MEDIUM	0	0	8	0	3	1	0	4	17	X	0	X	0
	HIGH	0	0	0	0	3	1	0	0	17	X	0	X	0
RECREATIONAL	PASSIVE	X	X	X	X	X	X	X	X	X	X	X	X	X
	ACTIVE	X	0	1	0	3	1	0	X	X	X	X	X	5
COMMUNITY FACILITIES	COMMUNITY SERVICES	0	0	X	0	3	X	0	X	X	X	X	X	5
	LIGHT INFRASTRUCTURE	0	0	X	0	X	1	0	X	X	X	X	X	5
	HEAVY INFRASTRUCTURE	0	0	0	0	3	1	0	4	17	X	21	X	21
	POST-SECONDARY	0	0	1	0	3	1	0	X	X	X	0	X	0
LIGHT INDUSTRIAL	MINOR	0	0	1	0	3	1	0	4	0	X	10	X	10
	PARK	0	0	0	0	3	1	0	4	0	X	0	X	0
HEAVY INDUSTRIAL	HEAVY INDUSTRIAL	0	0	0	0	3	1	0	0	0	X	22	X	22

X – Land use is compatible/allowable
0 – Land use incompatible/not allowable
1 – PUD or site plan review
2 – Planned unit development required, except for cemetaries or for religious facilities to be used solely for religious functions. P.U.D. requirement will apply if ancillary facilities are proposed in in conjunction with religious facilities.
3 – Permitted where sufficient stormwater management capacity exists within the basin
4 – Consistent with aquifer recharge policies contained within the Conservation Element
5 – Permitted outside of Urban Service Boundary
6 – Permitted only at those intersection quadrants which previously have been developed
7 – Permitted in conjunction with mixed use project (footnote deleted)
8 – Cluster development required (Max. 12 DU/AC)
10 – Agricultural related only
11 – No access to canopy road
12 – Residence for security or caretaker personnel allowed
13 – Office use permitted if ancillary to industrial use
14 – Intended for lower level of density range
15 – Secondary access only approved in conjunction with site plan, PUD or DRI
16 – Direct access allowed outside urban service area or on previously platted lot
17 – Primary access to canopy road permitted only when alternate access to non-canopy roads is unavailable. Primary access shall be restricted to one driveway designed to mitigate impacts. Planned development required for approval
18 – Commercial restricted to 50,000 sq ft
19 – Permitted in county portion of category. (Resultant runoff must be retained on site) P.U.D. required
20 – Permitted on lots greater than ½ acre (Sewer Policy 2.1.3)
21 – Permitted for appropriate facilities located outside of Urban Service Area (Sewer Policy 1.3.7)
22 – May be permitted for sandmines or borrow pits (Conservation Policy 3.2.2)
23 – Commercial limited to one quadrant of the intersection
24 – Access allowed outside the Urban Service Area for Community Services operated by public agencies
25 – Commercial restricted to 5000 sq ft of gross building floor area per parcel and 10,000 sq ft of gross building floor area per acre provided **BOTH** standards are met
26 – Minor Offices permitted access onto local streets within Neighborhood Boundary category only
27 – Density limited to 10 Dwelling units per acre
~~28 – Commercial and office restricted to 4,000 sq. feet of gross building floor area per parcel and 8,500 sq. feet of gross building floor area per acre when developed as a single use provided both standards are met or, 10,000 sq. feet of gross building floor area per parcel and 20,000 sq. feet of gross building floor area per acre when developed as a mixed use development provided both standards are met~~

NA = Not applicable
* = To be used in conjunction with Future Land Use Map and applicable goals, objectives and policies contained within the Comprehensive Plan

(A) – An incompatible land use may be permitted with an adequate buffer when its incompatibility with an adjoining land use is along rear property lines. This does not apply to heavy industrial adjoining residential
(B) – Non-residentail uses permitted on all streets and intersections designated as non-residential streets
(C) – Applies to the specific environmentally significant area on site and the plan requires site specific assessment of development impact on endangered, threatened and species of special concern (plants and animals)
(D) – This portion of the matrix does not apply when existing land use is nonconforming
(E) – May be waived pursuant to land use policy 3.1.5. or if commercial contained within Mixed Use PUD or DRI development
(F) – See Transportation Policy 1.6.4
(G) – Existing adjoining land uses, access, intersection restrictions are not a factor in Activity Center as per conditions of land Use policy 1.4.22

Effective 06-6-08
Cycle 2007-2

Note:
Matrix is intended to be a pictorial representation of existing policies in the Comprehensive Plan.

DOES NOT APPLY TO BRADFORDVILLE MIXED USE, SUBURBAN, URBAN RESIDENTIAL 2, VILLAGE MIXED USE, PLANNED DEVELOPMENT, UNIVERSITY TRANSITION, DOWNTOWN, WOODVILLE RURAL COMMUNITY, AND CENTRAL URBAN

MOBILITY
GOALS, OBJECTIVES AND POLICIES

Overall Goal (EFF. 12/15/11)

Establish a safe, energy efficient multi-modal transportation system that provides mobility for pedestrians, bicyclists, transit users, motorized vehicle users, users of rail and aviation facilities, supports public health through active living, and is sensitive to the cultural and environmental amenities of Tallahassee and Leon County.

Goal 1: [M] (EFF. 12/15/11)
MOTORIZED, BICYCLE, AND PEDESTRIAN CIRCULATION

Establish and maintain a safe, convenient, energy efficient, and environmentally sound automobile, transit, bicycle and pedestrian transportation system, capable of moving people of all ages and abilities as well as goods.

Objective 1.1: [M] (EFF. 12/15/11)
LAND USE AND TRANSPORTATION COORDINATION

Coordinate transportation and land use systems that foster vibrant communities with compact urban forms and a mixture of uses to minimize travel distances, reduce vehicle miles traveled and greenhouse gases, and to enhance pedestrian and bicycle mobility and transit accessibility.

Policy 1.1.1: [M] (EFF. 12/15/11)

Identification and programming of new road projects or substantial improvements to existing roads shall be consistent with the Future Land Use Element of the Comprehensive Plan and specifically the Urban Service Area strategy to promote urban infill and discourage urban sprawl.

Policy 1.1.2: [M] (EFF. 12/15/11)

Designate energy efficiency districts in areas that are intended for greater densities and intensities to support frequent transit service and where primary priority is to be placed on providing a safe, comfortable and attractive environment for pedestrians and cyclists. For each district:

1. evaluate and modify, if necessary, the zoning and land development regulations to ensure standards that will support compact, walkable, mixed-use development; and
2. adopt and maintain a connectivity plan identifying needed bicycle, pedestrian, roadway, and transit projects to increase connectivity and safety, minimize travel distances for pedestrians and cyclists, and provide connections to other parts of the City, County, and Capital Region;
3. Coordinate with the Capital Region Transportation Planning Agency to include the Mobility District Plan priorities in Long Range Transportation Plan updates.

Policy 1.1.3: [M] (EFF. 12/15/11)

Promote the Downtown as an 18-hour activity center by supporting development of housing, restaurants, and cultural activities to encourage use beyond working hours.

Policy 1.1.4: [M] (EFF. 12/15/11)

Promote neighborhood parks to reduce the need for long distance trips for recreation.

Policy 1.1.5: [M] (EFF. 12/15/11)

Maintain a Greenways Master Plan that integrates pedestrian and bicycle mobility into a linear park and open space system that connects local, regional, and state facilities, with specific emphasis on connections within Downtown and energy efficiency districts.

Policy 1.1.6: [M] (EFF. 12/15/11)

A functional transportation network shall be coordinated and maintained with the Florida State University, Florida A&M University, and Tallahassee Community College master plans to link those educational institutions and provide access to transit and surrounding supporting land uses.

Policy 1.1.7: [M] (EFF. 12/15/11)

The City of Tallahassee and Leon County shall adopt and maintain ordinances providing for safe and convenient on-site traffic flow, considering motorized and non-motorized vehicle parking.

Policy 1.1.8: [M] (EFF. 12/15/11)

Development projects shall contribute to providing a safe, convenient, comfortable and aesthetically pleasing transportation environment that promotes walking, cycling, and transit use. Appropriate improvements or enhancements to the multimodal network shall be required as a condition of development approval, such as, but not limited to, the following:

a) Full accommodations for pedestrian access and movement, including shaded sidewalks, benches and enhanced crossings;
b) Full accommodations for bicycles, including lockers, showers, and racks;
c) Direct connections to the regional bicycle/pedestrian network;
d) Installation of shared use paths in accordance with FDOT recognized standards;
e) Well-designed accommodations for transfer of passengers at designated transit facilities;
f) Preferential parking for rideshare participants;
g) Well-designed access for motor vehicle passenger drop-offs and pick-ups at designated transit facilities and at commercial and office development sites;
h) Full accommodation for the mobility impaired, including parking spaces, sidewalks and ramps for handicapped access;
i) Weather protection at transit stops.

Policy 1.1.9: [M] (EFF. 12/15/11)

*Designation of Multimodal Transportation District (MMTD)***.** In accordance with the provisions of Florida Statute 163.3180(15), the City of Tallahassee and Leon County hereby establish a

Policy 1.2.2: [M] (EFF. 12/15/11)

Safe and convenient facilities for pedestrians, cyclists and transit users shall be evaluated for all new road and road widening projects. Specifically, all road projects, including resurfacing projects, shall be evaluated for the addition of bicycle lanes or paved shoulders, and transit shelters where they did not previously exist.

Policy 1.2.3: [M] (EFF. 12/15/11)

Establish and maintain a safe and effective system of bicycle lanes, sidewalks, and shared-use paths in conjunction with existing and planned roadways and the Greenways Master Plan. Where design criteria allow and safe operation will occur, separate bicycle and pedestrian traffic from vehicular traffic. Provide adequate and secure bicycle parking facilities at major destinations.

Policy 1.2.4: [M] (EFF. 12/15/11)

In coordination with the Capital Region Transportation Planning Agency, maintain a bicycle and pedestrian master plan and pursue implementation funding.

Policy 1.2.5: [M] (EFF. 12/15/11)

Designate preferred entrance corridors into and connecting Tallahassee and Leon County, and adopt and maintain land development regulations to convert them into shaded pedestrian ways over time.

Policy 1.2.6: [M] (EFF. 12/15/11)

Require a scenic roadway assessment, environmental assessment, and landscape component in the planning and construction of new roads, and in the improvement of existing roads.

Policy 1.2.7: [M] (EFF. 12/15/11)

Require that all new or rebuilt multi-lane (four or six-lane) arterial and major collector streets be constructed with grassed and/or landscaped medians where sufficient right-of-way can be obtained, unless limited by environmental constraints.

Policy 1.2.8: [M] (EFF. 12/15/11)

Provide a safe, accessible environment and support active living for students by: developing and maintaining programs to increase biking and walking to schools; prioritizing sidewalk and bicycle infrastructure within a two mile radius of primary schools; and continuing to identify, fund and build Safe Routes to Schools projects.

Policy 1.2.9: [M] (EFF. 12/15/11)

Special consideration shall be given to areas with concentrations of students, seniors, low-income families or others that are more dependent on modes other than the automobile to provide a safe, accessible environment.

Policy 1.4.1: [M] (EFF. 12/15/11)

Require vehicular, pedestrian, and bicycle interconnections between adjacent, compatible development; and require these interconnections between adjacent, incompatible developments if it has the potential to reduce the vehicular traffic on the external street system without negatively impacting either development.

Policy 1.4.2: [M] (EFF. 12/15/11)

Utilize context sensitive roadway design and traffic calming to allow connectivity while mitigating the effects of through traffic on neighborhoods.

Policy 1.4.3: [M] (EFF. 12/15/11)

Within the Urban Service Area, require private developers to include bikeways and pathways or sidewalks within proposed developments and connecting to surrounding land uses.

Policy 1.4.4: [M] (EFF. 12/15/11)

All development plans shall contribute to developing a local and collector street and unified circulation system that will allow multimodal access to and from the proposed development, as well as access to surrounding developments.

Policy 1.4.5: [M] (EFF. 12/15/11)

All development plans shall incorporate and continue all sub-arterial streets stubbed to the boundary of the development plan by previously approved development plans or existing development.

Policy 1.4.6: [M] (EFF. 12/15/11)

Connections to and from energy efficiency districts. The transit, bike, and pedestrian networks within energy efficiency districts shall recognize the districts as activity nodes and thus logically interconnect with and service the surrounding areas.

Policy 1.4.7: [M] (EFF. 12/15/11)

Energy Efficiency District Network and Connectivity. Energy efficiency districts shall have a dense, interconnected network of local and collector streets, sidewalks, bikelanes, and shared-use paths in accordance with the following:

1. The street, bicycle, and pedestrian network shall be comprised of a system of interconnected and direct routes with a connectivity index of 50 or more polygons per square mile;
2. For areas with a connectivity index below 50, the missing links in the network shall be identified and eliminated where feasible through the development and capital improvement process;
3. Prioritization of connectivity projects shall recognize the importance of areas with high concentrations of pedestrian activity and of areas where connections are needed to ensure easy access between transportation modes, with particular attention to bicycle and pedestrian access to schools, transit stops and regional greenway or trail systems.
4. Direct bicycle and pedestrian connections shall be provided within and between residential areas and supporting community facilities and services, such as

CONSERVATION ELEMENT *

GOALS, OBJECTIVES AND POLICIES

**See Generalized Environmental Map Series (Land Use - Addendum)*

Goal 1: [C] (EFF. 7/16/90)

Preserve, protect and conserve the ecological value and diversity of natural resources in Tallahassee and Leon County.

ENVIRONMENTAL MAPPING
Objective 1.1: [C] (EFF. 7/16/90)

Local government shall compile and maintain maps describing the natural resources of the county and information denoting environmental constraints to future development and use. The areas to be mapped shall include but not be limited to areas designated as conservation and preservation.

Policy 1.1.1: [C] (EFF. 12/7/99)

Upon adoption of this comprehensive plan, local government shall designate an appropriate entity responsible for the inventory of natural resources, the compilation of the maps, the maintenance and update of the information, and monitoring of the continued viability of conservation and preservation area. No rezoning or development shall be undertaken until the area included in the request is mapped and natural resources noted by either local government or the applicant and presented to the various commissions or committees required to act on the request.

Policy 1.1.2: [C] (EFF. 7/26/06)

Environmental features which have been delineated for special protection are broken into two categories—Conservation and Preservation. Environmental features within these two categories have more stringent development design or performance criteria associated with them. Conservation and Preservation features are intended to be depicted on the Future Land Use Map through a series of overlays. Large scale generalized environmental features maps are included within the data and analysis portion of the Conservation Element (Vol. 3) and the addendum of this Land Use Element. Smaller scale and more detailed environmental overlays are available for review and purchase at the Planning Department. Specific mapping of environmental features on-site shall be required prior to any development approval. (Conservation Element Policy 1.1.1.)

INTERGOVERNMENTAL COORDINATION
Objective 1.2: [C] (EFF. 7/16/90)

State and regional agencies shall coordinate and participate with local government on environmental planning, regulations and management techniques that affect the conservation and preservation of area natural resources.

Policy 1.2.1: [C] (EFF. 7/16/90)

Local government shall work with all applicable private, local, state and federal programs such as the Conservation and Recreation Lands program, Save Our Rivers, Surface Water Improvement and Management (SWIM), Land Acquisition Trust Fund program and others in the acquisition and maintenance of

unique vegetative communities, as well as protecting and enhancing surface and groundwater.

Policy 1.2.2: [C] (EFF. 7/16/90)

By 1991, involve other area governments, such as adjacent counties, regional, state and federal agencies, in the review process regarding ordinances and policies that affect surface waters and unique environmental communities shared by other jurisdictions.

Policy 1.2.3: [C] (EFF. 6/14/00; REV. EFF. 4/10/09)

In conjunction with the appropriate state, federal and regional agencies and property owners, local government shall implement, maintain, and promote land management practices that enhance fire protection, wildlife habitat and sustainable silviculture practices. These practices shall include, but not be limited to, the use of prescribed burns, the creation of defensible space buffers, vegetative maintenance, and the control or removal of invasive exotics.

In areas of wildfire hazard, the land development regulations shall require the provision of defensible space buffers surrounding new developments and multiple exits from large developments. To further the effectiveness of these practices, public awareness programs will be developed by 2010 to inform and educate existing and new property owners that these practices, prescribed burns in particular, may be regularly employed nearby and may affect their property.

ENVIRONMENTAL REVIEW CRITERIA

Objective 1.3: [C] (City of Tallahassee only) (REV. EFF. 12/10/91)

By 1991, local government shall provide for the protection of natural resources by incorporating into the land development code stringent requirements for development within or adjacent to conservation and preservation areas.

Objective 1.3: [C] (Leon County only) (EFF. 7/16/90)

By 1991, local government shall provide for the protection of natural resources by incorporating into the land development code conservation and preservation environmental overlay districts which have more stringent requirements for development within or adjacent to them.

CONSERVATION AREAS

Policy 1.3.1: [C] (REV. EFF. 6/07/01; REV. EFF. 7/19/13)

The following natural features shall be identified and mapped prior to rezoning or development and be regulated as conservation areas:

a) Altered floodplains and floodways,
b) Altered watercourses and improved elements of the primary drainage system;
c) Altered wetlands;
d) Closed basins;
e) Significant grade areas 10%–20% (only required outside the Urban Service Area);
f) High quality successional forests;
g) Areas exhibiting active karst features;
h) Designated canopy road corridors.

Policy 1.3.2: [C] (REV. EFF. 7/1/04; REV. EFF. 7/26/06; REV. EFF. 1/7/10; REV. EFF. 7/19/13)

Potential development within areas of the conservation overlay district shall exhibit best environmental management practices with the emphasis on designing with nature. Assessed impact upon natural resource determines density and/or intensity within a prescribed range within which the parcel is located. Planned development is required for approval. Strict performance requirements will be applied. The major criterion for approval shall be the continued functioning, with minimum disturbances, of the ecosystem, which the development is impacting.

Conservation area development criteria are as follows:

a) **Altered floodplains and floodways** – Development will be allowed in these areas as long as it does not impede water flow or displace volume (development will be allowed at the density consistent with the land use category). Density can be transferred out of these areas at a density reflective of the density permitted by the existing land use category.

b) **Altered watercourses and improved elements of the primary drainage system** – No development allowed in these areas, development density will be transferred out of these areas at a density reflective of the density permitted by the existing land use category.

c) **Altered Wetlands (City of Tallahassee Only)** – May only be used for a stormwater treatment facility if wetlands are degraded. Design of any stormwater facility shall result in the re-establishment of the undisturbed portion of the wetland.

d) **Closed basins** – These areas will be permitted to develop only to the extent that there is sufficient stormwater capacity within the basin. Development will be permitted reflective of the density allowed by the existing land use category.

e) **Significant grade areas (10-20%)** – The intent of protecting sloped areas of ten percent and above is to maintain local topography, prevent erosion, protect water quality, and maintain existing vegetation. However, in order to help direct development and growth to inside the Urban Service Area and further the protection of lands outside of the Urban Service Area, significant grade regulations are not required by the Comprehensive Plan within the Urban Service Area. Land development regulations may provide protection appropriate for more compact urban development inside the Urban Service Area for significant grades near wetlands, water bodies, watercourses, floodways, floodplain, and karst.

Areas outside the Urban Service Area shall be regulated by this policy and development will be allowed at a density reflective of the density permitted by the existing land use category. Development density can be transferred to areas that are not environmentally sensitive at the density allowed by the existing land use category. It is not the intent of this policy to regulate man made slopes. Development outside the Urban Service Area will be permitted provided the following are done:

(1) Minimize any topographical changes. Minimal grade changes typically associated with site development include those necessary for the safety of a building, parking area, road right-of-way, handicapped access, or associated utilities, including stormwater management system.

(2) A minimum of 50% of the grade must be left undisturbed or have an approved vegetation management plan and shall be placed so as to provide downhill buffers, protect forested areas, and buffer other conservation or preservation areas.
(3) Small areas (¼ acre or less) of severe grade areas located within significant grades may be regulated using the criteria for significant grades.
(4) The implementing LDRs shall address erosion, local topography, water quality and existing vegetation as appropriate.

f) **High quality successional forest** – If the entire site is high quality successional forest, the site may be developed at the allowed density with no more than 20% disturbance of the site. Those areas designated to remain natural shall be selected in a manner that protects or enhances adjacent or other on-site natural features. Development density can be transferred to non-environmentally sensitive areas at the density allowed by the existing land use category. If the transfer option is not used, development may be permitted at a density of one (1) unit per two (2) acres.

g) **Areas exhibiting active karst features (sink holes)** – No untreated stormwater will be allowed to enter active karst features. Stormwater discharged to active karst features must meet the following criteria:

(1) Runoff must be treated to comply with Sec. 17-25.700(2) F.A.C.;
(2) Discharge rate and volume shall not exceed predevelopment rate and volume;
(3) The area within the uppermost contour of an active sink, as determined by standard geotechnical evidence in consideration of soil types, slopes, vegetation, topography and geologic features shall remain natural. A transitional buffer from the uppermost contour may also be required;
(4) There will be no discharge of water to an active karst feature from any land use, which uses, produces or generates as waste any listed Resource Conservation and Recovery Act material or listed Environmental Protection Agency priority pollutant.

h) **Designated canopy roads** (REV. EFF. 6/28/02) – Development can be permitted at a density consistent with the density allowed by the existing land use category, provided that the following are done:

(1) No clearing may occur in the canopy road zone (CPZ) (100 feet from center line of the road) unless authorized for legal access (provided no other alternative exists), or for the health, safety or welfare of the public or, for linear sidewalk improvements when practical given the unique attributes of the particular site as approved by the local government provided they meet the following criteria:
    (a) Clearing in the canopy road zone will be kept to a minimum.
    (b) A variety of surfaces will be evaluated for use in the sidewalk/pathway through the CPZ based on impact to the resource (CPZ trees and vegetation), location of the sidewalk/pathway, and anticipated use.
    (c) Sidewalks may not always be required in the CPZ given the impact to the CPZ or encroachment on other conservation or preservation features.
(2) Any part of the canopy road zone that is cleared or has trees removed from it must be widened by the same amount that was removed;

(3) A full analysis of the impact of a development on the affected canopy road must be submitted at the time of development review;

(4) Joint access to canopy roads will be utilized unless there is no alternative. New cuts into canopy roads must be designed to serve more than one property development

Conservation Areas Summary Chart

(REV. EFF. 1/7/10; REV. EFF. 7/19/13)

Table 15: Conservation Areas Summary Chart

	Transfer	Develop
Altered Floodplains and floodways	Density per land use category	Density per land use if (1)*
Altered Wetlands (City only)	Density per land use category	May only be used for storm-water treatment facility if wetlands are degraded **
Altered watercourses, improved elements of primary drainage system	Density per land use	None
Closed basin	Density per land use	Density per land use if (2)*
Significant grades (6) (10-20%)	Density per land use	Density per land use if (3)* or 1 unit per acre
High quality successional forest	Density per land use	Density per land use if (4)* or 1 unit per acre
Active karst features	Density per land use. No untreated storm-water, *meet all additional criteria.	Density per land use. No untreated stormwater, *meet all additional criteria.
Designated Canopy Roads	Density per land use	Density per land use if (5)* or 1 unit per acre. 100 ft. zone applies.

*footnotes
(1) Provided it does not increase flow or displace volume.
(2) There must be sufficient stormwater capacity within the closed basin.
(3) Provided:
  a) Topographical changes are minimized.
  b) 50% of grade left undisturbed (or under approved vegetation management plan)
  c) Small areas of severe grades within significant grades may be treated as significant grades.
(4) Provided development is clustered and there is no more than 20% disturbance of the site.
(5) Provided all requirements are met, i.e., 100 foot zone, authorized access with no alternative or health safety and welfare of public, analysis of impact, joint access.
(6) The Comprehensive Plan only regulates significant grades outside of the Urban Service Area.
**Design of the stormwater facility shall result in the re-establishment of the undisturbed portion of the wetland.

Policy 1.3.3: [C]

(EFF. 7/26/06; REV. EFF. 7/19/13)

In all cases the transfer of development to non-environmentally sensitive areas is preferable. Density transfer shall be within the parcel; no off-site transfer is permitted. Transfer of development density to non-environmentally sensitive areas will be allowed up

to the density permitted by the future land use category in which the parcel is located. The amount of density transfer may be limited by other applicable requirements and ordinances implemented during the development review process, such as requirements for stormwater retention, open space and landscaping, buffer, setbacks, parking, transportation access and any concurrency requirements. If there is no area on the site suitable for transfer, development will be allowed at one unit per acre unless otherwise stated. Where open space requirements are part of the land development code, 50% credit may be given for conservation areas that are preserved. In no case can the density on the developable portion of the site be more than double the allowed density of the Land Use category in which the parcel is located.

PRESERVATION AREAS

Policy 1.3.4: [C] (REV. EFF. 12/10/91; RENUMBERED EFF. 7/26/06, REV. EFF. 7/19/13)

The following natural features shall be identified and mapped prior to rezoning or development and be regulated as preservation areas:

a) Wetlands and waterbodies and water courses;
b) Severe grades over 20% (only required outside of the Urban Service Area);
c) Native forests;
d) Undisturbed/undeveloped 100 year floodplain; and
e) Areas of environmental significance
f) Habitats of endangered, threatened and species of special concern.

Policy 1.3.5: [C] (REV. EFF. 12/10/91; RENUMBERED EFF. 7/26/06; DEL. EFF. 7/19/13)

Reserved

Policy 1.3.6: [C] (REV. EFF. 12/7/99; REV. EFF. 7/26/06; REV. EFF. 7/19/13)

Development approval within the preservation areas shall be restricted to extremely low density and intensity type projects due to the environmental constraints present. Alteration due to development would result in destruction or severe degradation of the natural resource function. As a result, these areas are unsuitable for all but extremely low-density development for one or more of the following reasons:

(1) To prevent degradation of water quality.
(2) To prevent degradation of freshwater storage capabilities.
(3) To prevent the degradation of biological productivity.
(4) To prevent damage to property and loss of life due to flooding.
(5) To prevent degradation of the viability and diversity of native plants and animals and their habitats.
(6) To assure the conservation of irretrievable or irreversible resources.

Preservation areas development criteria are as follows

Table 16: Preservation Areas Development Criteria

Preservation Areas	Transfer	Develop
Wetlands, water bodies, water courses*	Density per land use	1 unit per 40 acres
Severe grades (only required outside of the Urban Service Area)	Density per land use	1 unit per 40 acres**
Native forest	Density per land use	1 unit per 40 acres

Preservation Areas	Transfer	Develop
Areas of environmental Significance	Density per land use	1 unit per 40 acres
Undisturbed/undeveloped 100 year floodplains	Density per land use	1 unit per 40 acres
Habitat of endangered, threatened, or species of special concern	Density per land use	1 unit per 40 acres, management plan

* Footnote: Any portion of a site within a water body, which is also a preservation area, shall be excluded when calculating a transfer.

**Footnote: When an area of significant grades contains within its boundaries small fragments of severe grades, the criteria for development within significant grades may be authorized. (EFF. 6/07/01)

Policy 1.3.7: [C] (REV. EFF. 9/19/91; RENUMBERED EFF. 7/26/06)

Development must be clustered away from preservation areas on to non-environmentally sensitive portions of the site. Clustering development outside conservation areas shall be the preferred option and shall be implemented through the use of density incentives to be applied on-site.

Policy 1.3.8: [C] (REV. EFF. 7/1/04; RENUMBERED EFF. 7/26/06; DEL. EFF. 7/19/13)

Reserved

Policy 1.3.9: [C] (EFF. 7/26/06)

When preservation features are present, the transfer of density to non-environmentally sensitive portions of the site will be required. Development can be transferred at the same density allowed by the existing land use category. If there is no area suitable for density transfer, development can be allowed at one (1) unit per 40 acres. In no case, can the density on the developable portion of the site be more than double the allowed density of the land use category in which the parcel is located. The amount of density may also be limited by other applicable requirements and ordinances such as the requirements for stormwater retention, open space and landscaping, buffers, setbacks, parking, transportation access and any concurrency requirements. This may result in substantially less density than the maximum density allowed by the land use category in which the parcel is located.

Policy 1.3.10: [C] (REV. EFF. 7/16/90; RENUMBERED EFF. 7/26/06)

A site plan review will be required for all projects which have 40% or more of their acreage located in the preservation or conservation overlay districts. The land development code shall include procedures for public notification and comment on such development plans.

Policy 1.3.11: [C] (REV. EFF. 6/7/01; RENUMBERED EFF. 7/26/06)

A procedure will be developed as part of the land development regulations that will allow minor deviation, not to exceed 5%, from development standards associated with conservation and preservation overlay districts where the applicant can demonstrate to the satisfaction of the Commissions or their designee that the functions of the preservation or conservation area are not substantially impacted and all reasonable efforts have been made to incorporate or design around the protected resource. This procedure will include provisions for

meet local standards or state standards if no local standards are designated.

Policy 2.2.1: [C] (EFF. 7/16/90)

Protect and conserve the natural function of wetlands by limiting wetland destruction and adverse impacts.

Policy 2.2.2: [C] (EFF. 7/16/90)

Require the density and intensity of developments permitted adjacent to wetlands to be at a level consistent with the continued natural functions of the resource.

Policy 2.2.3: [C] (EFF. 7/16/90)

Allow some redevelopment in floodplains that have been altered, while severely limiting alterations in undeveloped floodplains, by restriction vegetation removal and limiting fill. Altered floodplains may be redeveloped as long as the redevelopment does not impede water flow or displace volume.

Policy 2.2.4: [C] (EFF. 7/16/90)

Require additional restrictions in drainage basins that have been identified through scientific studies as having significant surface water degradation as defined by declining surface water systems, loss of aquatic plant and animal species, and an increase in the level of the parameters that define polluted water.

Policy 2.2.5: [C] (REV. EFF. 8/17/92)

Development in closed basins will be permitted only to the extent there is sufficient stormwater capacity within the basin. Inter-basin transfer of stormwater run-off from closed basins, shall not be allowed except where conditions a) and c), or b) and c) identified below are met:

a) The inter-basin transfer is necessary for a public sector project, or a private/public joint venture, either of which must benefit a broad segment of the community;
b) the inter-basin transfer mitigates an existing stormwater problem;
c) a detailed assessment has been made indicating minimal negative impacts to the receiving water shed relative to water quality, quantity, and rate of discharge.

All stormwater treatment requirements regarding water quality must also be met.

Policy 2.2.6: [C] (EFF. 7/16/90)

By 1992, develop and implement an ongoing surface water quality monitoring program to establish a bank of baseline data.

Policy 2.2.7: [C] (REV. EFF. 9/19/91)

Continue and refine the on-going studies of designated lakes to determine existing water quality in area lakes and develop management plans for the continued function of area lakes with minimum impact from development.

GLOSSARY

ACCESS: (EFF. 6/25/96) The means of vehicular entry to or exit from property to or from a public or private road.

ACLF: (EFF. 7/16/90) Means adult congregate living facility as defined in Section 400.402 of the Florida Statutes.

ACQUISITION: (EFF. 7/16/90) Includes purchase, land exchange, donation, easement, assisting private owners in obtaining tax advantages, etc. "Purchase" shall include all acquisition costs, such as surveying and title insurance.

ACTIVE RECREATION FACILITY: (EFF. 7/16/90) Means those recreation lands and improvements that are facility oriented, i.e. swimming pools, ball fields, tennis courts.

ADJOINING LAND USES: (EFF. 8/17/92) Land uses on parcels which are touching or contiguous to each other, as distinguished from lying near to or adjacent. For purposes of this Plan, land uses on parcels that are separated from each other by a local or a minor collector street or roadway shall also be considered adjoining; land uses on parcels that are separated by a major collector or an arterial street or roadway or by a railroad right of way shall not be considered adjoining.

ADVANCED WASTEWATER TREATMENT: (EFF. 4/10/09) Treatment of sewage that goes beyond the secondary or biological wastewater treatment stage and includes the removal of nutrients such as phosphorus and nitrogen and a high percentage of suspended solids and biochemical oxygen demand.

AFFORDABLE HOUSING: (REV. EFF. 7/20/05; REV. EFF. 12/24/10) Housing that costs no more than 33% of the annual income of a household earning 80% or less of area median income (AMI) for homeownership and 60% AMI or less for rental housing, adjusted for the number of people in the household, as defined by the U.S. Department of Housing and Urban Development (HUD) annually.

AGRICULTURE: (EFF. 7/6/15) The production, keeping or maintenance, for sale, lease or personal use, of plants and/or animals useful to humans, including, but not limited to, the growing of crops, dairying, grazing, the raising and maintenance of poultry and other livestock, horticulture, nursery, forestry, and sod farms. Commercial feed lots, the raising of furbearing animals, riding academies, livery or boarding stables or dog kennels are not considered to be normal agricultural uses.

AGRITOURISM: (EFF. 7/6/15) Any agricultural related activity consistent with a bona fide farm or ranch or in a working forest which allows members of the general public to view or enjoy activities related to farming, ranching, historical, cultural or harvest-your-own attractions for recreational, entertainment or educational purposes.

ALTERED FLOODPLAINS: (EFF. 7/16/90) Areas within the 100 year floodplain that have been either ditched, drained, filled or have had structures built on them, any of which have diminished the flood storage capacity of the floodplain.

ALTERED WETLANDS: (EFF. 8/17/92) Wetlands that have been degraded to the extent their ecological function has been detrimentally impaired and the likelihood that they cannot be re-established except through a distinct program of man-made

mitigation. Wetlands that can have beneficial function restored through natural processes will not be considered altered.

ARCHAEOLOGICAL SITE: (EFF. 7/16/90) A location that has yielded or may yield information on history or prehistory.

AREA PARK: (EFF. 7/16/90) Means those park facilities that serve the population of the urban service area, including but not limited to community parks and sports complexes.

BASIC LIVING SHELTER: (EFF. 7/16/90) Means a dwelling unit which, at a minimum, is structurally sound, includes indoor plumbing, has a functional heating source, and provides protection to its inhabitants from the elements.

BEST MANAGEMENT PRACTICES: (EFF. 7/16/90) Those practices and principles designed to reduce and manage non-point source pollution and in some cases, protect wildlife and habitat. These principles and practices are generally outlined in the latest updated version of various BMP manuals including "Silviculture Best Management Practices," "Best Management Practices," "A Landowners Handbook for Controlling Erosion for Forestry Operations," "Management Guidelines for Forested Wetlands," "DER: Florida Development Manual, A Guide to Sound Land and Water Management," and other publications on best management practices that are accepted by the industries and regulatory bodies. The local government reserves the right to add to or alter BMPs in specific instances as part of development agreements or development orders.

BUFFER: (EFF. 6/25/96) Open spaces, planted areas, fences, walls, berms, any combination thereof, or any other structure or design mechanism that is used to physically separate or screen one land use from another so as to visually shield and/or mitigate potential negative impacts.

CANOPY ROAD: (EFF. 7/16/90) Road designated by local government as having significant aesthetic, cultural and historical value.

CAPITAL FACILITIES: (EFF. 7/16/90) Means transportation systems or facilities, including roads, mass transit, bikeway, sidewalk and aviation facilities; sewer systems or facilities; solid waste systems or facilities; drainage and stormwater management systems or facilities; potable water systems or facilities; education systems or facilities; parks and recreation systems or facilities; and health systems or facilities.

CAPITAL INFRASTRUCTURE: (REV. EFF. 8/17/92) Consists of sewer and water, roads, mass transit, solid waste, drainage, and parks.

CAPITOL CENTER PLANNING COMMISSION: (EFF. 8/17/92) As defined by §272.12, Florida Statutes.

CDBG: (EFF. 7/16/90) Means the Community Development Block Grant, as authorized under Title I of the Housing and Community Development Act of 1974.

CLOSED BASIN: (EFF. 7/16/90) A naturally depressed portion of the earth's surface for which there is no natural outlet for runoff other than percolation, evaporation, or transpiration.

CLUSTERING: (EFF. 12/7/99) The grouping together of structures and infrastructure on a portion of a development site with the balance remaining undeveloped or reserved as green

space, which may or may not be used for development at a later date.

COMMERCIAL: (REV. EFF. 6/25/96) Generally, an activity or business involving the sale of goods and/or services carried out for profit.

MINOR: (EFF. 7/16/90) Provide for the sale of convenience goods and services to the immediate residential area. Gross floor area—less than 20,000 square feet except at a local street intersection where maximum allowable is 10,000 square feet.

NEIGHBORHOOD: (REV. EFF. 9/19/91) Provide for the sale of convenience goods and personal services such as food, drugs, sundries and hardware items to one or more neighborhoods. Gross floor area—20,000 to 100,000 square feet. Except at intersection of collectors where maximum allowable is 50,000 square feet.

COMMUNITY: (EFF. 7/16/90) Same functions of neighborhood commercial but on a larger scale. Provide for sale of retail goods such as clothing, variety items, appliances and furniture, hardware and home improvement items. Gross floor area—100,000 to 200,000 square feet.

REGIONAL: (EFF. 7/16/90) Same functions of community center, provide full range and variety of shopping goods for comparative shopping such as general merchandise apparel, furniture and home furnishings. Gross floor area - 200,000 to 1,000,000 square feet.

HIGHWAY: (EFF. 7/16/90) Provide for consumer oriented retail services designed for drive-in convenience. Gross floor area - 1,000 to 10,000 square feet.

COMMUNITY FACILITIES: (REV. EFF. 8/17/92) Facility or service which may be public or privately owned, established, and intended to provide significant public benefit.

COMMUNITY SERVICES: (EFF. 7/16/90; REV. EFF. 8/27/17) A facility owned or operated by a public or private entity or agency that provides a service or significant public benefit directly to the general public, such as libraries, religious facilities, police/fire stations, hospitals, museums, and schools.

LIGHT INFRASTRUCTURE: (EFF. 7/16/90) Water wells, water tanks, sewage pump stations, electric substations.

HEAVY INFRASTRUCTURE: (EFF. 7/16/90; REV. EFF. 12/24/10) Government operational facilities, which have significant off-site impacts. Also included are such facilities operated by semi-public or private utility providers. These facilities shall include but are not limited to:

Waste-to-energy facilities
Materials recovery facilities
Sanitary sewer facilities
Sanitary sewer percolation ponds
Sewage treatment plants
Airports
Electric generating facilities
Landfill
Sludge disposal facilities
Incinerators
Correctional facilities
Water treatment plants
Outdoor storage facilities
Vehicle maintenance facilities
Solid waste transfer station
Correctional facilities

POST-SECONDARY: (EFF. 7/16/90) Public or private - Universities, colleges, vocational/technical schools.

COMMUNITY PARK: (EFF. 7/16/90) Means those parks that serve several neighborhoods with total populations of up to 25,000 and have a service area of up to a three mile radius. "Ride-

to" facilities that are also accessible to bicyclists and pedestrians shall be included.

CONSERVATION: (EFF. 7/16/90) Allowing only carefully planned development activities to occur on a site; development activities must be compatible with the perpetuation of the ecological resources on the site.

CONSERVATION SUBDIVISION: (EFF. 7/1/04) A residential or mixed-use development that has been developed utilizing a design approach in which a significant fraction of the parent tract(s) is reserved as permanently protected open space and the remaining fraction of the land is developed. Under this design approach, development is clustered or concentrated on the least environmentally or otherwise significant portions of the development site.

COUNTYWIDE PARK: (EFF. 7/16/90) Means those park facilities that serve the entire county population, including but not limited to regional parks, boat landings and parks, golf courses, state parks, including university recreation areas, and national forest lands.

DENSITY: (EFF. 12/7/99) *see* Gross Density

DENSITY NEUTRAL: (EFF. 7/1/04) As applied to Conservation Subdivisions, means that the allowable density achieved through the utilization of the conservation subdivision design approach shall not exceed the maximum density established for the Future Land Use Map category and base zoning district applicable to the subject property or properties.

DEVELOPMENT: (EFF. 7/16/90) Any proposed change in the use or character of the land, including but not limited to, land clearing or the placement of any structure or site improvement on the land except for silviculture activities employing best management practices.

DILAPIDATED: (EFF. 7/16/90) Means a structure which does not provide safe and adequate shelter in its present condition and endangers the health, safety and well-being of the occupants. A structure in the dilapidated classification cannot be economically repaired. A house is dilapidated when it has one or both of the following conditions:

1) Inadequate original construction such that it does not provide adequate protection against the elements;
2) Defects which would cost over 50% of the total value of the shelter to repair.

DRAINAGE BASIN: (EFF. 12/7/99) The area defined by topographic boundaries which contributes stormwater to a watershed or drainage system, including all areas artificially added to the basin.

ECOTOURISM: (EFF. 7/6/15) Tourism that focuses on the appreciation of natural areas, wildlife, or cultural and historical resources and strives to minimize ecological impact or damage. This nature-based tourism involves education and interpretation of the natural environment and is managed to be ecologically sustainable. Activities may include cycling, camping, fishing, hunting, paddling, hiking, birding, visiting scenic byways, agritourism, and wildlife viewing.

ENDANGERED SPECIES: (EFF. 7/16/90) Are defined based on the same criteria and analogous to the state and federal list: Any species of fish and wildlife or plant naturally occurring in Florida, whose prospects of survival are in jeopardy due to modification or loss of habitat; over utilization for commercial, sporting,

scientific or educational purposes; disease; predation; inadequacy of regulatory mechanisms; or other natural or man-made factors affecting his continued existence.

ENTERPRISE ZONE: (EFF. 7/16/90) Means an area in the state designated pursuant to Section 290 of the Florida Statutes and approved by the Secretary of the Department of Community Affairs.

ENVIRONMENTALLY SIGNIFICANT LANDS: (EFF. 7/16/90) Areas that provide breeding, wintering or foraging habitat, for federal, state, and locally listed plant and animal species; flood plains, wetlands, native forests and vegetated areas.

FEDERAL UNIFORM RELOCATION ACT: (EFF. 7/16/90) Means the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as passed and subsequently amended by the Congress of the United States.

FLOOD OR **FLOODING**: (EFF. 1/23/09) A temporary condition of partial or complete inundation of normally dry land or wetlands from the overflow of water bodies or watercourses in response to stormwater runoff, or from excessive overland flow of stormwater, or the accumulation of stormwater runoff in a closed basin.

FLOODPLAIN: (EFF. 1/23/09) An area of land susceptible to being flooded by stormwater. Floodplains are normally designated in terms of their probability of flooding with a specified period, such as one, ten, 25, 50, and 100 years.

FLOODWAY: (EFF. 7/16/90; REV. EFF. 1/23/09) That part of the floodplain associated with the channel of a river, steam, or other watercourse, or waterbodies and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation of the floodway.

FLOOR AREA RATIO: (EFF. 6/25/96) A measure of development intensity expressed as a ratio of the gross floor area of all buildings on a site divided by the total area of the site.

FLORIDA CAPITOL CENTER PLANNING DISTRICT: (EFF. 8/17/92) As defined by §272.12, Florida Statutes.

FLORIDA MASTER SITE FILE: (EFF. 7/16/90) A clearinghouse for information on archaeological sites, buildings and historic resource surveys. Inclusion in the Florida Master Site File does not necessarily mean that the resource possesses historic, architectural, archaeological or cultural significance, or is worthy of preservation.

FREEWAYS: (EFF. 7/1/04) Roadways that provide the highest level of mobility and are intended to carry the greatest amount of traffic at the highest speeds. Accordingly, freeway mainlanes provide no direct access to property and access to the freeway is provided only at interchanges and ramps.

FUNCTIONAL AREA OF AN INTERSECTION: (EFF. 7/1/04) The area beyond the physical intersection that comprises decision and maneuver distance, plus any required vehicle storage length, and is protected through corner clearance standards and connection spacing standards.

GREEN SPACE: (EFF. 7/16/90) Means that part of a lot open and unobstructed from its lowest level upward which is accessible to all residents on the lot, except as may be required for safety, and

which is not used for off-street parking, streets, drives, refuse storage or other utility or building purposes.

GROSS DENSITY: (EFF. 7/16/90) Means the number of dwelling units per gross acre, an area of land containing forty three thousand, five hundred sixty (43,560) square feet including rights-of-way, common areas and the like. All residential densities referred to in the plan shall be gross densities unless otherwise noted.

GROUNDWATER RESOURCE PROTECTION: (EFF. 7/16/90) Areas determined to have high recharge to the aquifer and/or area where the potential for groundwater contamination is high.

GROUP HOME: (EFF. 7/16/90) Means a facility which provides a living environment for unrelated residents who operate as the functional equivalent of a family, including such supervision and care as may be necessary to meet the physical, emotional and social needs of the residents. Adult congregate living facilities comparable in size to group homes are included in this definition. It shall not include rooming or boarding homes, clubs, fraternities, sororities, monasteries or convents, hotel, residential treatment facilities, nursing homes, or emergency shelters.

HAZARD: (EFF. 4/10/09) Means a condition that exposes human life or property to harm from a man-made technological, or natural disaster.

HAZARD MITIGATION: (EFF. 4/10/09) Means any action taken to reduce or eliminate the exposure of human life or property to harm from a man-made or natural disaster.

HAZARDOUS WASTE: (EFF. 7/16/90) Means solid waste, or a combination of solid wastes, which because of its quantity, concentration, or physical, chemical, or infectious characteristics, may cause, or significantly contribute to, an increase in mortality or an increase in serious irreversible or incapacitating reversible illness, or may pose a substantial present or potential hazard to human health or the environment when improperly transported, disposed of, stored, treated, or otherwise managed.

HEAVY INDUSTRIAL: (EFF. 7/16/90) The use of land for the manufacture of material or products from extracted or raw material; the extraction of mineral resources, except water; processing of wood to lumber or wood pulp, or wood pulp to paper; any refinement or distillation of petroleum resources, and conversion or smelting of ores to metals. Also, Heavy Industrial Use shall include any manufacturing, distribution, wholesaling or storage of any raw-material or product—finished or unfinished—which is characterized by one or more of the following:

1) Producing impacts detectable off-site from smoke, dust, dispersion of particulate matter, noxious or odorous gases, or any other pollution of the air;
2) Producing water pollution detectable off-site, including thermal pollution;
3) The storage, manufacture, processing or distribution of any radioactive waste, explosive, or flammable materials;
4) The creation of noise or vibration not compatible with residential, agricultural, or commercial activities.
5) Any use generating or storing over 1000 KG/MO hazardous waste.

Heavy Industrial Uses have considerable impacts upon infrastructure and utilities. Heavy Industrial Uses require access and facilities for truck and/or rail delivery and pickup. Loading and off-loading is frequently accomplished by truck or rail,

seldom by automobile. Demand for water and electricity is typically heavy.

HIGH QUALITY SUCCESSIONAL FOREST: (REV. EFF. 12/10/91; REV. EFF. 7/19/13) High quality successional forest shall mean a medium quality natural plant community that is a forest type described in the Florida Natural Areas Inventory publication "Guide to the Natural Communities of Florida." These forests typically show signs of past disturbances, but still retain a good distribution of high quality indicator species. A medium quality natural community generally possesses the following characteristics:

1) The floristic composition contains many of the more common species typical of the natural community type, although most rare species are absent;
2) The community may contain invasive exotic plants that could be controlled through management;
3) The community has likely had some past disturbance, but not to the extent that the potential for recovery or restoration to a high quality natural community is significantly impaired (unauthorized activities in high quality successional forest areas resulting in a violation of the ordinances will not be excluded from protection as such).

HISTORIC RESOURCE: (EFF. 7/16/90) Means all areas, districts, or sites containing properties listed on the Florida Master Site File, the National Register of Historical Places, or designated by a local government as historically, architecturally or archaeologically significant.

INTEGRATED ACCESS: (EFF. 12/10/91) The permitting of ingress and egress to a parcel of land in a manner which will minimize disruptions of the traffic flow due to turning movements on the local, collector, or arterial street on which the parcel fronts. Integrated access may include the requirement of shared access or the use of frontage or rear access roads.

INTENSITY: (EFF. 12/7/99) A measurement of the extent of land development, including the consumption or use of the space above, on, or below ground; examples of intensity measurement may include: the measurement of the use of or demand on facilities or services, allowed square footage or a floor area ratio of non-residential development, or the number of dwelling units per acre of residential development.

INTERSECTION: (EFF. 6/25/96) The point where the centerlines of two or more roads meet or cross and where allowance is made for the interchange of vehicular traffic.

LAND DEVELOPMENT REGULATIONS: (EFF. 7/16/90) Ordinances enacted by governing bodies for the regulation of any aspect of development, and including any local government zoning, rezoning, subdivision, building construction, or sign regulations, or any other regulations controlling the development of the land.

LDN: (EFF. 7/16/90) Means that measure of noise known as the Average Day-Night Sound Level rating which is the yearly energy average of the A-weighted sound level (to approximately the frequency response of the ear) integrated over a 24-hour period.

LEVEL OF SERVICE: (EFF. 7/16/90) Means an indicator of the extent or degree of service provided by, or proposed to be provided by a facility based on or related to the operational characteristics of the facility. Level of service shall indicate the capacity per unit of demand for each facility.

LEVELS OF SERVICE: (EFF. 7/16/90)

A Represents free flow. Individual users are virtually unaffected by the presence of others in the traffic stream.

B Is in the range of stable flow, but the presence of other users in the traffic stream begins to be noticeable.

C Is in the range of stable flow, but marks the beginning of the range of flow in which the operation of individual users becomes significantly affected by interactions with others in the traffic stream.

D Represents high density, but stable flow. Speed and freedom to maneuver are severely restricted.

E Represents operating conditions at or near the capacity level. All speeds are reduced. Freedom to maneuver within the traffic stream is extremely difficult.

LIGHT INDUSTRIAL: (EFF. 7/16/90) The use of land for the finishing of products composed of previously manufactured component parts; and any manufacturing, storage, or distribution of products unlikely to cause any of the following objectionable impacts to be detected off-site: odor, noise, fumes or dispersion of waste, or radiation. Light Industrial uses are not dependent upon direct access to rail facilities for off-loading and on-loading. Light Industrial uses typically contain potentially offensive impacts onsite either through complete enclosure or a combination of enclosure and screening.

MINOR: One activity on a less than 10 acre site.

PARK: One activity on a greater than 10 acre site or 2 or more activities on one site.

LISTED SPECIES: (EFF. 7/16/90) Any plant or animal listed by the county, state or federal governments as an endangered or threatened species, or a species of special concern.

LIVE-WORK UNITS: (EFF. 7/20/05) Residential structures with their own lots, designed to accommodate and that include both living facilities and commercial/office components within the structure or on the same lot. The non-residential uses allowed in live-work units are "destination" businesses that do not rely on passerby and drive-by traffic, but more typically have visitation by appointment.

LOCALLY DESIGNATED HISTORIC RESOURCE: (EFF. 7/16/90) A resource that has been designated as historic under the Tallahassee-Leon County Zoning Code and that undergoes design review by the Tallahassee-Leon County Architectural Review Board.

LOCAL PARK: (EFF. 7/16/90) Means those park facilities that serve the population of the corporate city limits, including but not limited to neighborhood parks and passive recreation facilities.

LOCAL STREETS: (REV. EFF. 7/1/04) Local streets collect traffic from adjacent land uses and other minor streets (cul-de-sacs, loops, alleys, lanes) and channel it to the collector/arterial system. Local streets are intended to carry the lowest traffic volumes at the lowest speeds, discourage through traffic (usually do not carry traffic between two streets of a higher classification), and to provide access to abutting land.

LOW IMPACT DEVELOPMENT: (EFF. 4/10/09) A land planning and engineering design approach that focuses on minimizing adverse impacts of development on water quality. This approach is implemented by replicating the pre-development hydrologic regime of the development site through infiltrating, filtering, storing, evaporating, and detaining stormwater runoff close to its source.

MAJOR COLLECTOR: (REV. EFF. 7/1/04) Major collector roadways channel traffic between arterials, from other collector streets to the arterial system, and from a major activity center to the arterial street system. Major collectors may carry relatively high traffic volumes.

MAJOR DETERIORATION: (EFF. 7/16/90) Means a dwelling unit which has major defects requiring extensive repairs. The unit will not necessarily provide safe and decent shelter unless the repairs are made. These housing units usually have critical defects of a substantial nature, such as:

1) Holes, open cracks, rotted or missing materials over a large part of the foundation, walls, roof or chimney;
2) Substantial sagging of floors, walls or roof,
3) Extensive damage by storm, fire or flood.

MASS TRANSIT: (EFF. 7/16/90) Means passenger transportation service, usually local in scope, that is available to any person who pays a prescribed fare. It operates on established schedules along designated routes or lines with specific stops and is designed to move relatively large number of people at one time.

MINOR ARTERIAL: (REV. EFF. 7/1/04) Minor arterial roadways interconnect with and augment the principal arterial system. They are similar in function to principal arterials, but accommodate trips of more moderate length and distribute travel to geographic areas smaller than that of the principal arterial system. Therefore, they provide a somewhat higher degree of property access than principal arterials.

MINOR COLLECTOR: (REV. EFF. 7/1/04) Minor collector roadways channel traffic from minor streets to the major collector/arterial system, between other collectors, and from activity centers to a street of higher classification. Minor collectors provide access to adjoining properties and generally have lower volumes, shorter trip lengths, and fewer through trips than major collectors.

MITIGATION: (EFF. 7/16/90) To lessen or eliminate the impact of development on a significant historic resource. Mitigation can include the modification of project plans to ensure preservation of the significant resource, landscape buffering, adaptive use of a historic building, archaeological salvage, or historic or photographic documentation or the resource.

MSTU/MSBU: (EFF. 7/16/90) Means municipal service taxing units or municipal service benefit units, as authorized and defined in Florida Statutes, Chapter 125.01 (1)(q).

NATIONAL REGISTER OF HISTORIC PLACES: (EFF. 7/16/90) A federal listing of culturally significant buildings, structures, objects, sites and districts in the United States. This program was established by Congress in 1935 and is maintained by the United States Department of the Interior.

NATIVE FOREST: (EFF. 7/16/90; REV. EFF. 7/19/13) Native forest shall mean a high quality natural plant community that is a forest type described in the Florida Natural Areas Inventory publication "Guide to the Natural Communities of Florida." A high quality natural community generally possesses the following characteristics:

1) The plant species composition is dominated by high quality indicator species which are typical of their natural community type;
2) The community may contain invasive exotic plants that could be controlled through management;

3) Evidence of historical disturbance may be present, but the disturbance has not destroyed or prevented the re-establishment of a high quality natural community type.

NATURAL ACCESS CONTROL: (EFF. 12/10/02) A design concept directed primarily at decreasing opportunities for criminal activities by denying access to crime targets and creating a perception of risk for potential offenders. Natural access control is developed by designing streets, parking areas, sidewalks, building entrances, and neighborhood gateways, which clearly indicate public routes and discourage access to private areas with structural elements.

NATURAL SURVEILLANCE: (EFF. 12/10/02) A design concept directed primarily at identifying potential undesired r criminal activities. Natural surveillance is promoted by features that provide day and night visibility from windows, doors, and porches that oversee parking areas, pedestrian areas, play areas, building entrances, and similar areas.

NATURAL VEGETATION: (EFF. 7/16/90) The trees and plants occurring on a site prior to development, alteration or clearing of that site.

NEIGHBORHOOD PARK: (EFF. 7/16/90) Means those parks that serve as the focus for neighborhood units with a population of up to 5,000 and have a service area of approximately one-half mile and are accessible primarily to pedestrian and bicyclists.

NET ACRE: (EFF. 7/16/90) The amount of usable land area, exclusive of impervious areas and areas subject to environmental constraints.

NEW DEVELOPMENT: (EFF. 7/16/90) Means all land development activity subject to a development order after the adoption of this Comprehensive Plan, except those that shall be granted vested rights pursuant to the Plan itself.

OFFICE: (REV. EFF. 6/25/96) Generally, a room, group of rooms, or building used primarily for conducting the affairs of a business, profession, service, industry or government. An office shall not include the sale of goods for a profit as its primary use. For purposes of this Plan, the following are categories of office intensity:

MINOR: (REV. EFF. 6/28/95) Converted residence at the existing size or newly constructed building less than 10,000 square feet and .25 floor area ratio or less. Maximum of 2,500 square feet if located on a local street.

MAJOR: (REV. EFF. 6/28/95) An office building or buildings with more than a .25 floor area ratio, or at least 10,000 square feet. This includes a series of buildings within a subdivision that when combined is equal to or exceeds these thresholds.

OFF-SITE MITIGATION: (EFF. 7/1/04) CITY OF TALLAHASSEE ONLY—To compensate for the impacts of development on significant environmental resources in areas deemed important for infill or related conversions of land use by preserving, restoring and enhancing the environmental functions of ecosystems elsewhere.

ON-SITE SYSTEM: (EFF. 7/16/90) Means any sanitary sewer system designed and built to serve a single parcel of land, i.e. septic tank or package treatment plant with capacity sized to:

a) Meet the demand for a single parcel of land and its intended use

b) Meet the projected demand for a single parcel of land after its subdivision

An on-site system may serve more than one parcel but only to correct an existing environmental problem.

OPEN SPACE: (EFF. 7/1/04) Means undeveloped lands suitable for passive recreation or conservation uses. In the context of Conservation Subdivisions, Open Space refers to lands subject to a required conservation easement. These lands may include Conservation and Preservation features defined in this Plan, or agricultural or silvicultural properties, that are managed to preserve or promote environmental and aesthetic resources.

PASSIVE RECREATION FACILITY: (EFF. 7/16/90) Means those recreation lands and improvements that are natural resource oriented, i.e. hiking trails, boat landings, neighborhood parks.

PEAK HOUR: (REV. EFF. 8/17/92) Means the period during which the maximum amount of travel occurs. The period when demand for transportation service is heaviest.

PLANT COMMUNITY: (EFF. 7/16/90) A natural association of plants that is dominated by one or more prominent species, or possesses a characteristic physical and discernible attribute.

POLYGON CONECTIVITY INDEX: (EFF. 4/10/09) A measure of connections within a transportation network. A polygon is created when elements of the transportation network connect and create closed loops, thus allowing a traveler to make a loop on its perimeter. The more polygons there are within an area, the more route options exist for a traveler. More polygons equal a higher connectivity index and a higher degree of mobility.

POPULATION ACCOMMODATION RATIO (PAR): (EFF. 4/18/02) The Population Accommodation Ratio (PAR) is the relationship between the supply of land available for development and the expected population growth over a period of time. A PAR of 2.00 means that there is twice the supply of land available for development compared to the expected population growth over a period of time. A PAR of 1.50 means there is 50% more land available for development than is needed for the expected population growth over a period of time.

PRESERVATION: (EFF. 7/16/90) Establishing strict requirements for the maintenance of significant ecological resources in a natural state. Activities should be in strict compliance with an effort to perpetuate the ecological value of the site or surrounding areas, including maintenance of listed plant and animal species.

PRESERVE AREAS: (EFF. 7/16/90) Vegetative areas required to be preserved by law.

PRINCIPAL ARTERIAL: (REV. EFF. 7/1/04) Principal arterial roadways are designed to carry the next highest level of mobility and are intended to carry substantial traffic volumes over relatively long distances and at relatively high speeds. Direct property access may be provided but must be carefully managed to avoid creating unsafe and congested conditions and to preserve mobility.

PRIVATE RECREATIONAL FACILITIES: (EFF. 7/1/04) Recreational resources provided by the private sector.

COMMERCIAL RECREATIONAL FACILITIES: (EFF. 7/1/04) Facilities operated by the private sector as for profit or not-for profit.

RESIDENTIAL RECREATIONAL FACILITIES: (EFF. 7/1/04) Facilities located within and associated with residential developments.

PUBLIC FACILITY: (EFF. 7/16/90) Means capital facilities that are owned by a governmental entity.

RECREATIONAL:

PASSIVE: (EFF. 7/16/90) Natural resource oriented, (hiking trails, boat landings, neighborhood parks).

ACTIVE: (EFF. 7/16/90) Facility oriented, (swimming pools, ball fields, tennis courts).

REGIONAL PARK: (EFF. 7/16/90) Means a large resource based area which serves the entire county. Such a park should serve a minimum of 100,000 population and be within a 30 minute driving time of that population.

REGULATED CLOSED BASINS: (EFF. 7/16/90) A naturally depressed portion of the earth's surface, at least 10 acres in size, for which there is no natural outlet for runoff other than percolation, evaporation, or transpiration.

REHABILITATION: (EFF. 7/16/90) The act or process of returning a property to a state of utility through repair or alteration which makes possible an efficient contemporary use while preserving those portions or features of the property which are significant to its historical, architectural, and cultural values.

RESIDENTIAL: (REV. EFF. 6/25/96) Land that is used for or proposed to be used for the principal purpose of providing dwelling unit(s) for human habitation.

LOW: (EFF. 7/16/90) 0-8 dwelling units per acre

MEDIUM: (EFF. 7/16/90) 8-16 dwelling units per acre

HIGH: (EFF. 7/16/90) 16-50 dwelling units per acre

URBAN: (EFF. 1/19/02) 51 units to 150 units

RESPONSIBLE MANAGEMENT ENTITY: (EFF. 4/10/09) A legal entity that has the technical, managerial, and financial capacity to ensure viable long-term, cost-effective, centralized management, operation, and maintenance of decentralized wastewater systems in accordance with appropriate regulations and generally accepted accounting principles. Viability is defined as the capacity of a responsible management entity to provide adequate technical, managerial, and financial resources to protect the public health and the environment consistently, in perpetuity, and at a minimal cost to taxpayers.

SANITARY SEWER FACILITIES: (EFF. 7/16/90) Means structures or systems designed for the collection, transmission, treatment, or disposal of sewage and includes trunk mains, interceptors, treatment plants and disposal systems.

SANITARY SEWER SERVICE: (EFF. 7/16/90) Means sewer service provided by sanitary sewer designed to serve a large service area and usually more than one land use type. These facilities have the intent and potential for expansion of their service areas.

SCHOOLS: (EFF. 6/26/98) Facilities intended primarily for the education of children pre-kindergarten through twelfth grade, children identified as exceptional regardless of age or grade, or for the vocational or community education of high school age students and adults. Unless otherwise stated elsewhere in the Plan, this term refers to public and private schools.

SECTION 8 PROGRAM: (EFF. 7/16/90) Means those programs authorized under the renumbered Section 8 of the United States Housing Act of 1937. These programs allow the Department of Housing and Urban Development to contract directly with the owner of existing, new, or rehabilitated units for the payment of the difference between a contract rent not exceeding a fair market rate for the dwelling and a specified percentage of the tenant's gross income.

SEVERE GRADES: (EFF. 7/16/90) Slopes greater than 20%.

SILVICULTURE: (EFF. 7/6/15) A practice, operation, or process following accepted forest management principles whereby the crops constituting forests are tended, harvested, and reforested.

SOLID WASTE: (EFF. 7/16/90) Means sludge from a waste treatment works, water supply treatment plant, or air pollution control facility or garbage, rubbish, refuse or other discarded material, including solid, liquid, semisolid, or contained gaseous material resulting from domestic, industrial, commercial, mining, agricultural, or governmental operations (as defined by Section 9J-5.002(88), F.A.C.).

SPECIAL NEEDS HOUSING: (EFF. 7/16/90) Means that part of the housing provision system designed to fulfill the demand of a household or individual who needs assistance, either permanent or temporary, in obtaining basic shelter, including but not limited to very low and low income handicapped individuals, homeless persons, group homes for persons with physical, emotional or cognitive disabilities, shelters for battered victims, adult congregate living facilities, and halfway houses for the non-criminal or non-delinquent.

SPECIES OF SPECIAL CONCERN: (EFF. 7/16/90) Are defined based on the same criteria and analogous to the state and federal list: A species, subspecies or isolated population which warrants special protection, recognition or consideration because it has an inherent significant vulnerability to habitat modification, environmental alteration, human disturbances, or substantial human exploitation which, in the foreseeable future may result in its becoming a threatened species; may already meet certain criteria for designation as a threatened species but for which conclusive data are limited or lacking; may occupy such an unusually vital and essential ecological niche that should it decline significantly in numbers or distribution, other species would be adversely affected to a significant degree, or has not significantly recovered from past population depletion.

SUBSTANDARD HOUSING: (EFF. 7/16/90) Means any structure which falls within the structural conditions defined as "major deterioration" and "dilapidated."

SUPERSTOPS: (EFF. 4/10/09) Transit stops that will serve as transfer stations for two or more routes, removing the need for riders to go to a single, centralized location to make transfers.

TERRITORIAL REINFORCEMENT DESIGNS: (EFF. 12/10/02) Create or extend the spheres of influence of legitimate users of designed environments. Properly designed environments allow legitimate users to develop a sense of territorial control, while potential offenders (perceiving the legitimate user control of the environment) are discouraged from attempting criminal activities. Territorial reinforcement is promoted by features that distinguish private spaces from public spaces with the use of fences, gateways, hedges, and similar design strategies.

THREATENED SPECIES: (EFF. 7/16/90) Are defined based on the same criteria and analogous to the state and federal list: Any species of fish, wildlife and plants naturally occurring in Florida which exists in such small populations as to become endangered if it is subjected to increased stress as a result of further modifications of its environment.

THROUGH TRIPS: (EFF. 6/07/01) A through trip is one that has neither a beginning point nor a destination point contained within the subject area or on a particular roadway segment.

TRANSPORTATION CORRIDOR: (EFF. 7/16/90) Means a broad geographical band that follows a general directional flow or connects major sources of trips. It may contain a number of streets and highways and transit lines or routes.

TRANSPORTATION SYSTEM: (EFF. 7/16/90) Means a coordinated system made up of one or several modes of transportation serving a common purpose of the movement of people, goods, or both.

UNDEVELOPED FLOODWAY/FLOODPLAIN: (EFF. 7/16/90) A floodway/floodplain which has not been altered.

WATER BODY AND NATURAL WATER BODY: (EFF. 7/16/90) A water body is a depression in the ground that normally and continually contains surface water. This is opposed to a wet depression that holds water only intermittently. There are some types of wetlands that are examples of areas that hold water only certain times of the year. A natural water body is a depression in the ground existing in and produced by nature, not man-made, and occurring due to the operation of the ordinary course of nature that normally and continually contains surface water or has historically held surface water on a continuing basis.

WETLAND: (REV. EFF. 6/28/02; REV. EFF. 7/19/13) Wetlands mean those areas included within the landward extent of surface waters of the state, pursuant to applicable rules in the Florida Administrative Code, or any area which is inundated or saturated by surface water or groundwater at a frequency and duration sufficient to support, and which under normal circumstances does support a prevalence of vegetation typically adapted for life in saturated soils. Soils present in wetlands generally are classified as hydric or alluvial, or possess characteristics that are associated with reducing soil conditions. The prevalent vegetation in wetlands generally consists of facultative or obligated hydrophytic macrophytes that are typically adapted to areas having soils conditions described in this definition. These species, due to morphological, physiological, or reproductive adaptations have the ability to grow, reproduce, or persist in aquatic environments or anaerobic soil conditions. Florida wetlands generally include swamps and marshes, bayheads, bogs, cypress domes and strands, sloughs, wet prairies, riverine swamps and marshes, hydric seepage slopes, tidal marshes, mangrove swamps, and other similar areas. Florida wetlands generally do not include longleaf or slash pine flatwoods with an understory dominated by saw palmetto. The City of Tallahassee and Leon County intend to continue to protect isolated wetlands and wetlands on properties held by a single owner. Isolated wetlands and wetlands in one ownership must meet the State of Florida's definition for wetlands with regard to percent composition of wetland plant species, hydrologic indicators, and soils (Chapter 62-340, F.A.C.)

Goal 2: [L] (EFF. 7/16/90; REV. EFF. 7/26/06)

Provide for a high quality of life by planning for population growth, public and private development and redevelopment and the proper distribution, location and extent of land uses by type, density and intensity consistent with adequate levels of services and efficient use of facilities and the protection of natural resources and residential neighborhoods.

RESIDENTIAL LAND USE
Objective 2.1: [L] (REV. EFF. 7/20/05)

Enhance the livability of existing neighborhoods and in new neighborhoods provide for future mixed residential areas which will accommodate growth and provide a wide choice of housing types, densities and prices as well as commercial opportunities based on performance criteria. In furtherance of this, maintain a system of land development regulations and ordinances which will facilitate the implementation of the policies adopted in relation to residential land use. These shall include but not be limited to:

1) Setback requirements from natural waterbodies and wetlands
2) Buffering requirements
3) Open space requirements
4) Landscape requirements
5) Tree protection
6) Stormwater management requirements

Policy 2.1.1: [L] (REV. EFF. 6/28/95; REV. EFF. 7/26/06)

Protect existing residential areas from encroachment of incompatible uses that are destructive to the character and integrity of the residential environment. Comprehensive Plan provisions and Land Development Regulations to accomplish this shall include, but are not limited to:

a) Inclusion of a Residential Preservation category on the Future Land Use Map.

b) Limitations on future commercial intensities adjoining low density residential areas. Such limitations are to result in effective visual and sound buffering (either through vegetative buffering or other design techniques) between the commercial uses and the low density residential uses; and are to allow only those commercial activities which are compatible with low density residential development in terms of size and appearance.

c) Limitations on future higher density residential adjoining low density residential areas. Such limitations are to result in effective visual and sound buffering (either through vegetative buffering or other design techniques) between the higher density residential uses and the low density residential uses.

d) Limitations on future light industry adjoining low and medium density residential areas. Such limitations are to result in effective visual and sound buffering (either through vegetative buffering or other design techniques) between the light industrial uses and the low density residential uses.

e) Preclusion of future heavy industrial adjoining any residential area.

f) Additional development requirements for allowed community facilities when adjoining low density residential areas, except for cemeteries or religious facilities to be used solely for religious functions. Such development requirements will also apply if ancillary facilities are proposed in conjunction with religious facilities, and are to result in effective visual and sound buffering (either through vegetative buffering or other design techniques) between the community facilities and the low density residential uses.

Policy 2.1.2: [L] (EFF. 7/16/90)

Prohibit residential development where physical constraints or hazards exist, or require the density and design to be adjusted accordingly. Such constraints or hazards include but are not limited to flood, storm or slope hazards and unstable soil or geologic conditions.

Policy 2.1.3: [L] (REV. EFF. 8/17/92)

Require clustering of residential units on non-environmentally significant portions of parcels where conservation or preservation overlay districts exist elsewhere on the site. Net density on parcels where clustering is required on the developable portion of the parcel where the units are clustered shall not exceed double the allowable density for the land use category in which the parcel is located.

Policy 2.1.4: [L] (EFF. 7/16/90)

Residential densities shall not be permitted that would exceed the ability of local government or other providers to provide capital facilities and services in a cost effective manner.

Policy 2.1.5: [L] (City of Tallahassee) (EFF. 7/16/90)

Residential developments shall be designed to include a system of internal and inter-neighborhood circulation which promotes pedestrian and bicycle mobility. Within the Urban Service Area, sidewalks shall be required to provide pedestrian mobility.

Policy 2.1.5: [L] (Leon County) (REV. EFF. 12/10/91)

Bicycle facilities within residential developments shall only be required along major collectors or other streets with a higher functional classification.

Policy 2.1.6: [L] (EFF. 7/16/90)

Criteria shall be established within local development regulations which require within residential developments the provision of non-residential land uses such as parks, school sites and potential walk-to minor commercial and office opportunities.

Policy 2.1.7: [L] (REV. EFF. 8/17/92)

Criteria established within the subdivision ordinances shall set aside land for active and passive contiguous green space in order to provide for accessible recreation and/or open space areas for all neighborhoods.

JOINT EXHIBIT OF THE PARTIES 34

Leon County, Florida, Land Development Code Excerpts

Leon County Code of Laws, Chapter 10

Sec. 10-1.101. - Definitions.

The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning.

Abandoned well shall mean a well which is no longer in use for its intended purposes, and/or is not constructed to state standards and for which no valid Northwest Florida Water Management District (NWFWMD) permit has been issued.

Abutting property shall mean property that is immediately adjacent or contiguous to property that is subject to review under these regulations.

Access improvements shall mean improvements designed and constructed to provide safe and adequate ingress and egress from a road impact construction, which include, but are not limited to, rights-of-way, easements, paving of adjacent or connecting roadways, turn lanes, deceleration and acceleration lanes, traffic control devices, signage and markings, and drainage and utilities.

Access, legal shall mean the right, created by fee simple ownership, insurable right of access, deed, or easement recorded in the public records providing for perpetual ingress to and egress rights from the premises to a public or private street.

Accessory building shall mean a detached, subordinate building, the use of which is clearly indicated and related to the use of the principal building or use of the land and which is located on the same lot as the principal building or use.

Accessory dwelling unit shall mean an additional, ancillary dwelling unit located on the same lot or parcel as a principal dwelling unit. The accessory dwelling unit may be attached or detached; its use is secondary to the principal use of the property.

Accessory use or *structure* shall mean a use or structure on the same lot with, and of a nature customarily incidental and subordinate to, the principal use or structure and, which comprises no more than 1/3 of the floor area of the principal use or structure, except as otherwise permitted herein.

Acquisition shall mean purchase, land exchange, donation, easement, assisting private owners in obtaining tax advantages and other similar endeavors. Purchase shall include all acquisition costs, including such costs as surveying and title insurance.

Acre shall mean an area of land containing 43,560 square feet.

Acre, gross shall mean an area of land containing 43,560 square feet including rights-of-way, common areas, or easements.

Acre, net shall mean the amount of usable land area exclusive of undevelopable areas within conservation or preservation areas.

Active karst feature, shall mean a collapse, subsidence, or solution in the earth's surface that is formed over limestone, dolomite, or gypsum, caused by the dissolution, or infiltration of this soluble formation overlying the groundwater that allows direct contact between surface water and the groundwater table and is characterized by closed depressions such as sinkholes, caves, springs and underground drainage.

Adjoining shall mean parcels which are touching or contiguous to each other, as distinguished from lying near to or adjacent. Parcels that are separated from each other by a local or a minor collector street or roadway shall also be considered adjoining; parcels that are separated by a major collector or an arterial street or roadway or by a railroad right-of-way shall not be considered adjoining.

Administrative official shall mean the county administrator and any staff member of the department authorized by the county administrator or by ordinance to interpret or administer this chapter.

Administrative streamlined application process shall mean the appropriate review process for approval of development excepted from development review as provided in subsection 10-7.402. 5., development review and approval system; exceptions; except where otherwise specified in subsection 10-7.402. 5.

Adult congregate living facilities (ACLF) shall mean an adult congregate living facility as defined in F.S. § 400.402.

Adverse impact shall mean any direct or indirect effect likely to cause, or actually causing, a decline in the stability, natural function, or natural diversity of any environmental resource or system, or in the quiet, peaceful, safe, or healthful use or occupancy of any off-site property.

Advertise shall mean to inform; to notify; to announce; or to attract public attention.

Affordable housing shall mean housing units available to very low, low, and moderate income households at a cost which neither constitutes a financial hardship to the household nor exceeds the ability of the household to pay the monthly mortgage or rent payment. The classification of households will be stated in terms of their relation to the most recent estimate by the U.S. Department of Housing and Urban Development of median household income for the Tallahassee Metropolitan Statistical Area, as follows:

Very low income	=	≤ 50% of median household income

Low income	=	50—80% of median household income
Moderate income	=	80—120% of median household income

Agent shall mean a person, firm, or entity legally authorized to act on a landowner's behalf concerning applications filed under this chapter, and has included in the application a written authorization to act as agent for that purpose.

Agent, legally authorized shall mean a person, firm, or entity which acts on a landowner's behalf concerning applications filed under these regulations, and has included in the application a written authorization to act as agent for that purpose.

Aggregation shall mean the combining of two or more developments, represented by their owners or developers as separate, for purposes of this chapter.

Aggrieved or adversely affected person shall mean any person who will suffer an adverse effect to an interest protected or furthered by the Comprehensive Plan, including interests related to health and safety, police and fire protection service systems, densities or intensities of development, transportation facilities, health care facilities, equipment or services, or environmental or natural resources. The adverse interest may be shared in common with other members of the community at large, but shall exceed in degree the general interest in community good shared by all persons.

Agriculture shall mean the production, keeping or maintenance, for sale, lease or personal use, of plants and/or animals useful to humans, including, but not limited to, the growing of crops, dairying, grazing, the raising and maintenance of poultry and other livestock, horticulture, nursery, forestry, and sod farms. Commercial feed lots, the raising of furbearing animals, riding academies, livery or boarding stables or dog kennels are not considered to be normal agricultural uses.

Agritourism shall mean any agricultural related activity consistent with a bona-fide farm, livestock operation, or ranch or in a working forest which allows members of the general public to view or enjoy activities related to farming, ranching, historical, cultural, civic, ceremonial, training and exhibition, or harvest-your-own attractions for recreational, entertainment or educational purposes.

Air entrainment shall mean any process by which air is introduced into groundwater.

Airport shall mean the Tallahassee Municipal Airport (see section 10-6.808).

Aisle shall mean a path for a vehicle providing internal circulation between rows of parking. See Driveway.

Alcoholic beverage shall mean distilled spirits and any beverage containing one-half of one percent or more alcohol by volume or as defined by F.S. § 561.01(4)(a).

Alley shall mean a dedicated right-of-way which affords only a secondary means of access to the back or the side of a building site otherwise abutting on a larger street, and which is not intended or used for general traffic circulation.

Alteration shall mean any change, addition or modification in construction, or any change in the structural members of a building, such as walls or partitions, columns, beams or girders, the consummated act of which may be referred to herein as altered or reconstructed.

Altered floodplain shall mean areas within the 100-year floodplain that have been either ditched, drained, filled or have had structures built on them, any of which have diminished the flood storage capacity of the floodplain.

Alternative collector road impact fee shall mean any alternative fee calculated by an applicant and approved by the planning director or the metropolitan planning organization pursuant to section 10-617 or section 10-577.

Alternative countywide road impact fee shall mean any alternative fee calculated by an applicant and approved by the planning director or the metropolitan planning organization pursuant to section 10-602 or section 10-577.

Amendment—Map shall mean a change in the boundaries of one or more zoning districts depicted on the official zoning map.

Amendment—Text shall mean a change in the text of Article VI (zoning).

Amusements, outdoor shall mean an outdoor area or structure, open to the public, which contains coin operated games, and similar entertainment and amusement facilities. Outdoor amusement facilities include miniature golf courses, batting cages, go karts, bumper boats, driving ranges, skateboard parks, etc.

Amusements, indoor shall mean establishments engaged in providing indoor amusement or entertainment for a fee or admission charge and include such activities as dance halls, studios, theatrical producers, bands, orchestras, and other musical entertainment; bowling alleys and billiard and pool establishments; commercial sports such as arenas; coin operated devices, game parlors.

Animal feedlot shall mean a lot or building or combination of lots and buildings intended for the confined feeding, breeding, raising, or holding of animals and is specifically designed as a confinement area in which manure may accumulate, or where the concentration of animals is such that a vegetative cover cannot be maintained within the enclosure. For the purpose of this chapter, open lots used for the feeding and rearing of poultry (poultry ranges) shall be considered to be animal feedlots. Pastures shall not be considered animal feedlots under this chapter.

Animated sign shall mean any sign of which all or any part thereof visibly moves in any electronic fashion whatsoever; and any sign which contains or uses for illumination any light, lights, or lighting device or devices which change color, flash or alternate, show movement or motion, or change the appearance of said sign or any part thereof automatically. The term "animated sign" shall not include revolving signs or multi-face mechanical (tri-vision) signs.

Apartment shall mean a multifamily dwelling unit containing a room or suite of rooms together with kitchen or kitchenette and sanitary facilities.

Appeal shall mean a request for review of the county's interpretation of any provision of this chapter.

Applicant shall mean the owner of land, or legally authorized agent, submitting an application pursuant to this chapter.

Application shall mean a request filed with the county under the terms of this chapter.

Aquatic ecosystem shall mean an ecological community existing in and dependent upon periodic or continuous inundation by, or normally affected by water, including a wetland, natural watercourse, or water body.

Aquifer shall mean any saturated, permeable geologic unit that can transmit significant quantities of water under ordinary hydraulic gradients.

Aquifer protection coordinator shall mean the person designated and authorized by the county to supervise the implementation and enforcement of Article X.

Archaeological site shall mean a location that has yielded or may yield information on history or prehistory or is included in the state master site file.

Architect shall mean an architect licensed and registered in the state.

Architectural planter shall mean a structure designed to support plant root growth in a contained space, generally above grade, filled with a growing medium specifically blended for such use and providing no direct path for root growth into surrounding natural soils areas.

Area of shallow flooding shall mean a designated AO zone on the flood insurance rate maps.

Area of special flood hazard shall mean land designated on the flood insurance rate maps which is subject to a one percent or greater chance of flooding in any given year.

Arterial street shall mean as defined by the Tallahassee-Leon County Comprehensive Plan.

Automotive service station shall mean any building, structure or land used for retail sales of automobile fuels, oils or accessories as its primary use with the sale of convenience store items allowed, and which may also include automobile maintenance, servicing, and towing and overnight parking of disabled vehicles for immediate repair (i.e. within 24 hours). A freestanding single pass carwash is permitted as an accessory use at neighborhood, community, and highway commercial locations inside the urban service area.

Available capacity shall mean the capacity of a concurrency facility available for use by the demand from new development.

Bandit sign shall mean any sign placed on wooden stakes or wire supports that are driven into the ground.

Banner shall mean any hanging sign possessing characters, letters, illustrations or ornamentations applied to paper, plastic or fabric of any kind. This classification shall not include plastic or fabric signs which are permanently attached within a rigid frame which are intended to be used as a permanent sign. National flags, flags or political subdivisions and symbolic flags of any institution or business shall not be considered banners for the purpose of this chapter.

Base flood shall mean the flood having a one percent chance of being equaled or exceeded in any given year.

Base flood elevation shall mean the flood elevation having a one percent chance of being equaled or exceeded in any given year.

Basement shall mean the part of a building that has at least half of its height below ground level. The basement of a building will be included in calculation of a floor area ratio if it is finished sufficiently to serve as space that is suitable for the primary activities for which the building was designed and constructed.

Bed and breakfast inn shall mean an owner-occupied structure originally built and utilized as a single-family residence converted to function as a single-family residence providing a limited number of guest rooms available on a daily rental basis. Kitchen facilities are not available in individual rooms.

Bench sign shall mean a sign located on any part of the surface of a bench or seat placed adjacent to a public right-of-way.

Best management practice (BMP) shall mean a practice or principle designed to reduce and manage pollution, the adverse impact of changes in the natural ecosystem, and in some cases, protect wildlife and habitat. These principles and practices are generally outlined in the latest updated version of various BMP manuals, including Silviculture Best Management Practices; Best Management Practices, A Landowners Handbook for Controlling Erosion for Forestry Operations; Management Guidelines for Forested Wetlands; DER: Florida Development Manual, A Guide to Sound Land and Water Management; and other publications on best management practices that are generally accepted by the industries and regulatory bodies.

Block shall mean a group of lots existing within well-defined and fixed boundaries, usually being an area surrounded by streets or other physical barriers and having an assigned number, letter, or other name through which it may be identified.

Board or *Board of County Commissioners* shall mean the Board of County Commissioners of Leon County, Florida. See also Article VI.

Boardinghouse shall mean a single-family house, wherein furnished rooms without cooking facili ties are rented for a valuable consideration, to one or more individuals unrelated by blood or marriage to the owner or operator of the house, and where renting individuals are also served with meals prepared in one kitchen by the owner or operator of the house.

Bona fide agricultural use shall mean the use of land, for bona fide purposes of growing crops or timber or raising animal stock, fish, or poultry. In determining whether the claimed agricultural use is bona fide for agricultural permitting purposes, one of the two following criteria shall be satisfied:

(1) The subject property/parcel is classified agricultural on the most recent certified tax roll.

(2) Where the subject property/parcel is not classified agricultural on the most recent certified tax roll, the following factors shall be taken into consideration:

a. The length of time the land has been so utilized;

b. Whether the use has been continuous;

c. The purchase price paid;

d. The size of the land as it relates to the specific agricultural use;

e. Whether an indicated effort has been made to care sufficiently and adequately for the land in accordance with accepted commercial agricultural practices, including fertilizing, liming, tilling, mowing, reforesting, or other generally accepted agricultural practices;

f. Whether such land is under agricultural lease, and if so, the effective length, terms and conditions of the lease; and

g. Current, and pending changes in, land use and zoning.

Broadcasting studios shall mean establishments primarily engaged in the production of audio or visual programs for distribution to the public (except cable or other pay television services) including broadcast stations.

Buffer shall mean a physical barrier located between and separating one or more land uses.

Buffer fence shall mean a fence, of sufficient height and opacity to obstruct view so as to provide a buffer between land uses, which is constructed of durable materials appropriate for the intended use and compatible with materials commonly used in surrounding areas or neighborhoods.

Buildable area shall mean the area of a lot remaining outside of environmental constraints and after the setback and open space requirements of the zoning ordinance have been met.

Building shall mean any structure, either temporary or permanent, built for the support, shelter, or enclosure of persons, chattels, or property of any kind. "Building" shall include tents, trailers, or mobile homes serving in any way the function of a building.

Building area shall mean a maximum horizontally projected area of the building at or above grade.

Building contractors and related services shall mean general contractors and operative builders primarily engaged in the construction of residential, farm, industrial, commercial, or other buildings. General building contractors who combine a special trade with contracting are included in this group.

Building envelope shall mean an area of a parcel excluding all required setbacks, parking areas, landscaped areas, and stormwater management facilities in which the actual building may be constructed.

Building facade line shall mean an imaginary line running along and parallel to the elevation of a building, extending along a horizontal plane, terminating at the property's boundaries.

Building height: See "height."

Building official shall mean the person designated by the county to enforce the building code.

Building permit shall mean a permit to install, construct, or reconstruct any structure and used or built for a shelter enclosure of persons, animals or property of any kind. See also Article II.

Building setback shall mean the minimum required setback distance from the property line or centerline of the roadway right-of-way to the building line as set forth in Article VI.

Building site shall mean a portion or parcel of land considered as a unit, devoted to a certain use or occupied by a building or group of buildings that are united by a common interest or use such that the customary accessories and open spaces belong to the same.

Business park shall mean a development on a minimum of a ten-acre tract of land that contains a mix of uses including office buildings, walk-to-work residences, convenience retail activities, open space, and amenities for employees designed, planned, constructed and managed on an integrated and coordinated basis.

Business services shall mean establishments primarily engaged in rendering services to business establishments on fee or contract basis, such as advertising and mailing; building maintenance; employment services; management and consulting services, but not including the sale of goods or merchandise.

Caliper shall mean the diameter of a tree, which shall be measured 12 inches above the soil line for trees required to have a four-inch or greater caliper; or, for smaller trees, the diameter shall be measured six inches above the soil line, except that grafted trees shall be measured one inch above the graft union if union can be seen.

Canopy. See "marquee."

Canopy road or *canopy road tree protection zones* shall include all lands within the unincorporated county within 100 feet of the centerlines of the following roads hereby declared to be canopy road tree protection zones:

(1) Meridian Road from its intersection with Seventh Avenue to the state line.

(2) Magnolia Drive—Centerville Road—Moccasin Gap Road from their intersection with Seventh Avenue to State Road 59.

(3) Miccosukee Road from its intersection with Capital Circle to Moccasin Gap Road.

(4) Old St. Augustine Road from its intersection with East Lafayette Street to W. W. Kelley Road.

(5) Old Bainbridge Road from its intersection with Raa Avenue to Capital Circle.

(6) Sunny Hill Road from its intersection with Thomasville Road to Old Centerville Road.

(7) Old Centerville Road from its intersection with Centerville Road to the state line.

(8) Pisgah Church Road from Bradfordville Road to the end of the county maintained right-of-way east of Centerville Road.

Capacity shall mean the potential or suitability for holding, storing or accommodating the demands of the impacts of development at a defined level of service.

Carport shall mean an accessory structure or portion of a principal structure, consisting of a roof and supporting members such as columns or beams, unenclosed from the ground to the roof on at least two sides, and designed or used for the storage of motor driven vehicles.

Centerline of right-of-way shall mean the center of the surfaced roadway or the surveyed centerline of the street as defined by the county engineer.

Certificate of appropriateness shall mean the permit issued by the architectural review board which gives its approval for work to be completed on a landmark building, a landmark site or within a historic overlay district. The certificate may contain conditions relating to the proposed work, and the applicant will still need permits from other regulatory departments before starting work. A certificate of appropriateness must be issued prior to the issuance of a building permit.

Certificate of concurrency shall mean a statement, related to a specific development project or part thereof, that concurrency is satisfied and that a specified amount of facility capacity is reserved for a specified period of time.

Certificate of occupancy shall mean an official document or certificate issued by the city or county under the authority of ordinance or law, authorizing the occupancy for its intended use of a building or land, or any portion thereof, within a road impact construction. "Certificate of occupancy" shall include any other permit which allows the occupancy and use of a building or land.

Certified arborist means an arborist certified by the International Society of Arboriculture.

Changeable copy sign shall mean any poster board, bulletin board, neon sign, screen, surface or wall, with characters, letters or illustrations affixed thereto or thereon, by any method or means whatsoever, that can be changed, rearranged, or altered without changing the face of the poster board, bulletin board, neon sign, screen, surface or wall.

Change of occupancy shall mean a discontinuance of an existing use and the substitution of a different kind or class. "Change of occupancy" shall not include a change of tenants or proprietors unless accompanied by a change in the type of use.

Church, religious organization, house of worship shall mean a building used for periodic congregation of persons to express religious belief including temples, synagogues and similar structures.

City shall mean the City of Tallahassee, Florida.

City attorney shall mean the person appointed by the city commission to serve as its counsel, or the designee of such person.

City commission or *commission* shall mean the governing body of the city.

City street system shall mean the road system of the city as defined in F.S. § 334.03(3), or its statutory successor in function.

Clean fill shall mean soil, including top soil, clay, and sand, all of which shall contain less than five percent gravel, rubble, or other material. Other materials besides soil shall be less than four inches in diameter. Clean fill shall possess no adverse human or environmental risk.

Clinic shall mean an establishment which provides health services or medical or surgical care for outpatients only, and where overnight facilities are not provided.

Closed basin shall mean a naturally depressed or artificially closed off portion of the earth's surface for which there is no natural or normal outlet for runoff other than percolation, evaporation, transpiration, or discharge into a karst feature.

Closure shall mean the termination of any regulated, nonresidential land use or activity covered by this chapter.

Cluster development shall mean a development design technique that concentrates buildings in specific areas on a site to allow the remaining land to be used for recreation, common open space, and preservation of environmentally sensitive or other portions of the site having existing characteristics worthy of preservation or conservation.

Collector road district shall mean one of the six districts located within the county which are described in section 10-582, and within each of which a separate collector road impact fee is assessed.

Collector road impact fee shall mean the fee imposed by the county pursuant to section 10-616 or, if applicable, the alternative collector road impact fee.

Commercial area standards shall mean the following:

(1) Commercial area location.

a. Minor shall mean the circular area described by a 330-foot radius from the centerline of the intersection of local and arterial, collector and collector, or collector and arterial roads.

b. Neighborhood shall mean the circular area described by a quarter-mile radius from the centerline of the intersection of major collector and major collector, major collector and arterial, or arterial and arterial roads. Only one commercial development will be allowed at the intersection of a major collector and arterial road.

c. Community shall mean the circular area described by a quarter-mile radius from the centerline of the intersection of major collector and major collector, major collector and arterial, or arterial and arterial roads.

d. Regional shall mean the circular area described by a quarter-mile radius from the centerline of any of the following intersections where direct access is integrated into the transportation network through a system of shared access or frontage roads: minor arterial and major collector or major collector and arterial roads, or arterial and arterial roads which have been previously commercially developed.

(2) Commercial site (or quadrant) shall mean the area described as one-quarter of the commercial location area (as defined herein), except in instances of commercial sites located at the intersection of roads whose vertices form an acute angle, in which case the site or quadrant shall be considered to be that area within the vertices formed by the roads and the arc described by the applicable radius.

Commercial building size shall mean the maximum square footage of gross leasable floor area allowable within any single building. This number is a portion of the allowable commercial development that may be established at a commercial site (or quadrant).

Commercial, community shall provide for the sale of convenience goods and personal services such as food, drugs, sundries and hardware items, clothing, variety items, appliances and furniture, and home improvement items to one or more neighborhoods. Gross floor area shall be from 100,000 up to 200,000 square feet.

Commercial, highway shall mean a highway that provides for consumer oriented retail services designed for drive-in convenience. Gross floor area shall be up to 10,000 square feet.

Commercial impact fee land use category means the impact fee land use categories listed under the commercial heading in the schedule incorporated in section 10-601 for countywide road impact fees and in section 10-616 for collector road impact fees.

Commercial, minor shall provide for the sale of convenience goods and services to the immediate residential area. Gross floor area shall be less than 20,000 square feet, except at a local street intersection where it is less than 10,000 square feet.

Commercial, neighborhood shall provide for the same general functions as a community commercial center but on a smaller scale. Gross floor area shall be from 20,000 up to 100,000 square feet.

Commercial, regional shall provide for the same functions of community commercial and shall provide full range and variety of shopping goods for comparative shopping such as general merchandise, apparel, furniture, and home furnishings. Gross floor area shall be over 200,000 square feet.

Communication antenna means an antenna, appurtenant to a structure, designed to transmit and/or receive communications authorized by the Federal Communications Commission (FCC). The term, "communication antenna," shall not include antennas utilized by amateur radio operators licensed by the FCC.

Communication tower means a principal structure which is principally intended to support communication equipment for telephone, radio and similar communication purposes. The term, "communication tower" shall not include towers utilized by amateur radio operators licensed by the Federal Communications Commission (FCC) or towers not exceeding 75 feet in height utilized by essential service providers on a site containing an essential service facility, such as but not

limited to fire stations, law enforcement facilities including jails, electrical substations, wastewater treatment plants, sewer lift stations, overhead water storage tanks, water wells and utility operation or service centers, for the provision of telemetry data only. Communication towers are generally described as either monopole (freestanding), lattice (self-supporting), or guyed (anchored with guy wires or cables).

Community garden shall mean any portion of a lot or parcel managed and maintained by a group of people to grow and harvest food crops and/or non-food ornamental crops for personal or group use, consumption or donation. Community gardens do not include portions of lots or parcels utilized to grow food crops and/or non-food ornamental crops for the purpose of commercial wholesaling.

Community residential home shall mean a dwelling unit licensed to serve clients of HRS, providing a living environment for seven to 14 residents who operate as the functional equivalent of a family, including such supervision and care by support staff as may be necessary to meet the physical, emotional and social needs of the residents. Homes of six or fewer residents that otherwise meet the definition of a community residential home are regarded as single-family units and noncommercial residences for the purpose of this chapter.

Community services or *community facilities* shall mean a facility owned or operated by a public or private entity that directly provides a significant public benefit such as libraries, religious facilities, police and fire stations, hospitals, museums and schools.

Comprehensive plan shall mean the plan adopted pursuant to the Local Government Comprehensive Planning and Land Development Regulation Act [F.S. § 163.3161 et seq.].

Comprehensive site development plan shall mean a plan view layout and all supporting documents for a proposed development activity, which conveys information of a definite nature pertaining to existing and proposed land use, property boundaries, structures, drainage features, and infrastructure, and other informational criteria specified by the local government, presented in a form consistent with format criteria specified by the local government.

Concurrency shall mean assurance that the necessary public facilities and services to maintain the adopted level of service standards are available when the impacts of development occur according to the Comprehensive Plan.

Concurrency facility shall mean all arterial and collector roads, stormwater management, potable water, sanitary sewer, solid waste, parks and recreation and mass transit facilities owned or operated by local, state or federal governments, independent districts and/or private organizations.

Concurrency review shall mean the process to determine if there is adequate and available capacity to accommodate the impact of new development at or above the adopted level of service.

Conditional certificate of concurrency shall mean either:

(1) A certificate of concurrency conditioned on the completion of an improvement to a concurrency facility included in an approved schedule of capital improvements required to eliminate any existing deficiencies and/or accommodate the proposed new development project's impacts consistent with the time frames established in section 10-3.103; or

(2) A certificate of concurrency conditioned on the applicant and the county reaching a development agreement pursuant to the Florida Local Government Development Agreement Act [F.S. § 163.3220 et seq.] on a method to eliminate facility deficiencies prior to the development project's impact consistent with the time frames established in section 10-3.103.

Condominium shall mean a development composed of units that may be owned by one or more persons, and in which there is, appurtenant to each unit, an undivided share in common elements.

Connector road shall mean a road which, based upon the transportation network and anticipated traffic use and volume, is primarily of use, service and benefit to the general traveling public rather than to the adjacent property owners.

Conservation shall mean allowing only carefully planned development activities to occur on a site; development activities must be compatible with the perpetuation of ecological, historical, and/or cultural resources on the site.

Conservation area shall mean an area which requires special considerations and strict application of performance standards for development due to significant environmental constraints, as identified pursuant to environmental overlay provisions in the Comprehensive Plan's land use element. The conservation category includes altered floodplains, altered floodways, altered watercourses, closed basins, significant grade areas (ten to 20 percent), high quality successional forests, karst features, designated canopy roads, and cultural resources.

Conservation easement shall mean a recorded legal right or interest in real property, as described in F.S. § 704.06, which is granted to the state or to the county for the benefit of the public interest of its citizens, which shall be perpetual in nature unless specifically released by the holder of the easement. Pursuant to such an easement, the possessor of the land from which the easement issues is prohibited from altering the topography or vegetative cover of the area subject to the easement, except as may be particularly specified in the conservation easement and any related, valid permit. The purpose of such an easement is to ensure that the owner of the servient land, and his agents, assigns, and successors in interest, maintain the area subject to the easement predominantly in a natural, scenic, open, or wooded condition or state, and may include restrictions and conditions as to alteration.

Construction and demolition debris disposal shall mean the practice of using a site for the permanent disposal from construction and/or demolition activities. The materials may be from on-site or off-site activities.

Construction sign shall mean any sign giving the name or names of principal contractors, architects, and lending institutions responsible for construction on the site where the sign is placed, together with other information included thereon.

Containment shall mean a system that is used to prevent the release of regulated substances to the environment. The system shall be constructed of an impervious material such that a release of a regulated substance to the environment is prevented. The size of the containment system should be capable of containing 110 percent of the volume of the largest container or storage system.

Contamination shall mean the presence of a regulated substance in the water supply, surface water, or land surface such that the presence degrades the quality of the resource so as to constitute a hazard or impair its use.

Contiguous shall mean lands abutting each other.

Continuing in good faith shall mean the final development order for a project has not expired, and no period of 90 consecutive days passes without the occurrence, on the land, of development activity which significantly moves the proposed development toward completion, unless the developer establishes that such 90-day lapse in development activity was due to factors beyond the developer's control or unless development activity authorized by a final development order has been completed on a significant portion of the development subject to such final development order and has significantly moved the entire development toward completion.

Continuous transit shall mean the nonstop movement of a vehicle except for stops required by traffic laws.

Convenience store shall mean a small retail store, 20,000 square feet or less, which sells convenience items (day-to-day needs of a residential neighborhood) as its primary sales. A convenience store may include the sale of gasoline and diesel fuel but such sales shall be accessory to the primary sale of convenience goods.

Copy shall mean the wording on a sign surface in either permanent or removable letter form.

Correction plat shall mean a plat which contains dimensional or notational corrections of erroneous information contained on the originally approved and recorded plat. A correctional plat is intended solely to correct errors or miscalculations, and it is not to be considered a replat or resubdivision and may not contain any substantive changes to or additional lots or streets that are not on the original plat.

Correctional institution shall mean a building for the confinement of persons held in lawful custody.

County shall mean Leon County, Florida.

County administrator shall mean the chief administrative officer of the county, or the county administrator's designee. Within the incorporated area of the county, the county administrator's designee shall be the Director of the City of Tallahassee Growth Management Department.

County attorney shall mean the person appointed by the Board of County Commissioners to serve as its counsel, or the designee of such person.

County engineer shall mean the licensed engineer designated by the Board of County Commissioners to furnish engineering assistance for the administration of these regulations.

County road system shall mean the road system of the county as defined in F.S. § 334.03(6), or its statutory successor in function.

Countywide road impact fee shall mean the fee imposed by the county pursuant to section 10-601 or, if applicable, the alternative countywide road impact fee.

Critical duration storm shall mean that storm duration, selected from all possible duration storms of a given return frequency, which results in the greatest peak discharge, volume of discharge, or other hydrologic parameter of interest.

Critical protection zone (CPZ) shall mean that area surrounding a tree within a circle described by a radius of one foot for each inch of the tree's diameter at breast height (DBH).

Crown shall mean the main point of branching or foliage of a tree or plant, or the upper portion of a tree or plant.

Crown spread shall mean the distance measured across the greatest diameter of the crown of a plant or a tree.

Cultural resource shall mean a site, object, structure, building, or district deemed to be of local, regional, or national significance as regards its architectural, historic, archaeological, engineering, or cultural value. Cultural resources can include: archaeological sites; historic resources; locally designated historic resources; prehistoric or historic districts, sites, buildings, structures, and objects included in, or eligible for inclusion in, the National Register of Historic Places and those listed in the local register of historic places; sites and properties listed in the Florida Master Site File; National Historic Landmarks; human burial sites and human skeletal remains.

Cut and fill shall mean a development practice involving removal of soil from one area and relocation of that soil to other areas in order to prepare a site for development.

Day care center shall mean any facility which provides care for a period of less than 24 hours a day to three or more persons not related to the operator of the center by blood, marriage, adoption or foster care responsibility. Such facilities may be for profit or nonprofit. This term includes child/adult care centers, nursery schools and kindergartens, when not accessory to an elementary school. This term does not include family day care homes as defined in F.S. § 402.302(7). F.S. § 166.0445 states a family day care home constitutes a valid residential use.

DBH, diameter at breast height means the diameter of a tree measured at a height of 54 inches above the naturally occurring ground level. Trees with gross abnormalities or buttressing at breast height should be measured above and immediately adjacent to the irregularity. Trees that fork at breast height should be measured below breast height and recorded as a single trunk. Trees that fork below breast height will be recorded as separate DBH for each stem.

Dead-end street shall mean a street terminated at the end by a vehicular turnaround, such as a cul-de-sac or T-turnaround.

Dedication shall mean the intentional appropriation of land by a property owner to some public use. Such appropriation of land shall not be considered a dedication for purposes of this chapter unless and until it is accepted by the Board of County Commissioners.

Density, gross shall mean the number of dwelling units per gross acre; an area of land containing 43,560 square feet including easements, rights-of-way and common areas. All residential densities referred to in the plan and zoning code shall be gross densities unless otherwise noted.

Density, gross project shall be applicable to projects containing only residential uses. In such cases gross project density will be the same as gross density. If projects contain land uses other than residential and designated open space, gross residential density (see below) is the more appropriate measure of development density.

Density, gross residential shall mean the number of units per gross acre of land designated for residential purposes, including land that will be devoted to street rights-of-way and designated open space after development. "Gross residential density" shall not include area covered by permanent water bodies or area to be utilized for other nonresidential land uses.

Density, net shall mean the number of units per acre computed after subtraction of the acres in street rights-of-way and designated open space from the gross residential area defined in the definition of gross residential density.

Density neutral shall mean that the gross density of a parcel to be developed shall not exceed the maximum permitted density established for the land use category and base zoning applicable to the subject parcel.

Density of connectivity shall mean, for a given development, number of street access connections to adjacent properties and off-site streets divided by the developments size in acres. An easement to extend a street for connection in the future shall be considered an access connection for purpose of this definition. The higher the density of interconnectivity, the greater the degree of external connectivity.

Department shall mean the department or departments designated by the county administrator to administer, interpret, and enforce this chapter.

Designated city road shall mean a road within the city street system which is listed for improvement in the impact fee study or subsequently added pursuant to section 10-578 [Art. VI, Div. 7].

Designated county road shall mean a road within the county road system which is listed for improvement in the impact fee study or subsequently added pursuant to section 10-578 [Art. VI, Div. 7].

Designated road system shall mean designated state roads, designated county roads and designated city roads.

Designated state road shall mean a road within the state highway system which is listed for improvement in the impact fee study or subsequently added pursuant to section 10-578 [Art. VI, Div. 7], and of which both the city and the county have agreed to its improvement during the planning period.

Detention shall mean the collection or temporary storage of stormwater for subsequent gradual discharge.

Deterioration, major shall mean a dwelling unit which has major defects requiring extensive repairs. The unit will not necessarily provide safe and decent shelter unless the repairs are made. These housing units usually have critical defects of a substantial nature, such as:

(1) Holes, open cracks, rotted or missing materials over a large part of the foundation, walls, roof or chimney.

(2) Substantial sagging of floors, walls or roof.

(3) Extensive damage by storm, fire or flood.

Developed area means that portion of a site upon which any building, structure, pavement, or stormwater facility has been placed or upon which land clearing or grading has taken place.

Developer shall mean any person who engages in development activities either as the owner or as the agent of an owner of property.

Development shall mean any proposed change in the use or character of the land, including but not limited to, land clearing or the placement of any structure or site improvement on the land except for silviculture activities employing best management practices. Development includes initiation and conducting of any building activity or mining activity, or the making of any material change in the use or appearance of any structure or land. See also article II, article IV, and article VIII.

Development agreement shall mean an agreement entered into by a developer and the county pursuant to F.S. ch. 163.

Development area shall mean that portion of a site upon which development may or does occur.

Development order, final shall mean for purposes of a determination of vested rights in a previously approved development: exempt subdivision, limited partition subdivision, minor subdivision, preliminary subdivision plat approval, final plat subdivision approval, final site plan approval; approval of a PUD concept plan; approval of a PUD final development plan; building permit; and any other development order which approved the development of land for a particular use or uses at a specified intensity of use and which allowed development activity on the land for which the development order was issued.

Development order, final shall have the meaning in section 10-2.401.

Development sign shall mean a sign which, by symbol or name, identifies a development. It may also provide an index of uses (tenants) included in the development.

Development standards shall mean the standards included in this chapter, the Comprehensive Plan, and all other regulations governing development of real property adopted by the Board of County Commissioners.

Dilapidated shall mean a characterization or condition of a structure which does not provide safe and adequate shelter in its present condition and endangers the health, safety and well-being of the occupants. A structure in the dilapidated classification cannot be economically repaired. A house is dilapidated when it has one or both of the following conditions:

(1) Inadequate original construction such that it does not provide adequate protection against the elements.

(2) Defects which would cost over 50 percent of the total value of the shelter to repair.

Directional sign shall mean a sign permanently or temporarily erected by or with approval from any authorized government agency to denote the route to any city, town, village, historic place, shrine, hospital; signs directing and regulating traffic; notices of any railroad bridge, or other transportation activity necessary for the direction or safety of the public; signs, notices, or symbols for the information of aviators as to location, directions, and landings, and conditions affecting safety in aviation; signs, notices, or symbols as to the time and place of civic meetings and signs or notices erected or maintained upon public property giving the name of the owner, lessee, or occupant of the premises or the street number thereof.

Directly connected impervious area shall mean impervious areas situated such that stormwater traversing such areas does not flow over a pervious area before reaching and entering an element of the stormwater management system.

Discharge shall mean the release of stormwater by any means, including spilling, leaking, seeping, pouring, emitting, emptying, or dumping, but not including evaporation, transpiration, or natural percolation to the groundwater. See also article X.

Distribution facilities shall mean establishments engaged in the receipt, storage, and distribution of goods, products, cargo and materials, including transshipment by boat, rail, air, or motor vehicles. This includes short-term storage facilities for a specific commercial establishment.

District shall mean the division of land into various land use classifications which allows different degrees of density and intensity of uses as defined by article VI, division 6.

Dock shall mean a structure built on or over the water which is designed or used to provide anchorage for an access to one or more boats.

Dormitory shall mean a building used as group living quarters for a student body, religious order, or other group as an associated use to a college, university, boarding school, orphanage, convent, monastery, farm labor camp, or other similar use. Dormitories do not include kitchen facilities, except a group kitchen facility to serve all residents. Dormitories have residential equivalency of 4:1 ratio (four dorm rooms is equivalent to one dwelling unit).

Drainage area shall mean the area contributing water to a stormwater management system or water body.

Dripline shall mean the vertical projection on the ground of the outer perimeter of the crown of a plant.

Drive-in facility shall mean any use which by design, physical facilities, service or procedure encourages or permits customers to receive services, obtain goods or be entertained while remaining in their motor vehicles. Drive-in facility shall include drive-thru and drive-up facilities.

Driveway shall mean a private road or way giving access from a public or private right-of-way to an adjacent or abutting property.

Dwelling, detached shall mean a structure containing one unattached dwelling unit and designed to be built on an independent lot or parcel.

Dwelling, mobile home: See "manufactured home."

Dwelling, multifamily shall mean a building containing two or more dwelling units built on an independent lot or parcel. See "apartment."

Dwelling, single-family attached shall mean a one-family dwelling attached to two or more one-family dwellings by vertical common fire-resistant walls, with each dwelling unit located on a separate lot. Each dwelling unit and lot must meet the minimum lot size requirements for single-family attached dwellings or townhouses set forth in the applicable zoning district.

Dwelling, two-family (duplex) shall mean a building designed with two dwelling units with accommodations for each dwelling unit independent of each other, and intended to be occupied by two or more families on one lot or parcel of land.

Dwelling unit shall mean a single room or unified combination of rooms, regardless of form of ownership that is designed for residential use by one family. The definition shall include, but not be limited to, condominium or cooperative units, mobile homes, manufactured housing, individual attached or detached apartments and individual houses.

Easement shall mean a right granted by a property owner generally established in deed or other formal document or on a recorded plat, to permit the use of land by the public, a public agency, a utility, a corporation or particular persons for a special purpose or variety of purposes.

Ecotone shall mean a transitional area between two adjacent environmental communities, such as between a lake's littoral zone and an adjacent upland hardwood community.

Ecotourism shall mean tourism that focuses on the appreciation of natural areas, wildlife or cultural and historical resources and strives to minimize ecological impact or damage. This nature-based tourism involves education and interpretation of the natural environment and is managed to be ecologically sustainable. Activities may include cycling, camping, fishing, hunting, paddling, hiking, birding, visiting scenic by-ways, agritourism, and wildlife viewing.

Encumbered shall mean monies committed by contract or purchase order in a manner that obligates the county or the city to expend the encumbered amount for the delivery of goods, the completion of services, the conveyance of right-of-way by a vendor, supplier, contractor or owner. The execution of an agreement with the state department of transportation by either the county or the city for the construction of improvements or additions to a designated state road, with or without reimbursement, shall be considered to have encumbered countywide road impact fees collected for that improvement or addition.

Endangered species are defined based on the same criteria and analogous to the state and federal list: Any species of fish and wildlife or plant naturally occurring in Florida, whose prospects of survival are in jeopardy due to modification or loss of habitat; over-utilization for commercial, sporting, scientific, or educational purposes; disease; predation; inadequacy of regulatory mechanisms; or other natural or manmade factors affecting its continued existence.

Engineer shall mean the county engineer for the county.

Engineer of record shall mean a professional engineer registered to practice in the state who performs the engineering functions required in this chapter on behalf of the applicant.

Engineer, registered shall mean an individual licensed in this state and qualified to perform duties for an applicant under the terms of this chapter.

Enterprise zone shall mean an area in the state designated pursuant to F.S. ch. 290 and approved by the Secretary of the Department of Community Affairs.

Environmental constraints shall mean environmental features which perform natural functions, have ecological value, or constitute special environmental management problems to site development, including wetlands, water bodies, watercourses, floodways, floodplains, closed basins, severe and significant grades, threatened, endangered, or special concern species or their habitat, native or high quality successional forest communities, cultural resources, special development zones, canopy road protection zones, and karst features. Environmental constrains are also referred to in article IV as environmentally sensitive areas.

Environmental Management Act (EMA) shall mean the Environmental Management Act of the county, being Article IV, as amended.

Environmental management permit shall mean an approved application for a permit for stormwater management, floodplain, landscaping, tree protection or tree removal, as required pursuant hereto for each development project, or a right-of-way placement permit, general permit, silvicultural permit, or vegetation management permit, issued in lieu of an environmental management permit for a development activity. The environmental management permit shall include in all cases a site plan and all supporting documentation submitted with the permit application, and all copies of all related easement documentation.

Environmentally sensitive areas shall mean environmental constraints.

Environmentally sensitive land use matrix shall mean a land use environmental management tool which shall be maintained and made available for public use in the department of development support and environmental management, and which prescribes management strategies for each of several environmental constraints in relation to various land use categories and densities.

Environmentally significant lands shall mean areas defined as conservation or preservation areas under the Comprehensive Plan.

EPA shall mean the United States Environmental Protection Agency.

Erected shall mean built, constructed, altered, reconstructed, moved upon or any physical operations on the premises which are required for the construction. Excavation, fill, drainage and the like shall be considered a part of erection.

Essential service means the provision of fire safety; law enforcement; weather; provision of electric, natural gas, water, or sanitary sewer service; emergency medical; or stormwater services.

Establishment shall mean a commercial, industrial, institutional, educational, office, business, or financial entity.

Exceptional specimen shall mean an individual tree which is in very good to good condition as evidenced by less than ten percent upper crown dieback, few epicormic branches, absence of signs or symptoms of virulent disease, or other characteristics commonly employed to measure tree health, and which exhibits characteristics of size, species, age, form, historical significance, or other qualities which make it of such greater value than individuals of the same species usually found in the county as to warrant special consideration as a biological and social resource to be preserved for the benefit of the general public. Such a determination shall be made by the county administrator or designee pursuant to these criteria in cases of doubt.

Exceptional student education (ESE) center shall mean a facility intended primarily for the education of children identified as exceptional, regardless of age or grade.

External trip shall mean any trip which either has its origins from or its destination to the road impact construction and which impacts the designated road system.

Family shall mean one person, or a group of two or more persons living together occupying the whole or part of a dwelling as a single housekeeping unit.

FDEP shall mean the Florida Department of Environmental Protection.

FEMA shall mean Federal Emergency Management Agency.

Fence shall mean a manmade barrier intended to provide privacy or make a boundary. The barrier shall be made of materials designed to afford privacy, security, or channeling.

Fill shall mean any solid substance which is virtually inert, which is not a pollution threat to ground water or surface waters, is not a fire hazard, and is likely to retain its physical and chemical structure under expected conditions of disposal or use. The term includes soil, wood chips, trees and other organics, clay, sand, brick, glass, ceramics, and uncontaminated concrete including embedded pipe or steel. Water shall not be considered fill.

Final development order shall mean a building permit, a stormwater management permit or any other development order which approved the development of land for a particular use or uses at a specific intensity of use and which allows commencement of construction or physical development activity on the land for which the final development order is issued. See also Article II.

Final plat shall mean the final map or drawing of the plat, subdivision or dedication prepared and intended for filing and recording after approval by the Board of County Commissioners in accordance with Article VII and F.S. ch. 177.

First flush runoff shall mean an initial amount of stormwater runoff containing the majority of the pollutants from an area.

Flood or *flooding* shall mean a general and temporary condition of partial or complete inundation of normally dry surfaces from the overflow of streams, rivers, or other inland water, or the unusual and rapid accumulation of surface water runoff from any source.

Flood boundary and floodway map shall mean the maps prepared by the Federal Emergency Management Agency delineating flood boundaries and floodways. Such maps are referred to as FBFM's in Article VIII.

Flood hazard boundary map shall mean the maps prepared by the U.S. Department of Housing and Urban Development, Federal Insurance Administration, designating special flood hazard areas. Such maps are referred to as FHBM's in Article VIII.

Flood insurance rate map shall mean the maps prepared by the Federal Emergency Management Agency delineating areas of special flood hazard and risk premium zones. Such maps are referred to as FIRM's in Article VIII.

Flood insurance study shall mean the document provided by the Federal Insurance Administration or Federal Emergency Management Agency containing flood profiles and delineating floodway elevations and regulatory floodways within the geographic area regulated by article VIII.

Flood protection elevation shall mean an elevation determined by either subsection (1), (2), (3), or (4) where a parcel is located in or adjacent to a drainage area subject to flooding, and for all parcels regardless of their location, subsection (5) as set forth below:

(1) Where no base flood elevation has been determined by an engineering study or can not accurately be determined due to the lack of essential engineering data, three feet above the highest reasonably anticipated or historically recorded elevation of surface water in the drainage area where the development activity is to take place; or

(2) Where a less than fully developed upstream watershed was determined and a base flood elevation was then determined either by an engineering study or by determining the depth of the discharge/flow over a natural topographic saddle, three feet above the level of the base flood elevation in the drainage area where the development activity is to take place; or

(3) Where a fully developed upstream watershed was determined and a base flood elevation was then determined either by an engineering study or by determining the depth of the discharge/flow over a natural topographic saddle, one and one-half feet above the level of the base flood elevation in the drainage area where the development activity is to take place; or

(4) When a depth number is specified for flood hazard areas designated on the flood insurance rate map as zone AO, the lowest floor, including basement, shall be elevated to at least as many feet as the depth number above the highest adjacent grade. If no flood depth number is specified, the lowest floor, including basement, shall be elevated to no less than two feet above the highest adjacent grade; and

(5) In order to prevent flood damage due to overland sheet flow, a minimum of one foot higher than the finished grade elevation at a distance of five feet from the foundation for detached single family, duplex, triplex and quadraplex structures, except that garages and basements shall be protected in accordance with subsection 10-8.301(k). If this minimum is lower than any of the flood protection elevations specified in [subsections] (1), (2), (3) and (4) above, then the highest flood protection elevation shall apply. An exception to this one-foot minimum requirement can be granted if it is demonstrated to the satisfaction of the county administrator or designee that no adverse flooding impacts will occur to the structure.

Floodplain shall mean any land area susceptible to being inundated by water from any source. Floodplains are normally designated in terms of their probability of flooding within a specified period such as one, ten, 25, 50 and 100 years.

Floodprone area shall mean any land area susceptible to being inundated by water from any source.

Floodproofing shall mean any combination of structural and nonstructural additions, changes or alterations to properties and structures which reduces or eliminates flood damage to lands, water and sanitary facilities, structures and contents of buildings.

Floodway shall mean the channel of a river, stream, or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood, without cumulatively increasing the water surface elevation of the floodway, including but not limited to FEMA delineated floodways. The floodway is further defined as the area left in a channel after the overbank area is reduced until the water level is raised no more than one foot. The reduction must create equal conveyance loss on each side.

Floodway fringe shall mean all that land in a floodplain not lying within a delineated floodway. Land within a floodway fringe is subject to inundation by relatively low velocity flows and shallow water depths.

Floor area, gross shall mean the sum of the gross areas of the several floors of a building or buildings, measured from the exterior faces of exterior walls or from the centerlines of walls separating two buildings. As to residential, in particular, floor area includes floor space in penthouses; attic space providing structural headroom of eight feet or more; floor space of interior balconies or mezzanines; and other floor space used for dwelling purposes, no matter where located within a building, including accessory buildings.

Floor area ratio shall mean a number determined by dividing the gross floor area of all buildings on a lot by the area of that lot.

Florida Master Site File or *state master site file* shall mean a clearinghouse for information on archaeological sites, buildings and historic resource surveys, as maintained by the state. Inclusion in the master site file does not necessarily mean that the resource possesses historic, architectural, archaeological or cultural significance, or is worthy of preservation.

Fraternity or sorority houses shall mean a dwelling or combination of dwellings on a single lot occupied by and maintained exclusively for college students who are affiliated with a social, honorary, or professional organization recognized by the college or university.

Friable material means a soil texture that is easily crumbled or pulverized. A typical soil composition that would render this condition is a 50 percent sandy loam and peat moss (mushroom compost may be substituted for peat moss) and 50 percent existing soil.

Frontage shall mean the length of the property line of any one premises along a street on which it borders.

Frontage, building shall mean the length of an outside building wall on a street.

Frontage street shall mean the length of any one property line of a premises, which property line abuts a legally accessible street right-of-way.

Garage, public parking shall mean a building or other structure which provides parking or storage of motor vehicles, excluding storage of inoperative motor vehicles. A public parking garage may provide the required off-street parking space required by this chapter.

Gasoline service station: See "automotive service station."

Geotechnical boring shall mean any excavation that is drilled, cored, washed, driven, or dug and is used for geological investigation purposes or for obtaining a soil sample.

Golf course shall mean a tract of land for playing golf, improved with tees, greens, fairways, hazards, and which may include clubhouses, shelters and driving ranges as accessory uses.

Good forestry practices shall mean activities which reduce excessive competition between trees, or which remove intrusive exotic species and replace with native species.

Grade shall mean a ground elevation established for the purpose of regulating the height of the building. The building grade shall be the level of the ground adjacent to the walls of the building if the finished grade is level. If the ground is not entirely level, the grade shall be determined by averaging the elevation of the ground at each face of the building.

Green book shall mean the Manual of Uniform Minimum Standards for Design, Construction, and Maintenance for Streets and Highways as authorized by F.S. §§ 334.044(10)(a) and 336.045.

Green roof shall mean a roof having the following components: an insulation layer, a waterproof membrane to protect the building from leaks, a root barrier to prevent roots from penetrating the waterproof membrane; a drainage layer, usually made of lightweight gravel, clay, or plastic; a geotextile or filter mat that allows water to soak through but prevents erosion of fine soil particles; a growing medium; plants; and, sometimes, a wind blanket. There are two basic types of green roofs: intensive and extensive. Intensive green roofs require a minimum of one foot of soil depth to accommodate large trees, shrubs and other manicured landscapes, are composed of multi-layer constructions, and include elaborate irrigation and drainage systems. Extensive green roofs range from as little as one to five inches in soil depth, and also generally require less maintenance than intensive systems. A green roof may incorporate both intensive and extensive elements. [Derived from the City of Chicago Department of Environment].

Gross density: See "density, gross."

Gross land area shall mean the total area, including all public and private areas within the legal boundaries of a particular parcel of land or project.

Gross project density: See "density, gross project."

Gross residential density: See "density, gross residential."

Ground cover shall mean natural mulch or low-growing plants, other than deciduous varieties, installed to form a continuous cover over the ground.

Groundwater shall mean water that occurs in the subsurface of the earth beneath the water table in soils and geologic formations that are fully saturated.

Groundwater resource protection area shall mean an area determined to have high recharge to the aquifer and/or an area where the potential for groundwater contamination is high.

Group home shall mean a facility which provides a living environment for unrelated residents who operate as the functional equivalent of a family, including such supervision and care as may be necessary to meet the physical, emotional and social needs of the residents. Adult congregate living facilities comparable in size to group homes are included in this definition. "Group home" shall not include rooming houses or boarding houses, clubs, fraternities, sororities, monasteries or convents, hotels, residential treatment facilities, nursing homes, or emergency shelters.

Guest house or cottage shall mean living quarters within a detached accessory building, having sanitary but no kitchen facilities, located on the same premises as the principal dwelling to be used exclusively for housing members of the family occupying the principal dwelling, or their nonpaying guests.

Gum Road Target Planning Area shall mean that area designated by the Board of County Commissioners wherein incentives should be provided for economic development, defined as bounded by US Highway 90 on the north, Capital Circle on the east, the CSX railroad right-of-way on the south, and Aenon Church Road on the west.

Hazardous materials shall mean solid, liquid, or air waste, or a combination of wastes, which because of its quantity, concentration, or physical, chemical, or infectious characteristics, may cause, or significantly contribute to, an increase in mortality or an increase in serious irreversible or incapacitating reversible illness, or may pose a substantial present or potential hazard to human health or the environment when improperly transported, disposed of, stored, treated or otherwise managed.

Hazardous substance shall mean a substance that has one or more of the following characteristics: ignitability, corrosivity, reactivity, or toxicity as defined in 40 CFR 261 (as amended), bioaccumulative effect, or persistence in nature.

Heat exchange well shall mean any well constructed for the purpose of withdrawing water for air conditioning or heat exchange purposes and returning the water to underground formations.

Heavy industrial shall mean the use of land for the manufacture of material or products from extracted or raw material; the extraction of mineral resources, except water; processing of wood to lumber or wood pulp, or wood pulp to paper; any refinement or distillation of petroleum resources, and conversion or smelting of ores to metals.

Heavy industrial use shall include any manufacturing, distribution, wholesaling or storage of any raw material or product, finished or unfinished, which is characterized by one or more of the following:

(1) Producing impacts detectable off-site from smoke, dust, dispersion of particulate matter, noxious or odorous gases, or any other pollution of the air.

(2) Producing water pollution detectable off-site, including thermal pollution.

(3) The storage, manufacture, processing or distribution of any radioactive waste, explosive, or flammable materials.

Heavy industrial uses have considerable impacts upon infrastructure and utilities. Heavy industrial uses require access and facilities for truck and/or rail delivery and pickup. Loading and off-loading is frequently accomplished by truck or rail, seldom by automobile. Demand for water and electricity is typically heavy.

Height (of a building or structure) shall mean the vertical distance measured from the existing average grade elevation at the base of each side of the structure to the highest point of each side of a building or structure. When applied to a building, height shall be measured to the highest point of the coping of a flat roof or to the average height level between eaves and ridge for gable, hip, or gambrel roofs. Rooftop equipment shall be added to the measurement of the height of a building, as determined above, if the equipment extends more than four feet above the highest portion of the roof, except that the height of communication antennas added to the roof of a building shall not be included in measuring the height of a building.

High quality successional forest shall mean a medium quality natural plant community. These forests typically show signs of past disturbances, but still retain a good distribution of high quality indicator species. They will be forest types described in the Florida Natural Areas Inventory publication "Guide to the Natural Communities of Florida", and will meet that publication's rarity ranking of S1, S2, S3, or S4. These forests shall be delineated using Leon County's Publication titled "Natural Plant Community Criteria" and must meet the minimum area requirement, which may include adjacent conservation and preservation features. A medium quality natural community generally possesses the following characteristics:

(1) The floristic composition contains many of the more common species typical of the natural community type, although most rare species are

absent;

(2) The community may contain invasive exotic plants that could be controlled through management;

(3) The community has likely had some past disturbance, but not to the extent that the potential for recovery or restoration to a high quality natural community is significantly impaired (unauthorized activities in high quality successional forest areas resulting in a violation of the ordinances will not be excluded from protection as such).

Historic building, site or structure: See "historic resource."

Historic monument or structure: See "historic resource."

Historic resource shall mean a building, structure, district, site, object or cultural landscape that is of significance in American, Florida or local history, architecture, archaeology, or culture. The resource may be listed or be eligible for listing in the National Register of Historic Places or be designated by local ordinance.

Historic structure means any structure that is:

(1) Listed individually in the National Register of Historic Places (a listing maintained by the Department of Interior) or preliminarily determined by the Secretary of the Interior as meeting the requirements for individual listing on the National Register:

(2) Certified or preliminarily determined by the Secretary of the Interior as contributing to the historical significance of a registered historic or a district preliminarily determined by the Secretary to qualify as a registered historic district:

(3) Individually listed on the Florida Inventory of Historic Places, which has been approved by the Secretary of the Interior; or

(4) Individually listed on a local inventory of historic places in communities with historic preservation programs that have been certified either:

a. By the approved Florida program as determined by the Secretary of the Interior, or

b. Directly by the Secretary of the Interior.

Home occupation shall mean any use conducted entirely within a dwelling by the inhabitants thereof, that is incidental and secondary to the use of the dwelling for dwelling purposes, and does not give external evidence of nonresidential use or adversely affect the uses permitted in the residential district of which it is a part. See article VI, division 8.

Homeowners' association shall mean a nonprofit organization recognized as such under the laws of this state operated under recorded land agreements through which each owner of a portion of a subdivision, be it a lot, home, property, or any other interest, is automatically subject to a charge for a prorated share of expenses either direct or indirect for maintaining common properties within the subdivision, such as roads, parks, recreational areas, common areas, or other similar properties. Within the text of these regulations, a property owners' association is considered a single entity for property ownership.

Hospital shall mean a building or group of buildings having facilities for overnight care of one or more human patients, providing services to inpatients and medical care to the sick and injured, and which may include as related facilities laboratories, outpatient services, training facilities, central service facilities, and staff facilities. However, any related facility shall be incidental and subordinate to principal hospital use and operation. Only those buildings licensed as a hospital under the laws of the state shall be included within this definition.

Hotel and motel shall mean a facility offering transient lodging accommodations on a daily rate to the general public and which may provide additional services, such as restaurants, meeting rooms and recreational facilities.

Housing, special needs shall mean that part of the housing provision system designed to fulfill the demand of a household or individual who needs assistance, either permanent or temporary, in obtaining basic shelter, including but not limited to very low and low income individuals, handicapped individuals, or homeless persons. Special needs housing shall include group homes for persons with physical, emotional or cognitive disabilities; shelters for battered victims; adult congregate living facilities; and halfway houses for the noncriminal or nondelinquent.

Identification sign shall mean a sign which depicts the name and/or address of a building or establishment on the premises where the sign is located as a means of identifying said building or establishment.

Impact fee shall mean collectively the countywide road impact fee and the collector road impact fee.

Impact fee rate shall mean an impact fee imposed for a particular road impact construction under the applicable impact fee land use category established in the schedules incorporated in section 10-601 for countywide road impact fees and in section 10-616 for collector road impact fees.

Impact fee statement shall mean the document issued to an applicant prior to the issuance of a building permit containing the calculation of the impact fees imposed on road impact construction under section 10-601 and section 10-616.

Impact fee study shall mean the studies adopted pursuant to section 10-569, as amended and supplemented pursuant to section 10-578.

Impervious surface shall mean a surface which has been compacted, constructed or covered with a layer of material with the result that it is highly resistant to infiltration by water.

Improvements (or site improvements) shall mean any grading, filling, or excavation of unimproved property; additions or alterations to existing buildings or other structures requiring alterations to the ground; the construction of new buildings or other structures, including parking lots; and street pavements, curbs and gutters, sidewalks, alley pavements, walkway pavements, water mains, sanitary sewers, storm sewers or drains, signs, landscaping or any other improvement required by land development regulations.

Incinerators shall mean a facility designed to burn waste materials in a controlled manner that complies with appropriate governing regulations.

Index of interconnectivity shall mean, within a given development, number of points of interconnection of street segments divided by the number of street segments in the development. The lower the index of interconnectivity, the greater the degree of internal street connection within a development.

Infrastructure, heavy shall mean land uses, structures, or facilities necessary to support the operations and activities associated with a metropolitan area, characterized as being large in scale for their setting and/or having the potential to produce significant negative off-site impacts. Heavy infrastructure includes, but is not limited to, maintenance yards, motor pools, airports, landfills, sewage treatment plants and correctional facilities.

Infrastructure, light shall include, but not be limited to, water wells, water tanks, sewage pump stations, electric substations.

Institutional uses shall mean any land use authorized by the governing body, established and intended to provide significant public benefit.

Interconnection shall mean the construction of roads or paths - or the setting aside of property, right-of-way or easements for the construction of roads or paths - that will serve to provide vehicular, pedestrian, or bicycle access between properties such that the transportation system is enhanced.

Interior area shall mean the entire parcel to be developed exclusive of the front, rear and side perimeter landscape areas.

Intersection shall mean a place of joining or crossing of streets.

Junkyard shall mean any area, lot, land, parcel, building or structure or part thereof used for the storage, collection, processing purchase, sale or abandonment of wastepaper, rags, scrap metal or other scrap or discarded goods, materials, machinery or two or more unregistered, inoperable motor vehicles or other type of junk. "Junkyard" includes auto wrecking yards and salvage yards.

Karst feature shall mean a type of topography that is formed over limestone, dolomite, or gypsum by dissolving or solution and that is characterized by closed depressions or sinkholes, caves, and underground drainage.

Kennel, commercial shall mean any building or buildings, or land used, designed, or arranged to facilitate the raising, breeding, boarding, and grooming of domesticated animals such as dogs and cats for profit.

Kennel, private shall mean any building or buildings or land designed or arranged for the care of dogs and cats belonging to the owner of the principal use, kept for purposes of show, hunting, or as pets.

Kindergarten: See "day care center."

Land shall mean any area lying within the jurisdiction of the county. "Land" shall include water, marsh, swamp, or wetland.

Land development regulations shall mean an ordinance or group of ordinances enacted by the Board of County Commissioners for the regulation of any aspect of land development, including but not limited to zoning, subdivision, signs, impact fees, vesting, concurrency management, environmental management, traffic performance standards, or any other regulations controlling the development of land.

Landscape architect, registered shall mean a person who holds a license to practice landscape architecture in the state under the authority of state law (F.S. § 481.303).

Landscape material shall mean living material, including trees, shrubs, vines, lawn grass, and ground cover; landscape water features; and nonliving durable material commonly used in landscaping for aesthetic purposes, including rocks, pebbles, sand, prairie film, brick pavers, and earthen mounds, but excluding impervious surfaces for vehicular use.

Landscaping shall mean the placement of landscape material on a site in accordance with the requirements of this chapter.

Land surveyor shall mean a person authorized to practice land surveying under the provisions of F.S. ch. 472.

Level of service shall mean an indicator of the extent or degree of service provided by or proposed to be provided by a facility based on and related to the operational characteristics of the facility. Level of service shall indicate the capacity per unit of demand for each public facility.

Light industrial shall mean the use of land for the finishing of products composed of previously manufactured component parts; and any manufacturing, storage, or distribution of products unlikely to cause any of the following objectionable impacts to be detected off-site: odor, noise, fumes or dispersion of waste, or radiation.

Light industrial, minor shall mean one industrial activity on a ten-acre or smaller site.

Light industrial park shall mean one industrial activity on a greater than ten-acre site or two or more activities on one site.

Listed species shall mean any plant or animal listed by the county, state or federal governments as an endangered or threatened species, or a species of special concern.

Local Comprehensive Plan shall mean the plan adopted, and as amended from time to time, by the county pursuant to the requirements of the Local Government Comprehensive Planning and Land Development Regulation Act [F.S. § 163.3161 et seq.].

Local planning agency shall mean the agency designated to prepare the Comprehensive Plan as required by the state Local Government Comprehensive Planning and Land Development Regulation Act, F.S. ch. 163, pt. II [§ 163.3161 et seq.], as amended.

Local street: See "street, local."

Lot shall mean a designated parcel, tract, or area of land established by plat, subdivision, or as otherwise permitted by law, to be used, developed, or built upon as a unit, but excluding areas designated for open spaces, whether or not these areas are designated as lots on the plat. This term also includes, where the context is appropriate, a unit within a residential, office, or commercial condominium.

Lot area shall mean the total land area within the lot lines of a lot, excluding any street rights-of-way.

Lot, corner shall mean a lot or parcel of land abutting upon two or more streets at their intersection, or upon two parts of the same street forming an interior angle of less than 135 degrees.

Lot coverage shall mean the area that results from the division of a lot which is occupied or covered by the total horizontal projected surface of all buildings, including covered porches and accessory buildings, by the gross area of that lot.

Lot depth shall mean the average distance measured from the front lot line to the rear lot line.

Lot, double frontage shall mean a lot having both its front and rear lot lines along a street right-of-way line.

Lot, flag shall mean an irregularly shaped or stem lot whose main body does not abut a road, but is accessed by a narrow extension which connects the main body to the road. This definition is intended to include any lot located behind the rear or to the side of any other lot which would require a narrow arm to provide access. This definition is not intended to include pie-shaped or other irregular shaped lots which front directly upon a road and are not located behind any other lot.

Lot, frontage shall mean each lot shall have a minimum frontage of 15 feet unless otherwise specified herein.

Lot improvement shall mean any building, structure, work of art or other object situated on a lot.

Lot, interior shall mean a lot other than a corner lot.

Lot lines shall mean the lines bounding a lot as defined herein:

(1) *Front lot line.* The lot line fronting the street right-of-way.

(2) *Rear lot line.* The lot line opposite the front lot line. In the case of a lot irregularly shaped or pointed at the rear, the rear lot line shall be an imaginary line within the lot, not less than ten feet long, parallel to and at the maximum distance from the front lot line.

(3) *Side lot line.* Any lot line other than the front lot line or rear lot line. A side lot line separating a lot from a street right-of-way is a street side lot line. A side lot line separating a lot from another lot or lots is an interior side lot line.

Lot perimeter protection zone shall mean all areas of a development site which fall between a property line and the minimum building setback corresponding to that property line as required by Article VI (zoning).

Lot, through (double frontage) shall mean any lot, not a corner lot, having both the front and rear property lines adjacent to a public street.

Lot width shall mean the horizontal distance between the side lot lines measured at right angles to the lot depth at the front building setback line.

Lounge shall mean a building or portion of a building wherein alcoholic beverages are sold by the drink and consumed on the premises.

Low density residential zoning districts shall mean zoning districts that allow a maximum gross density of six dwelling units per acre or less.

Lowest floor or *finished floor* shall mean the lowest floor of the lowest enclosed area (including basement). An unfinished or flood-resistant enclosure, usable solely for parking of vehicles, building access or storage, in an area other than a basement area, is not considered a building's lowest floor, provided that such enclosure is not built so as to render the structure in violation of the applicable nonelevation design requirements of this chapter.

Managed buffer shall mean a vegetated area to be preserved or maintained in a natural or landscaped condition which serves to reduce impacts between land uses, and within which the removal of intrusive species, or addition of plants or other landscape material for enhancement of the area, may be allowed.

Manufactured building shall mean a building which conforms to the definition of manufactured building found in F.S. § 553.36(11), and which has received approval by the state department of community affairs.

Manufactured home shall mean any dwelling unit constructed to the Manufactured Home Construction and Safety Standards promulgated by the U.S. Department of Housing and Urban Development (24 CFR §3280), or as such standards may be amended; and which are built in the controlled environment of a manufacturing plant and are transported in one or more sections on a permanent chassis.

Manufacturing shall mean establishments engaged in the mechanical or chemical transformation of materials or substances into new products, including the assembling of component parts, the creation of products, and the blending of materials, such as lubricating oils, plastics, resins, or liquors.

Marquee shall mean a canopy or covered structure projecting from and supported by a building when such canopy or covered structure extends beyond the building line or property line.

Master planned subdivision shall mean a permitted subdivision for which an integrated stormwater management system was designed and approved, and where subsequent individual lot development requires a connection to that centralized stormwater management system.

Master site development plan shall mean a plan view layout and all supporting documents for a proposed phased development activity which identifies and locates all phases and specifies phase sequencing and scheduling, and which conveys known information on existing and proposed land use, property boundaries, buildings, drainage features, infrastructure, and other informational criteria specified by the local government in a form consistent with the format criteria specified by the local government.

Master stormwater management system shall mean a basin-wide or multisite stormwater management system involving collection, conveyance, flood control, and water quality components, including structural modifications, designed to mitigate adverse impacts from the water quality, quantity, and rate changes which accompany development, and specifically intended to achieve and maintain all applicable level of service standards, including state water quality standards.

Mature successional forest shall mean a naturally reforested area within which a variety of native species are recognizably present in such age, numbers, size and diversity as to provide a mature forest canopy, associated with understory and wildlife habitat. Standard professional measures will be used to evaluate the quality and maturity of the subject area along with other biological and physical factors that may be evident.

Metropolitan planning organization shall mean the Tallahassee-Leon County Metropolitan Planning Organization.

Miniwarehouse shall mean a building or group of buildings in a controlled-access compound that contains varying sizes of individual compartmentalized, and controlled-access stalls or lockers for the dead storage of a tenant's personal property.

Minor tree shall mean a tree or large growing shrub grown as a standard or tree-form specimen, which commonly grows to a maximum height of 15 feet more or less, or is commonly managed and intended to grow to a height of 15 feet, more or less, in a confined space (e.g., crepe myrtle, tree-form wax myrtle, photinia standard).

Mitigation shall mean to lessen or eliminate the impact of development on a significant natural or historic resource. Mitigation can include the modification of project plans to ensure preservation of the significant resource, landscape buffering, access management, adaptive use of a historic building, archaeological salvage, or photographic documentation of historic resources or archives.

Mixed use development developed under a common plan of development shall mean any development that contains two or more use types such as residential and commercial that is submitted for review within the same site and development plan.

Mixed use road impact construction means a road impact construction in which more than one impact fee land use category is contemplated with each category constituting a separate and identifiable enterprise not subordinate to or dependent on other enterprises within the road impact construction.

Mobile home shall mean a manufactured home (see "manufactured home").

Mobile home erection permit shall mean the authorization required by the county or the city for the locating or placing in use of a mobile home as a dwelling unit.

Mobile home park shall mean a unified development of six or more mobile home dwelling sites arranged on a tract in accordance with the area and yard requirements as set forth in this chapter, and designed to accommodate mobile home dwellings in accordance with F.S. § 513.01(3), for permanent duration, including any service building, structure, enclosure or other facility used as part of the mobile home park.

Mobile home subdivision shall mean a parcel of land subdivided into lots which are sold to mobile home owners for the purpose of placing mobile homes thereon for living and sleeping purposes, including any land, building, structure, or facilities used by occupants of mobile homes on those premises.

Model home shall mean a dwelling unit used initially for display purposes which typifies the type of units that will be constructed in the subdivision and which will not be permanently occupied during its use as a model. No more than one-third of the model home can be used for office.

Monuments shall mean permanent markers used to accurately establish all lines of the plat of a subdivision, including all lot corners, boundary line corners, and points of change in street alignment.

Mortuary shall mean a place for the storage of human bodies prior to their burial or cremation.

Motel: See "hotel."

Motor vehicle fuel sales shall mean any building, land area, or other premises, or portion thereof, used for the retail dispensing or sales of vehicular fuels.

Multiple use road impact construction means a road impact construction in which more than one impact fee land use category is contemplated with each category constituting a separate and identifiable enterprise not subordinate to or dependent on other enterprises within the road impact construction; provided, however, that any multiple use road impact construction with square footage of 5,000 square feet or more shall be considered to be a retail use and shall pay

impact fees at the retail category impact fee rates.

NAVD shall mean a common technical abbreviation for North American Vertical Datum, which refers to an elevation in relation to a known reference point, which for purposes of this chapter shall be the mean sea level based on the 1988 adjustment.

National Register of Historic Places shall mean a federal listing of culturally significant buildings, structures, objects, sites and districts in the United States.

Native forest shall mean a high quality natural plant community that:

(1) Is dominated by native species, including trees, understory vegetation, and wildlife;

(2) Is a forest type described in the Florida Natural Areas Inventory publication "Guide to the Natural Communities of Florida"; and

(3) Meets that publication's rarity ranking of S1, S2, S3, or S4.

(4) These forests shall be identified and delineated using Leon County's Publication titled "Natural Plant Community Criteria" and must meet the minimum area requirements.

A high quality natural community generally possesses the following characteristics:

a. The plant species composition is dominated by high quality indicator species which are typical of their natural community type;

b. The community may contain invasive exotic plants that could be controlled through management;

c. Evidence of historical disturbance may be present, but the disturbance has not destroyed or prevented the re-establishment of a high quality natural community type (unauthorized activities in native forest areas resulting in a violation of the ordinances will not be excluded from protection as such).

Native vegetation shall mean any vascular or non-vascular plant species which evolved or spread through natural means within the Southeastern Coastal Plain and which is not listed on the Florida Exotic Pest Plant Council's (or its successor) current list of invasive species.

Natural shall mean existing in and produced by nature, not artificially, or occurring in the ordinary course of nature.

Natural area shall mean an area on a development site designated by permit, plans, easement, or other legal means to remain in a natural condition or state.

Natural community shall mean a native vegetative community that is recognized in published scientific literature to occur within Florida.

Natural condition or state shall mean a condition or state which allows the processes of natural vegetation succession to proceed, either without interference by humans or with a management plan which allows augmentation by humans, to produce specific ecological characteristics such as species diversity, stand diversity, community stratification, or other functional characteristics.

Natural forest stand shall mean forest stands that have been regenerated by natural seedfall. For the purposes of the conservation easement, other types of timber stands, where native species compositions have been restored through planting, may be classified as "naturally forested" on a case-by-case basis.

Natural resource-based activities shall mean activities directly dependent upon naturally occurring resources, such as minerals, forests, water, and fertile land. These activities include, but are not limited to, farming, forestry, grazing, mining, hunting and fishing.

Natural vegetation shall mean the trees and plants occurring on a site prior to development, alteration or clearing of that site.

Neighborhood association shall mean an organization of residents of an area of the county whose purpose is to further the interests and needs of the neighborhood.

New construction shall mean structures for which the start of construction commenced on or after December 13, 1982.

New net trip shall mean the average daily external trips, as adjusted by the impact fee study.

NGVD shall mean a common technical abbreviation for National Geodetic Vertical Datum, which refers to an elevation in relation to a known reference point, which for purposes of this chapter shall be the mean sea level based on the 1929 adjustment.

Nonconformities shall mean lots, uses of land, uses of structures, structures, or characteristics of uses, which were lawful before article VI (zoning) was passed or amended, but which are prohibited, regulated or restricted under the terms of such article. Nonconformity may also be created where lawful public taking, except as provided in article VI, division 1, or actions pursuant to a court order have the same effect as violations of such article, if undertaken privately.

Nursing home shall mean a facility licensed and regulated by the state, that provides lodging and long-term nursing care for aged, chronically ill or convalescent patients, but excluding hospitals, clinics, or similar institutions devoted primarily to the diagnosis and treatment of the sick or injured.

Office shall mean a room or group of rooms used for conducting the affairs of a business, profession, service, industry, or government.

Office building shall mean a building used primarily for conducting the affairs of a business, profession, service, industry or government, or like activity, that may include ancillary services for office workers such as a restaurant, coffee shop, newspaper or candy stand. Day care facilities may be included as ancillary or accessory uses in major office and office park developments.

Office, major shall mean an office building or buildings with more than a 0.25 floor area ratio, or at least 10,000 square feet. This includes a series of buildings within a subdivision that when combined is equal to or exceeds these thresholds.

Office, minor shall mean a converted residence at the existing size or a new or existing office building of less than 10,000 square feet and 0.25 floor area ratio or less. Maximum of 2,500 square feet if located on a local street.

Office park shall mean any of the following:

(1) A development on a tract of land that contains a number of separate office buildings, supporting uses and open space designed, planned, constructed and managed on an integrated and coordinated basis.

(2) An office building or buildings of 40,000 square feet gross leasable floor area or greater.

Official zoning map shall mean the official map upon which the boundaries of each zoning district are designated and established as approved and adopted through ordinance by the county.

Off-site shall mean a site not located on the principal parcel or parcels of land proposed to be developed.

Off-site improvements shall mean road improvements located outside of the boundaries of a road impact construction which are required by the county or the city in order to serve external trips, but not including access improvements.

One-hundred year floodplain shall mean any land which is subject to a one percent or greater chance of flooding in any given year, whether or not such land is designated as a flood hazard area by the Federal Insurance Administration or the Federal Emergency Management Agency.

Open-pit mining shall mean the method of removing rock, sand, or other minerals by removal from an open pit, borrow pit, actual pit, or other manmade depression from which material is being extracted in the course of an open-pit mining operation.

Open space shall mean any area of a lot, site, tract or plat, exclusive of structures, streets (public and private), driveway, parking or open storage area, which is open to the sky and that will remain as open space through recordation of restrictive covenants, easements, public dedication or other legal device. Open space also includes areas used for outdoor recreational activities which do not require major structures within the area designated as open space.

Open space, common shall mean land within or related to a development, owned by a homeowner's association, not individually owned, or dedicated for public use, which is designed and intended for the common use or enjoyment of the residents of the development and may include such complementary structures and improvements as are necessary and appropriate.

Open space, green shall mean an open space area not occupied by any structures or impervious surfaces.

Open space, private shall mean common open space held in private ownership, the use of which is normally limited to the occupants of a single dwelling or building.

Open space, public shall mean open space owned by a public agency and maintained by it for the use and enjoyment of the general public.

Open space ratio shall mean total area of open space divided by the total site area in which the open space is located.

Original homestead family member shall mean a person eligible, under this section, and F.S. § 163.3179, to obtain rights for additional dwelling units or create parcels of land for ownership by an originally intended heir through the 2.1.9 subdivision process for purpose of family homestead.

Originally intended heir shall mean a person eligible, under this section, and F.S. § 163.3179; to receive ownership of a lot/parcel created through the 2.1.9 subdivision process for purpose of family homestead.

Other public water system shall mean any potable water system that provides piped water for human consumption, culinary purposes or dishwashing to one or more nonresidential establishments or which serves more than four residences but that is not a public water system as defined by the Federal Safe Drinking Water Act. Other public water systems include the water source, treatment facilities and distribution lines.

Outdoor sport shooting range shall mean an area designed and operated for the use of rifles, shotguns, pistols, silhouettes, skeet, trap, black powder, or any other similar type of sport shooting.

Owner shall mean the person or persons holding fee simple title to a parcel, building, or structure.

Painted wall sign shall mean any sign which is applied with paint or similar substance on the face of a wall.

Parcel shall mean real property in the county, which has a single property certification number assigned to it by the property appraiser of the county.

Parking space, off-street shall mean a designated surfaced or grassed area, accessible from but not located on a street, that is sufficient in size and intended for the parking of a motor vehicle.

Patriarch tree shall mean a tree designated as a patriarch or state champion tree by the state division of forestry, or an exceptional specimen shade tree of 36 inches DBH or larger.

Pawnshops shall mean establishments which lend money for personal property left as security and the resale of unclaimed personal property.

Pedestrian mobility system. That system of sidewalks and other infrastructures and facilities, which, through interconnection, provides safe and convenient pedestrian access to residences, business, community facilities, and other nonresidential land uses.

Permitted structure shall mean a structure meeting all of the requirements established by article VI for the district in which the use is located.

Permitted use shall mean a use meeting all the requirements established by article VI for the district in which the use is located.

Person shall mean any owner, lessee, building contractor, developer, or other entity involved in the use of real property, including agents, employees, independent contractors, or others in privity with any of the above, whether natural persons, firms, associations, corporations, partnerships, joint ventures, estates, trusts, business trusts, syndicates, fiduciaries, governmental bodies, agencies, or officials.

Personal services shall mean a service or services or use provided by persons generally engaged in rendering a service (other than a medical or dental service), performed directly upon or to the patron, such as barbers, beauticians, masseurs, cosmetologists, and similar services considered personal in nature and not primarily involving the sale of any retail products.

Planned unit development, concept, shall mean a generalized plan which shows the proposed use of all lands within a planned unit development.

Plan development, final shall mean a detail development plan which shows the proposed use of all lands within a planned development. The final development plan must be approved prior to commencement of any development on property zoned planned unit development.

Planned unit development (PUD) shall mean a land area under unified control designed and planned to be developed in a single operation or by a series of prescheduled development phases according to an officially approved final development plan to permit and encourage more efficient and creative development, consistent with the 2010 Comprehensive Plan.

Planning commission or *Tallahassee-Leon County Planning Commission* shall mean a body designated by the Board of County Commissioners which acts in their behalf for planning and zoning matters within the county.

Planning department shall mean the Tallahassee-Leon County Planning Department.

Planning director shall mean the chief administrative officer of the planning department.

Planting area shall mean any area designed for landscape material installation having a minimum area of 133 square feet, a minimum depth of five feet, and containing suitable growing medium with proper drainage.

Plat shall mean any plan, map, sketch, chart, or other graphic representation of the subdivision of land and also includes the terms replat, amended plat, revised plat, or corrected plat, which meets the requirements of F.S. ch. 177.

Pollution shall mean a change in the physical, chemical, or biological characteristics of the air, water, or land that can harmfully affect the health or survival of humans or other living organisms.

Post-construction certification shall mean a report or other statement prepared by a qualified professional in which and by which it is certified that the site improvements or the stormwater structure and system serving the site, have been built in a manner substantially consistent with, and in compliance and conformance with, the approved plans and specifications for such site improvements, structure or system.

Postsecondary shall mean educational institutions public or private, universities, colleges, vocational/technical schools.

Potable water shall mean sources of water that have 10,000 mg/l total dissolved solids and are intended for consumptive purposes.

Potable water supply well shall mean any excavation that is drilled, cored, bored, washed, driven, dug, jetted, or otherwise constructed for the purpose of conducting groundwater from a source bed to the surface, by pumping or natural flow, and the groundwater from such excavation is to be used for drinking or other potable water uses.

Preliminary development order shall mean a site and development plan approval, an exempt subdivision as defined pursuant to this article, DRI development order, a planned unit development concept plan approval, a planned unit development final development approval, and other development order not included in the definition of final development order.

Preliminary plat shall mean a plat and development approved pursuant to the provisions of Chapter 18 of the Code of Laws of Leon County, Florida (1980 edition), as amended, repealed by Article VII.

Premises shall mean an area of land with its appurtenances and buildings which, because of its unity of use, may be regarded as the smallest conveyable unit of real estate.

Preservation shall mean the establishing of strict requirements for the maintenance of significant ecological resources in a natural state. Activities should be in strict compliance with an effort to perpetuate the ecological value of the site or surrounding areas, including maintenance of listed plant and animal species.

Preservation area shall mean an environmentally sensitive area (as identified pursuant to environmental overlay provisions of the Comprehensive Plan, land use element) which would be severely impacted by development, and which is therefore unsuitable for all but extremely low density development in order to prevent degradation of water quality, freshwater storage capabilities, biological productivity, viability and diversity of native plants and animals and their habitats, to

prevent damage to property and loss of life due to flooding, and to assure the conservation of irretrievable or irreversible resources. These areas include wetlands, water bodies, natural watercourses, severe grades (over 20 percent), native forests, undeveloped 100-year floodplains, as well as areas of exceptional environmental significance and habitats of threatened, endangered, or special concern species.

Principal use shall mean the primary or predominant use of any lot.

Private water system shall mean a water system that provides piped potable water for human consumption and other domestic purposes to no more than four family units.

Property owners' association: See "homeowners association."

Protected tree shall mean a tree which may not be removed without a permit from the county, pursuant to Article IV.

Public facility shall mean capital facilities that are owned by a governmental entity.

Public hearing shall mean a meeting of the applicable board or boards which has been advertised with a public notice as defined in this chapter.

Public supply well shall mean a well that is connected to a system that provides piped water to the public for human consumption, assuming it has at least 15 service connections or regularly serves at least 25 individuals daily at least 60 days out of the year.

Public utility shall mean any public or private utility, including, but not limited to solid waste management, surface water management, wastewater collection and treatment, electric power, water supply, gas service, or telephone line, whether underground or overhead.

Public water system shall mean a system that provides piped water to the public for human consumption, if it has at least 15 service connections or regularly serves at least 25 individuals daily at least 60 days out of the year. Such terms include:

(1) Any collection, treatment, storage and distribution facilities under control of the operator of such system and used primarily in connection with such system; and

(2) Any collection or pretreatment storage facilities not under such control which are used primarily in connection with such system.

A public water system is a community water system, a noncommunity water system, or a non-transient noncommunity water system.

Qualified professional shall mean a person with at minimum a bachelor's degree in one of the physical or natural sciences, engineering, or related fields, or five years experience in environmental regulation, engineering, or related fields and who possesses, in addition to skill, a special registration, certification, or knowledge, including but not limited to registered professional engineers, landscape architects, geologists and hydrologists, which is inherently or legally necessary to render him or her capable, and competent to perform the particular responsibilities called for.

Rear-loaded garage shall mean a garage, attached or detached to the principal structure, where the vehicle-access entry-way is oriented between 150 to 210 degrees away from both the front door of the house and the front yard of the property.

Reclaimed open-pit mine shall mean any open-pit mine which has been retired from use for mining operations and which has been graded to ensure that no slopes exceed a grade of greater than 4:1 horizontal run to vertical rise.

Record drawings shall mean a complete set of permitted drawings signed and sealed by a qualified professional with final constructed grades, culvert diameters, stormwater facilities dimensions, planted landscape materials, field changes, and marked with "record drawing" on each sheet. The qualified professional shall be responsible for the project's conformance to the permitted plans.

Recreation facility, active shall mean recreation lands and improvements that are facility oriented, e.g., swimming pools, court sports, field sports, shuffleboard courts, recreation centers, equipped play areas, fishing piers, boat ramps.

Recreation facility, passive shall mean recreation lands and improvements that are natural resource oriented, e.g., hiking and nature trails, picnicking, camping, canoeing, biking, horseback riding (excluding riding within wetland and floodplain areas), archaeological and historical sites.

Recreation services shall mean a commercial facility providing recreational activities to the general public for a fee, including, but not limited to swimming pools, tennis clubs, public gymnasiums, racquetball courts, baseball hitting ranges, miniature golf, golf driving ranges, billiards or pool halls, dance schools or classes, skating rinks, racetracks, fitness centers, zoos, and indoor theaters.

Recreation vehicle shall mean a camper, trailer, travel trailer, pickup camper, bus, or other vehicle with or without motor power, designed and constructed to travel on public thoroughfares without special permit in accordance with the provisions of F.S. ch. 316.

Redevelopment means development activity occurring on a site where there is existing developed area, or the addition of developed area to an existing developed area or site, but excluding subsequent phases of phased development activity planned under a common master site development plan.

Registered neighborhood association shall mean an association that registers with the county administrator for official purposes such as notification of landuse changes. Only neighborhood associations that meet the following requirements may so register:

(1) The association must provide the county administrator with a map of the boundaries of the neighborhood it represents.

(2) The association must be broadly representative of the neighborhood it represents.

(3) The association must be accountable to the neighborhood it represents.

(4) The association must have a governing board composed primarily of elected neighborhood residents.

Regulated business shall mean any publicly or privately owned operation that manufactures, uses, or stores a regulated substance.

Regulated substance shall mean any hazardous or other substance regulated under this chapter as described in section 10-10.106, or any hazardous substance that may cause groundwater contamination.

Rehabilitation shall mean the act or process of returning a property to a state of utility through repair or alteration which makes possible an efficient contemporary use while preserving those portions or features of the property which are significant to its historical, architectural, and cultural values.

Repetitive loss means flood related damage sustained by a structure on two separate occasions during a ten-year period for which the cost of repairs at the time of each such flood event, on the average, equals or exceeds 25 percent of the market value of the structure before the damage occurred.

Residence: See "dwelling unit."

Residential care shall mean establishments primarily engaged in the provision of residential social and personal care for children, the aged, and special categories of persons with some limits on ability for self-care, but where medical care is not a major element. Included are establishments providing 24-hour year-round care for children, as well as, alcoholism rehabilitation centers; boys towns; children's homes; drug rehabilitation centers, residential with health care incidental; halfway group homes for persons with social or personal problems; and halfway homes for delinquents and offenders. Residential care does not include boarding schools providing elementary and secondary education or establishments primarily engaged in providing nursing and health-related personal care.

Residential district shall mean and includes all land zoned R-1, R-2, R-3, R-4, R-5, RA, MR-1, RP and MH as well as that zoned R, RC, UF, LP, LT, LTUF, and OR-1, OR-2, OR-3, and BOR when used only for residential purposes.

Residential, high density shall mean residential density in the range of 16 to 50 dwelling units per acre.

Residential, low density shall mean residential density in the range of zero to eight dwelling units per acre.

Residential, medium density shall mean residential density in the range of eight to 16 dwelling units per acre.

Resource recovery management plan shall mean a state approved plan or conceptual plan as required by the state department of natural resources or other reviewing state or federal regulatory authorities.

Responsible party shall mean any person that through his actions has or is suspected to have caused a discharge of a hazardous substance.

Restaurant shall mean an establishment where food is ordered from a menu, prepared and served for pay primarily for consumption on the premises in a completely enclosed room, under the roof of the main structure, or in an interior court. A drive-in restaurant is not a restaurant. A cafeteria shall be deemed a restaurant.

Restaurant, drive-in shall mean an establishment which accommodates customers placing orders and being served food and beverages, without having to depart the automobile. A drive-in restaurant may also cater to customers who order and consume food within the establishment.

Restricted use shall mean a use which would not be appropriate generally or without restriction throughout the zoning district but which, if controlled as to number, area, location, or relation to the surrounding area, would not be detrimental to the public health, safety, welfare, morals, order, comfort, convenience, or appearance.

Retail drug stores shall mean establishments engaged in the retail sale of prescription drugs, proprietary drugs, and non-prescription medicines, and which may also carry a number of related lines, such as cosmetics, toiletries, tobacco, and novelty merchandise.

Retail sporting goods stores and toy stores shall mean establishments primarily engaged in the retail sale of sporting goods, sporting equipment, bicycles, toys, games and hobby supplies.

Retailers, non-store shall mean establishments primarily engaged in the retail sale of products by television, catalog, and mail-order. These establishments do not ordinarily maintain stock for sale on the premises. Separate stores operated by catalog and mail-order houses for retail sale of products on the premises are classified according to product sold.

Retention shall mean the collection and storage of stormwater without subsequent discharge other than through percolation, evaporation, or transpiration.

Right-of-way shall mean a strip of land taken or dedicated for use as a public way or such use as is set forth in the instrument establishing the right-of-way.

Road impact construction shall mean land construction designed or intended to permit a use of the land which will contain more dwelling units, buildings or floor space than the existing use of land, or to otherwise change the use of the land in a manner that increases the generation of vehicular traffic or the number of external trips.

Roominghouse shall mean a single-family house, wherein furnished rooms without cooking facilities are rented for a valuable consideration, to one or more individuals unrelated by blood or marriage to the owner or operator of the house.

Sanitary sewer facilities shall mean structures or systems designed for the collection, transmission, treatment, or disposal of sewage and includes trunk mains, interceptors, treatment plants and disposal systems.

Sanitary sewer service shall mean sewer service provided by sanitary sewer designed to serve a large service area and usually more than one land use type. These facilities have the intent and potential for expansion of their service areas.

School, charter shall mean a publicly financed independent elementary, middle, secondary or other school established by teachers, parents, or community groups under the terms of a charter with the Leon County School Board, pursuant to F.S. ch. 1002.

School, elementary shall mean a facility which is in compliance with the compulsory school attendance law, F.S. ch. 232, and provides a curriculum of elementary academic instruction.

School interlocal agreement shall mean the lnterlocal agreement for Tallahassee-Leon County Schools Public School Concurrency and Facility Planning between the City of Tallahassee, Leon County and the School Board of Leon County, approved September 1, 2006, as amended.

School, private shall mean an elementary or secondary school (middle or high) that is financially supported by a private individual or private organization rather than governmental entities. A private school is not a charter school.

School, public shall mean an elementary or secondary school (middle or high) that is financed by governmental entities.

School, secondary shall mean a facility which is in compliance with the compulsory school attendance law, F.S. ch. 232, and provides a curriculum of secondary academic instruction.

School, vocational. See "Vocational and adult education center."

Sediment shall mean soil or other surface material, whether mineral or organic, that is in suspension, is being transported, or was moved from its site of origin by stormwater.

Setback, building shall mean the shortest distance between the building or structure and the lot line, whether front, side, or rear, measured from the lot line to vertical exterior walls.

Shade tree shall mean any self-supporting woody plant of a species that is generally well-shaped, well-branched, and well-foliated which normally grows to an overall minimum height of 35 feet with a minimum average mature crown spread of 30 feet, and which is commonly accepted by local horticultural and arboricultural professionals as a species which can be expected to survive for at least 15 years in a healthy and vigorous growing condition over a wide range of environmental conditions. A listing of suggested shade trees shall be maintained by the director of development support and environmental management.

Shared parking shall mean the use of the same off-street parking spaces for two or more distinguishable uses where peak parking demand of the different uses occurs at different times of the day, or where various uses are visited without moving the automobile, and where the provision of parking spaces is a net decrease from the combined total of each use's individual off-street parking requirements, if provided separately.

Shopping center shall mean a group of two or more retail and service establishments of more than 25,000 square feet gross floor area on the ground floor and located on commonly owned property, sharing the same parking facilities and connected together by common walls, interior aisles, or malls.

Shrub shall mean a woody perennial plant differing from a perennial herb by its persistent and woody stems and from a tree by its low stature and habit of branching from the base.

Side-loaded garage shall mean a garage attached to the principal structure where the vehicle-access entry-way is oriented at least 90 and not more than 120 degrees away from both the front door of the house and the front yard of the property.

Sidewalk. A hard-surfaced walkway or pathway constructed of concrete, or other durable material, built to specifications of Leon County, for purposes of facilitating pedestrian access along a thoroughfare or internal to a development.

Sidewalk area trust fund account. A trust fund account established by Leon County for the express purpose of collecting fees paid in-lieu of sidewalk construction within a specified geographic sidewalk trust fund area and from which revenues will be obtained and used solely for purposes of improvement of the pedestrian mobility system within that specified geographic area or, in combination with revenues from additional sidewalk trust fund areas, for the sole purpose of improvement of pedestrian mobility system facilities extending into these multiple specified geographic areas.

Sidewalk trust fund areas. The five subdivisions of Leon County corresponding to those portions of the five county commission districts as of March 31, 2004, located within unincorporated Leon County and within the urban services area.

Sight triangle shall mean the length of road visible to a driver on a side street or driveway to observe oncoming objects on the main street, measured from a point on the side street or driveway at least 20 feet from the edge of the major road pavement and from a height of 3.5 feet on the side street or driveway to a height of 4.25 feet on the major road. The vehicular site distance varies by operating speed of vehicles on the roadway and the grade of the main street, as referenced in City of Tallahassee, or the county, driveway and street connection regulations.

Silviculture management plan shall mean a plan prepared by a qualified forester, or by the state division of forestry, outlining the particular proposed silviculture management system and ultimate management goals of a silviculture operation.

Silviculture practice or operation shall mean a process following accepted forest management principles whereby the crops constituting forests are tended, harvested, and reforested.

Single room occupancy housing (SRO) shall mean multitenant buildings utilized for residential purposes wherein units are available for occupancy by a single individual capable of independent living which may or may not contain food preparation and/or sanitary facilities which shall include at least one habitable room of at least 150 square feet. Habitable rooms include space for sleeping, eating, or food preparation; not included as habitable are closets, halls, toilet compartments, bathrooms, and storage areas.

Site shall mean the total area within the property boundaries of a principal parcel to be developed, or contiguous parcels intended for development under a common scheme or plan.

Site and development plan shall mean the depiction and associated information describing the proposed development the applicant intends to build. The county's review and decision regarding a site and development plan is a legislative act of the county.

Site map shall mean a depiction and associated information describing a parcel or parcels proposed for subdivision or development which depicts the use and conditions of the site at the time an application is submitted which is to be used in evaluating the feasibility and design characteristics of a proposed subdivision or commercial development.

Site plan shall mean a plan prepared to scale, showing accurately and with complete dimensioning, the boundaries of a site and the location of all buildings, structures, uses, and principal site development features proposed for a specific parcel of land.

Slope shall mean the angle of incline or decline of the ground surface, expressed as a ratio (e.g., 3:1) with the horizontal component appearing as the first number, or as a percentage representing a fraction the denominator of which is the horizontal component (e.g., 33 1/3 percent = 1/3).

Solid waste shall mean sludge from a waste treatment works, water supply treatment plant, or air pollution control facility or garbage, rubbish, refuse or other discarded material, including solid, liquid, semisolid, or contained gaseous material resulting from domestic, industrial, commercial, mining, agricultural, or governmental operations (as defined by F.A.C. ch. 9J-5.002(88)).

Sorority house: See "fraternity or sorority houses."

Special concern species, based on the same criteria and analogous to the state and federal list, shall mean a species, subspecies, or isolated population which warrants special protection, recognition, or consideration because it has an inherent significant vulnerability to habitat modification, environmental alteration, human disturbances, or substantial human exploitation which, in the foreseeable future, may result in its becoming a threatened species. Such a population may:

(1) Already meet certain criteria for designation as a threatened species, but for which conclusive data are limited or lacking;

(2) Occupy such an unusually vital and essential ecological niche that should it decline significantly in numbers or distribution, other species would be adversely affected to a significant degree; or

(3) Have not significantly recovered from past population depletion.

This term includes all members of the plant or animal kingdom which are defined and listed as species of special concern in F.A.C. tit. 39 or in any other official state or federal law, rule, or regulation.

Species, endangered shall mean any species, subspecies, or isolated population of fish, wildlife or plant as defined by the Comprehensive Plan.

Species of special concern are defined based on the same criteria and analogous to the state and federal list: A species, subspecies or isolated population which warrants special protection, recognition or consideration because it has an inherent significant vulnerability to habitat modification, environmental alteration, human disturbances, or substantial human exploitation which, in the foreseeable future may result in its becoming a threatened species; may already meet certain criteria for designation as a threatened species but for which conclusive data are limited or lacking; may occupy such an unusually vital and essential ecological niche that should it decline significantly in numbers or distribution, other species would be adversely affected to a significant degree, has not significantly recovered from past population depletion.

Species, threatened. See "threatened species."

Square footage shall mean the gross floor area measured in square feet from the exterior faces of exterior walls or other exterior boundaries of the building, excluding areas within the interior of the building which are utilized for parking. For purposes of this chapter, square footage may also include, depending on land use and the ITE Trip Generation Manual, the gross area, measured in square feet, of any portion of the land outside of any building which is designed and used for the conduct of the principal use of the land, not including parking and other accessory activities. For shopping centers, gross leasable area (GLA) shall be utilized in calculating impact fees, consistent with the ITE Trip Generation Manual.

Standard ecological parameters shall mean acquired scientific data such as floristic composition, wildlife composition, published scientific research, disturbance history, and land management history.

Standard industrial code (SIC) or *standard industrial classification (SIC)* shall mean the statistical classification standard underlying all establishment-based federal economic statistics classified by industry.

Start of construction includes substantial improvement, and shall mean the date the building permit was issued, provided the actual start of construction, repair, reconstruction, or improvement was within 180 days of the permit date. The actual start means the first placement of permanent construction of a structure (including a manufactured home) on a site, such as the pouring of slabs or footings, installation of piles, construction of columns, or any work, beyond the stage of excavation or the placement of a manufactured home on a foundation. Permanent construction does not include land preparation, such as clearing, grading and filling; nor does it include the installation of streets and/or walkways; nor does it include excavation for a basement, footings, pier, or foundation or the erection of temporary forms; nor does it include the installation on the property of accessory buildings, such as garages or sheds not occupied as dwelling units or not part of the main structure.

State highway system shall mean the road system of the state as defined in F.S. § 334.03(19), or its statutory successor in function.

Storage system shall mean any tank, container, drum or storage component including all integral piping or pumping equipment that contains a regulated substance.

Stories shall mean that habitable portion of a building included between the upper surface of a floor and upper surface of the floor or roof next above, and having a ceiling height of not less than seven feet.

Stormwater shall mean the flow of water which results from, and which occurs during and immediately following, a rainfall event.

Stormwater management control officer shall mean a site supervisor who is responsible for the day-to-day operation, maintenance, and management of all stormwater, erosion, and sedimentation control techniques on-site during development, who is easily contacted in event of emergency, and who has adequate authority within the particular development project administration to ensure compliance with Article IV.

Stormwater management facility shall refer to a component of a stormwater management system.

Stormwater management plan shall mean the detailed analysis, drawing, and related supporting documents which describe how the proposed stormwater management system for the development has been planned, designed, and will be constructed to meet the requirements of this chapter.

Stormwater management system shall mean the structural, nonstructural, and designed features of a property or watershed which are implemented to control stormwater, incorporating methods and facilities to collect, convey, channel, divert, store, absorb, inhibit, treat, use, or reuse water in order to prevent or reasonably protect against erosion, excessive ponding, flooding, over-drainage, environmental degradation or water pollution, or otherwise affect the quantity or quality of stormwater.

Street shall mean a vehicular way whether called among other names street, highway, roadway, thoroughfare, parkway, road, avenue, boulevard, lane, or place. Easements of access shall not be considered streets under this definition.

Street, arterial shall mean a street and highway facility, including full and partial access controlled highways and major interstate, intercounty, intracounty and urban area entrance highways which are designed to carry the highest traffic volumes and the longest trips through and within the county.

Street, frontage shall mean a street which is situated parallel to and adjacent to arterial and/or collector roadways and which provide access to abutting properties while providing separation from through traffic.

Street, local shall mean a street which collects traffic from adjacent land uses and channels it to the collector/arterial roadway system. Local streets are intended to carry the lowest traffic volumes. Local streets can provide access to small homogeneous residential, commercial, office, or industrial land uses.

Street, major collector shall mean a street which channels traffic between arterials, from other collector streets to the arterial system, and from a major activity center to the arterial street system. Major collector streets may sustain retail and other commercial establishments along its route, and may carry relatively high traffic volume.

Street, minor collector shall mean a street which conducts traffic from a number of minor streets to the major collector/arterial system, between other collectors, and from activity centers to a street of higher classification. Minor collectors are predominantly residential in nature, generally with lower volumes, shorter trip lengths, and fewer trips than major collectors.

Street, private shall mean any street which has not been dedicated to a public body for public use and which provides access to more than one landowner's property, and whose primary function is traffic circulation rather than access to individual parking spaces.

Street, public shall mean any street designed to serve more than one owner's property which is dedicated for public use and protected for maintenance by the Board of County Commissioners or other public body.

Street, right-of-way width shall mean the distance between property lines measured at right angles to the centerline of the street.

Structure shall mean anything constructed, installed or portable, the use of which requires a location on a parcel of land. This term also includes billboards, swimming pools, poles, pipelines, transmission lines, tracks, and advertising signs.

Subdivision shall mean:

(1) Except as provided in subsection (2) of this definition:

a. The division of parcel(s), improved or unimproved, previously platted or not, into two or more contiguous lots.

b. The division of land zoned residential or nonresidential into units, by deed, agreement for deed, metes and bounds description, devise, int other recorded instruments. Subdivision shall include creation of condominiums and cooperatives.

c. When appropriate to the text, the process of subdivision refers to the process of subdividing, or to the land proposed to be subdivided or which has been subdivided.

(2) The following are not subdivisions that require subdivision review pursuant to Division 4 of Article VII but shall require the developer or landowners to comply with all other applicable ordinances. The developer or landowner shall file an affidavit and shall record the division of the property or adjustment of property description in the public records of the county.

a. *Boundary settlement:* Any conveyance between adjoining landowners if:

1. The purpose of the conveyance is to adjust or settle the common boundary line between adjoining landowners; and

2. Such purpose is stated in the instrument of conveyance or is stated in a separate instrument recorded in the public records of the county; and

3. The resulting parcels lawfully allow the construction of at least one single-family dwelling unit on each parcel, pursuant to the provisions of the Comprehensive Plan and other county ordinances.

b. *Conveyance to government and franchisee:* Any division or redivision of a parcel of land, the sole purpose of which is to convey a part thereof to any governmental entity or agency for a bona fide public purpose, provided that such conveyance is accepted by such governmental entity or agency by an instrument recorded in the public records of the county. This exemption includes conveyance to a public or private entity which is a franchisee of the county for services such as, but not limited to water, sewer, electric, or cable television purpose.

c. *Creation of equal or larger parcels:* Any division or redivision by recorded instrument or instruments of a lot or lots in a previously platted or unrecorded subdivision, the sole purpose of such division or redivision is to create new parcels each of which is at least equal in size to the smallest existing lot or lots.

d. *Corrective instruments:* Any conveyance from a grantor or the grantor's successor in a deed recorded in the public records of the county, to the same grantee or the grantee's successor in the deed, if the purpose of such conveyance is solely to correct defects in a prior recorded deed.

e. *Additional dwelling units without subdivision:* Any development of additional dwelling units on undivided property by the landowner(s) of such property consistent with the existing zoning designation including density limits, shall be allowed with the recordation of an affidavit by the said landowner(s) stating that additional density was added without subdivision.

f. Any division or redivision of a parcel of land made pursuant to the order of a court of competent jurisdiction.

(3) When the adjustment of property lines and property line descriptions as outlined in (2)a., above, is between properties that are owned by members of the same family as defined in F.S. § 163.3179, and boundary adjustment is for the sole purpose of allowing the construction of an addition to an existing single-family home, the landowners of the properties involved shall be exempted from the affidavit recording provisions of this section upon demonstration to the county that the properties comply with the ownership requirements established in this section, and the resulting properties are in compliance with the applicable provisions of the county's land development code.

Subdivision sign shall mean any sign designed to identify a subdivision or neighborhood.

Substantial damage means damage of any origin sustained by a structure whereby the cost of restoring the structure to its before damaged condition would equal or exceed 50 percent of the market value of the structure before the damage occurred. This term also includes "repetitive loss" structures as defined herein.

Substantial development shall mean that all required permits to complete the development have been obtained; permitted clearing and grading has commenced on any significant portion of the development subject to a single final development order; and the actual construction of water and sewer lines, or streets, or the stormwater management system, on such portion of the development is complete or is progressing in a manner that significantly moves the entire development toward completion.

Substantial improvement shall mean any reconstruction, rehabilitation, addition, or other improvement of a structure, the cumulative cost of which equals or exceeds 50 percent of the market value of the structure before the "start of construction" of the improvement. This term includes structures that have incurred "substantial damage" regardless of the actual repair work performed. This term does not, however, include any repair or improvement of a structure to correct existing violations of State of Florida or local health, sanitary, or safety code specifications, which have been identified by the local code enforcement official prior to the application for permit for improvement, and which are the minimum necessary to assure safe living conditions. This term does not include any alteration of a historic structure, provided that the alteration will not preclude the structure's continued designation as a historic structure.

Surety device shall mean evidence of security adequate to assure the installation and completion and maintenance of all specified or required improvements. Acceptable surety devices include a cash deposit, a surety bond, an irrevocable simple letter of credit, or any other financial assurance acceptable to the county attorney guaranteeing installation or maintenance of all required improvements within a reasonable period of time.

Surface water shall mean water upon the surface of the earth, whether diffused or contained in natural or artificial bounds.

Swale shall mean a manmade trench which:

(1) Has a top width-to-depth ratio the cross-section of which is equal to or greater than 6:1, or side slopes equal to or greater than three feet

horizontal to one foot vertical;

(2) Contains contiguous areas of standing or flowing water only during or following a rainfall event;

(3) Is planted with or has stabilized vegetation suitable for soil stabilization, stormwater treatment, and nutrient uptake; and,

(4) Is designed to take into account the soil erodibility, soil percolation, slope length, and drainage area so as to prevent erosion and reduce pollutant concentration of any discharge.

Technical coordinating committee shall mean a select group of county and state employees and utility providers with technical expertise whose task it is to review land use applications which will subsequently be considered by the county administrator or designee, planning commission or Board of County Commissioners.

Temporary use shall mean a use established for a fixed period of time with the intent to discontinue such use upon the expiration of such time. Such uses do not involve the construction or alteration of any permanent structure.

Threatened species are defined based on the same criteria and analogous to the state and federal list: Any species of fish, wildlife and plants naturally occurring in Florida which exists in such small populations as to become endangered if it is subjected to increased stress as a result of further modifications of its environment.

Timbering: See "silviculture practice or operation."

Tower permit means a permit for the use and location of a communication tower subject to the requirements of this section.

Tower site means a parcel of land smaller than the minimum lot size required in the zoning district completely contained within a lot meeting the requirements of the zoning district for the purposes of locating a communication tower.

Townhouse shall mean a single-family dwelling unit attached to one or more single-family dwelling units by not more than two party walls.

Transient lodging: See "Hotel/motel definition."

Transitional residential facilities shall mean facilities or structures, operated or maintained by a public or not-for-profit corporation or association, religious institution, or government-funded organization to provide shelter for homeless individuals and families on a temporary or transitional basis, with the duration of stay limited to a period not exceeding one year. Normal and customary use of a dwelling unit by a single-family is specifically excluded from the requirements of this chapter. Transitional residential facilities may also provide services to residents accessory to the provision of shelter, including but not limited to, dining facilities and meal preparation, and referral, counseling and educational programs.

Transportation corridor shall mean a broad geographical band that follows a general directional flow or connects major sources of trips. It may contain a number of streets and highways and transit lines or routes.

Transportation and freight handling activities: Terminals with the capability of handling a large variety of goods involving various forms of transportation and providing multimodal shipping capabilities, such as rail to truck and truck to air.

Transportation system shall mean a coordinated system made up of one or several modes of transportation serving a common purpose of the movement of people, goods, or both.

Travel trailer shall mean a portable vehicular structure built on a chassis, designed to be used as a temporary dwelling for travel and recreational purposes, with a body width not exceeding eight feet and constructed in such a manner as will permit occupancy thereof as a dwelling or sleeping place for one or more persons. For the purposes of these regulations, the term includes recreational vehicle, pickup campers, camping trailers, and motorized homes (living facilities constructed as integral parts of self-propelled vehicles).

Tree shall mean any self-supporting woody plant having at least one well-defined stem a minimum of two inches DBH, and which normally grows to a minimum height of 25 feet in the county area.

Tree credit or *debit* shall mean a numerical representation of the value of a two-inch DBH eight-foot high tree, used to assign values to trees of various sizes to calculate either credit against reforestation requirements, as in the case of trees protected during the development process, or debit to determine the extent of replanting required, as in the case of removal of protected trees.

Tree pit shall mean a pit that is minimum three feet by three feet opening through an impervious surface which provides an unconfined growing space and suitable rooting environment to support planted material, as consistent with established horticultural practices to provide aeration, drainage, and other conditions necessary for healthy root growth.

Tree removal shall include the following acts and incidences constituting tree removal as regulated under this chapter:

(1) The actual removal of a live tree;

(2) Any unmitigated encroachment within a distance of three-fourths of the radius of the critical protection zone of a protected tree;

(3) Any damage to 30 percent or more of the crown of a protected tree within the vertical projection of its critical protection zone; or

(4) Any other action or activity likely to significantly damage or cause a premature death of a protected tree.

Trip shall mean a one-way movement of vehicular travel from an origin (one trip end) to a destination (the other trip end). The word trip shall have the meaning which it has in commonly accepted traffic engineering practice.

Trip generation or *trip generator rate* shall mean the maximum average daily trip generation rates at peak hour for the applicable trip generation land use category, as adjusted by the impact fee study.

Trip generation land use category shall mean the trip generation land use categories established in the Trip Generation Report published by the Institute of Transportation Engineers in the edition existing on the adoption date of this Code or the most current edition on the effective date of any revisions to the impact fee study.

Twenty-five-year floodplain shall mean any land which is subject to a four percent or greater chance of flooding in any given year.

Underbrushing shall mean the removal of understory vegetation, either by hand or with the use of equipment, which neither disturbs the soil nor causes the destruction of any tree.

Undeveloped shall mean not having a building or more than five percent impervious area on the property.

Undisturbed buffer shall mean a natural area to be preserved in a natural and absolutely unaltered state, which also serves to reduce impact between adjacent areas or land uses.

Urban forest , as defined outside of the incorporated areas of Leon County, shall mean an association of trees and other woody and herbaceous vegetation which may not be recognizable as a forest natural community type, but which now provides a visual counterpoint to urbanization by creating a forested effect along roadways, buffering development along roadways, providing wildlife areas and corridors, and buffering between and within developed areas, and which has the following characteristics:

(1) An association of trees which provides a forest-like visual appearance with large, medium, and small species and individuals in a natural-like setting.

(2) Remnant planted or naturally regenerated pines, hardwoods, or other native tree species.

Urban service area shall mean that area which includes all of the City of Tallahassee and a portion of the county which is to be developed at urban levels of density or intensity either immediately or over the course of the planning period. The boundaries of the urban service area are as established in the Comprehensive Plan, as amended.

Utility or *utility, public* shall mean a commodity or service which is of public consequence and need, including, but not limited to, electricity, natural gas, sanitary sewers, water, drainage, telephone, cable, television and transportation services.

Variance shall mean a grant of permission to the applicant to allow the applicant to deviate, in whole or in part, from a requirement of this chapter.

Vehicular use area shall mean any ground surface area, excepting public rights-of-way, used by any type of vehicle, whether moving or at rest, for such purposes as driving, parking, loading, unloading, storage, or display, including new or used car lots; activities of a drive-in nature in connection with banks, restaurants, filling stations, grocery and dairy stores; and other vehicular uses under, on, or within buildings.

Vested rights staff committee shall mean a committee consisting of the following persons or their designated representatives: the county attorney, the director of planning and the director of development support and environmental management.

Vicinity map shall mean a drawing located on a plat which sets forth, by dimension or other means, the relationship of the proposed subdivision or use to other nearby developments or landmarks and community facilities and services within the county in order to better locate and orient the area under consideration.

Vines shall mean any group of woody or herbaceous plants which may climb by twining, or which normally require support to reach mature form.

Visual screen shall mean a barrier of living or nonliving landscape material which separates and obscures an area from view.

Vocational and adult education center shall mean a facility intended primarily for the vocational or community education of high school age and adults.

Waiver shall mean a grant of permission which is authorized under this chapter that authorizes an applicant to deviate from specific standards or provisions of article VI.

Wall sign shall mean a sign attached to or erected against the wall of a building with the face in a parallel plane to the plane of the building wall.

Warehouses, mini-warehouses, or self-storage facilities shall mean a building(s) used primarily for storage of goods and materials.

Water body shall mean any natural or artificial pond, lake, reservoir, or other area which normally contains surface water.

Watercourse shall mean any natural or artificial stream, river, creek, channel, ditch, canal, conduit, culvert, drain, waterway, gully, ravine, street, roadway, swale, or wash, in which water flows in a definite direction, either continuously or intermittently, and which has a definite channel, banks or bed. For preservation purposes, see definition in section 10-4.102.

Watershed shall mean all of the land area which contributes to the flow of surface water into a water body or specific point.

Well shall mean any excavation that is drilled, cored, bored, washed, driven, dug, jetted, or otherwise constructed for conveying groundwater to the surface, monitoring the groundwater level, providing cathodic protection or providing a method of injecting water from above the earth's surface.

Wet detention shall mean a water quality treatment system that utilizes water-tolerant vegetation and which removes pollutants through settling, absorption by soils, and nutrient uptake by vegetation, and in which a design water pool is normally maintained which has a capacity to provide extended detention for the required stormwater treatment volume.

Wetland shall mean an area included within the landward extent of surface waters of the state, pursuant to applicable rules in the Florida Administrative Code, or any area which is inundated or saturated by surface water or groundwater at a frequency and duration sufficient to support, and which under normal circumstances does support a prevalence of vegetation typically adapted for life in saturated soils. Soils present in wetlands generally are classified as hydric or alluvial, or possess characteristics that are associated with reducing soil conditions. The prevalent vegetation in wetlands generally consists of facultative or obligate hydrophytic macrophytes that are typically adapted to areas having soil conditions described in this definition. These species, due to morphological, physiological, or reproductive adaptations, have the ability to grow, reproduce, or persist in aquatic environments or anaerobic soil conditions. Wetlands generally include swamps, marshes, bayheads, bogs, cypress domes and strands, sloughs, wet prairies, riverine swamps and marshes, hydric seepage slopes, tidal marshes, mangrove swamps and other similar areas.

Wholesale activities shall mean establishments or places of business primarily engaged in selling merchandise to retailers; to industrial, commercial, institutional, or professional business users, or to other wholesalers; or acting as agents or brokers and buying merchandise for, or selling merchandise to, such individuals or companies.

Wildlife habitat enhancements shall mean elements of a landscape design which facilitate the use of a landscaped area by wildlife. Such elements may include hummingbird and butterfly gardens, use of native shrubs which provide food for wildlife, birdhouses, bathhouses, and water gardens.

Window sign shall mean any sign placed inside or upon a window facing the outside and which is intended to be seen from the exterior.

Xeriscaping shall mean landscaping or other planting or preservation of areas in a manner that will require minimal irrigation for survival of vegetation, including planting or preservation of native and natural species.

Yard, required shall mean the minimum lot area as specified in these regulations for front, side, and rear yards, as distinguished from any yard area in excess of the minimum required.

Zero lot line shall mean the location of a building on a lot in such a manner that one or more of the building's sides rests directly on a lot line.

(Ord. No. 07-20, § 2, 7-10-07; Ord. No. 07-21, § 1, 7-10-07; Ord. No. 08-03, § 11, 1-29-08; Ord. No. 08-17, § 1, 7-22-08; Ord. No. 08-23, § 1, 11-25-08; Ord. No. 08-26, § 2, 11-25-08; Ord. No. 09-03, § 1, 1-15-09; Ord. No. 09-17, § 1, 6-11-09; Ord. No. 09-21, § 2, 7-14-09; Ord. No. 09-23, § 1, 7-14-09; Ord. No. 09-26, § 1, 8-25-09; Ord. No. 09-33, § 1, 10-13-09; Ord. No. 10-01, § 1, 1-19-10; Ord. No. 12-07, § 1, 5-8-12; Ord. No. 12-17, § 1, 12-11-12; Ord. No. 14-10, § 1, 6-10-14; Ord. No. 15-08 , § 1, 7-7-15; Ord. No. 16-07 , § 1, 5-10-16; Ord. No. 16-11 , § 1, 7-12-16; Ord. No. 17-01 , § 1, 1-24-17; Ord. No. 17-10 , § 1, 6-20-17)

Sec. 10-2.301. - Development review committee.

(a) There is hereby established a development review committee (DRC) whose primary purpose is to provide professional, informed review of proposed development with respect to design, adequacy of public facilities, services and utilities and consistency with the Comprehensive Plan, this chapter, and other applicable land development regulations.

The DRC shall advise the Board of County Commissioners, the planning commission, the department of development support and environmental management director, or designee, and the county administrator or designee concerning applications for site and development plan approvals, platting, and other development approval, and shall prepare studies and make recommendations on such matters as are requested by the planning commission. The members of the DRC shall attend meetings of the planning commission and Board of County Commissioners, as required.

(b) The DRC shall be composed of the department directors or their respective designee of the following county departments:

(1) Tallahassee-Leon County Planning Department;

(2) Public works department; and

(3) Department of development support and environmental management.

The DRC may direct the application to other departments or agencies for review and comment based on the type and complexity of the development proposed as set forth in the written direction by the DRC.

(c) The DRC shall meet at least monthly to review and render written decisions on development proposals as prescribed in this chapter.

(d) The DRC shall adopt and publish bylaws consistent with this Code for implementing its meetings, except where in direct conflict with this Code, in which case the provisions of this Code shall prevail.

(Ord. No. 07-20, § 2, 7-10-07; Ord. No. 14-10, § 2, 6-10-14)

Sec. 10-3.105. - Concurrency generally.

(a) No final development order shall be issued by the county unless there is sufficient available capacity of concurrency facilities to meet the standards for

level of service for the existing population, vested development, and for the proposed development according to the following deadlines:

(1) For the public facilities set forth in this subsection the capacity must meet the standards or the applicant must provide the county with acceptable financial assurances or other assurances which guarantee that the facility will be improved in order to operate at the adopted levels of service prior to the issuance of a building permit (or any other permit which authorizes development where a building permit is not required). All other final development orders shall be conditioned on the requirement that building permits shall not be issued for the subject property until the capacity of the public facilities set forth in this subsection meet the standards for level of service of concurrency facilities. The public facilities for this subsection are:

a. Potable water.

b. Sanitary sewer.

c. Solid waste.

d. Stormwater management.

(2) For arterial and collector roads, the capacity necessary to meet the standards must be available, or scheduled, through inclusion in the adopted five-year schedule of capital improvements, to be in place or under actual construction not more than one year after issuance of the subject final development order. The schedule of capital improvements may recognize and include transportation projects included in the first year of the adopted Capital Regional Transportation Planning Agency approved Transportation Improvement Program.

(3) For parks and recreation facilities, the capacity must meet the standards within 12 months of the issuance of the subject final development order.

(4) For mass transit facilities within the designated urban service area, the capacity must meet the standards within 12 months of the issuance of the subject final development order.

(5) On-site potable water wells and septic tanks which meet all applicable standards and regulations shall be determined to be concurrent for purposes of this article.

(b) A concurrency review and a reservation of capacity must occur prior to the approval of a preliminary development order.

(c) An applicant shall have the option of paying all applicable city sewer and water systems charges at the time of issuance of a building permit or a tap, whichever is first.

(d) Approved plans of development exempt from, or determined to be vested from, the Comprehensive Plan by the county pursuant to applicable ordinances shall not be subject to concurrency requirements unless the exemption or vesting has been eliminated, waived, expired or withdrawn pursuant to law. The concurrency facilities capacity for plans of development exempt from, or determined to be vested from, the Comprehensive Plan shall be reserved in accordance with the following methodology:

1. When a vested project starts to obtain permits, the number of trips permitted will be subtracted from the total amount of trips that were considered to be vested, and transferred to a committed trips status accordingly. The percentage of capacity reservation associated with the vested project will be reevaluated consistent with the specifies of each final development order issued by the county for a component of a vested project.

2. For vested nonresidential developments, a methodology for estimating trip generation will be based on a land use conversion table that corresponds with the most recent version of the Institute of Transportation Engineers Manual (ITE). The Leon County Land Use Conversion Data Table shall represent a maximum build out depending on the type of land use determined for the nonresidential use. At the time of permitting, if the vested nonresidential development is anticipated to impact roadways at a higher or lower level than the amount of capacity that has been reserved for that particular development, the reservation of roadway capacity will be adjusted accordingly.

(e) A concurrency management policy and procedures manual shall be developed by the county to define the concurrency requirements in the Comprehensive Plan; to outline the requirements and procedures that must be followed by applicants for new development in order to satisfy concurrency requirements; and to outline the procedures to be followed by the county to maintain the concurrency management system. This concurrency policy and procedures manual shall be separately approved by the Board of County Commissioners.

(f) For school concurrency, the capacity necessary to meet the standards must be available, or contracted to be under construction within ten years of the subject final development order, or consistent with the provisions of F.S. § 163.3180, as same may be amended from time to time.

In those instances when it has been determined by the Leon County School Board that mitigation is required, no final development order nor any final certificate of concurrency shall be issued unless and until documentation has been furnished to the county administrator or designee, that the Leon County School Board or their designated representative has accepted and executed a school proportionate fair-share mitigation development agreement that addresses any anticipated impacts to the level of service of Leon County Schools. When it has been determined by the Leon County School Board that mitigation is not required, the Leon County School Board shall furnish documentation so stating, to the county administrator or designee, in a timely manner.

(Ord. No. 07-20, § 2, 7-10-07; Ord. No. 08-24, § 1, 11-25-08)

Sec. 10-6.104. - Policy.

(a) It is the policy of the county to permit development of land that is consistent with and in conformance with the goals, objectives, and policies established in the Comprehensive Plan through the use of this article.

(b) The official zoning map districts shall be consistent with the land uses as depicted on the adopted future land use plan map of the Comprehensive Plan.

(c) No development of land shall be permitted unless in compliance with the concurrency requirements as established in Article III.

(d) This article shall complement and be coordinated with the enforcement of the provisions and standards contained in building and housing codes, the prov Articles IV and VII, and other related and applicable codes.

(e) The implementation and interpretation of this article shall be governed by the policies stated in the Comprehensive Plan.

(Ord. No. 07-20, § 2, 7-10-07)

Sec. 10-6.617. - Residential preservation.

(a) *Purpose and intent.* The residential preservation district is characterized by existing homogeneous residential areas within the community predominantly accessible by local streets. The primary function is to protect existing stable and viable residential areas from incompatible land uses and density intrusions. Commercial, retail, office, and industrial activities are prohibited. Certain nonresidential activities may be permitted, such as home occupations consistent with the applicable provisions of section 10-6.803; community services and facilities/institutional uses consistent with the applicable provisions of section 10-6.806; and churches, religious organizations, and houses of worship. Single-family, duplex residences, manufactured homes, and cluster housing may be permitted within a range of zero to six units per acre. Compatibility with surrounding residential type and density shall be a major factor in the authorization of development approval and in the determination of the permissible density.

(1) In residential preservation areas outside the urban service area, the density of the nonvested development in residential preservation areas shall be consistent with the underlying land use category.

(2) In residential preservation areas inside the urban services area, new residential development densities shall be consistent with those within the developed portions of the recorded or unrecorded subdivision in which they are located. Consistency for the purposes of this paragraph shall mean that proposed lots shall not be smaller than the smallest lot that was created by the original subdivision plat or any subsequent replat that may have occurred consistent with county land development regulations in effect at the time.

(3) When new residential development inside the urban services area is proposed for an area not located within a recorded or unrecorded subdivision, densities shall be permitted in the range of zero to six dwelling units per acre consistent with the availability of central water and sewer service to accommodate the proposed development. If central water and sewer service is not available, density shall be limited to a maximum of two dwelling units per acre consistent with all applicable provisions of the Environmental Management Act.

(4) Notwithstanding the provisions of subsection 10-6.617(a)(2) above, existing lots in a recorded or unrecorded residential subdivision zoned residential preservation may be resubdivided up to a maximum density of six dwelling units per acre provided that the parent lot directly abuts an existing arterial or major collector roadway that was not constructed as part of the subdivision's roadway network. This provision shall not apply to lots whose current designated primary access is from a street internal to the recorded or unrecorded subdivision zoned residential preservation. Existing lots of record with no current frontage on a major collector or arterial roadway, as specified above, cannot be aggregated to benefit from the provision of this section.

The following factors shall be used to determine the maximum allowed number of lots per acre created pursuant to this subsection: a) the availability of water and sewer to accommodate the proposed development as cited in subsection 10-617(a)(3) above; b) compliance with applicable local and/or Florida Department of Transportation (FDOT) roadway connection standards c) the mitigation of any adverse impacts on the transportation network, and d) compliance with any other applicable provisions of the Land Development Code, including those pertaining to environmental protection. Acceptable mitigation for impacts to the transportation network include a common ingress/egress access point for all newly created lots, frontage roadways, or any other solution that mitigates the adverse impacts on the transportation network as determined by the director.

(5) Allowable development type shall be construed to mean the following:

a. Parcels proposed for residential which are located in a recorded or unrecorded subdivision shall develop consistent with the type of residential development pattern located inside the recorded or unrecorded subdivision.

b. Parcels proposed for residential which are located inside the urban service area and not in a recorded or unrecorded subdivision shall develop consistent with the type of residential development pattern located adjacent to the vacant parcel.

c. Parcels proposed for residential development surrounded by a mix of conventional single-family homes and manufactured homes, shall be developed for conventional single-family homes.

d. Parcels proposed for residential development surrounded by a mix of single-family and duplex development shall be developed for single-family use, unless duplex residential development is the predominant type.

e. The placement of standard design manufactured homes and mobile homes shall be allowed in manufactured home parks, in subdivisions platted explicitly for allowing manufactured homes, or as a replacement unit for any lawfully existing manufactured home consistent with the provisions of article XII of this chapter.

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

(1) Low-density residential.

(2) Passive recreation.

(3) Active recreation.

(4) Community services.

(5) Light infrastructure.

(c) *List of permitted uses.* Some of the uses on these schedules are itemized according to the Standard Industrial Code (SIC). Those uses or activities permitted through special exception shall require review and approval by the Board of County Commissioners consistent with the provisions of section 10-6.611. Allo uses, appropriate permit level and applicable development and locational standards in the residential preservation district are as follows:

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

Legend					
LR	=	Low-density residential	CS	=	Community services
PR	=	Passive recreation	LI	=	Light infrastructure
AR	=	Active recreation			

		Development and Locational Standards				
SIC Code	Name of Use	LR	PR	AR	CS	LI
	RESIDENTIAL					
	Dwelling, one-family	P				
	Dwelling, two-family	R				
	Dwelling, mobile home	P				
	Mobile home park	S				
	SERVICES					
	Elementary and secondary schools legally established and in existence as of July 1, 2015, including expansions to existing facilities				S	
	Religious organizations				S	
	PUBLIC ADMINISTRATION					

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			P		
	Field sports			P		

Placement of new mobile homes are limited to the following areas: existing mobile home parks; and platted mobile home subdivisions. New mobile homes shall also be allowed as replacements of lawfully existing mobile homes in other locations. New mobile home parks may be established as per the provisions set forth in section 10-6.807.

(d) *Development standards.* All proposed development shall meet the applicable buffer zone standards as outlined in section 10-7.522. For residential development in recorded or unrecorded subdivisions, the development standards including front, rear, side, and side corner yard setbacks for new residential development shall be consistent with the developed portions of the recorded or unrecorded subdivision in which it is located. For new residential development in residential preservation areas not located in recorded or unrecorded subdivisions, the applicable development standards including, but not limited to front, rear, side, and side corner yard setbacks shall be established at the time of subdivision and site and development plan review.

(Ord. No. 07-20, § 2, 7-10-07; Ord. No. 16-07 , § 4, 5-10-16; Ord. No. 17-01 , § 5, 1-24-17)

Sec. 10-7.103. - Authority.

(a) Fla. Const. art. VIII vested county governments with powers of self-government as provided by general and special law.

(b) The Local Government Comprehensive Planning and Land Development Regulation Act [F.S. § 163.3161 et seq.] requires each local government to adopt a local Comprehensive Plan, and the county has adopted the Comprehensive Plan, as amended, pursuant to these statutory provisions and other authority.

(c) The statutory provisions and the Comprehensive Plan require that land development regulations be adopted to implement the Comprehensive Plan and that no development of land shall take place which is inconsistent with the Comprehensive Plan.

(d) F.S. § 125.01 vests counties with the power to establish, coordinate, and enforce business regulations, building, housing, and related technical codes and regulations as are necessary for the protection of the public and to perform other acts not inconsistent with laws which are in the common interest of the people of the county and to exercise all powers and privileges not specifically prohibited by law.

(e) F.S. §§ 125.01, 336.02, and 336.08, provide that counties have the power and authority to establish new roads and locate and change the same.

(f) F.S. ch. 163 authorizes the Board of County Commissioners to adopt, prescribe and promulgate rules and regulations governing the filing of plats and development of subdivisions, in order to aid in the coordination of land development and to implement the local Comprehensive Plan.

(g) F.S. ch. 177, pt. I [§ 177.011 et seq.] authorizes the Board of County Commissioners to require, regulate, and control the platting of lands.

(h) It is in the public interest to ensure that adequate and necessary public facilities and services are properly installed whenever land is developed.

(i) It is in the public interest to establish procedures and minimum standards for the subdivision, development, and improvement of lands within the unincorporated area of the county.

(Ord. No. 07-20, § 2, 7-10-07)

Sec. 10-7.104. - Purposes.

The purposes of this article are to:

(1) Protect and provide for the public health, safety, and general welfare of the residents of the county.

(2) Establish procedures and standards for the subdivision of real property within the county.

(3) Establish procedures and standards for the siting and development of real property within the county.

(4) Ensure proper legal description, identification, documentation and recording of subdivisions.

(5) Ensure consistency with the Comprehensive Plan.

(6) Provide for coordination between review of development and subdivision proposals with Articles III and IV and other applicable county requirements.

(7) Provide for adequate light, air, and privacy, to secure safety from fire, flood, and other danger, and to prevent overcrowding of the land and undue congestion of population.

(8) Encourage the orderly and beneficial development of all unincorporated parts of the county.

(9) Protect and conserve the value of land, buildings, and improvements throughout the county.

(10) Guide public policy and private action in order to provide adequate and efficient transportation, water, sewerage, schools, parks, playgrounds, recreation and other public facilities and services.

(11) Establish reasonable standards of design and procedures for subdivisions and replats, in order to further the orderly layout and use of land, and to insure proper legal descriptions, monumenting and recording of subdivided land.

(12) Preserve the local natural and historical features and resources in order to protect the integrity, stability, and beauty of the community and the value of the land.

(13) Provide that the citizens and taxpayers of the county will not have to bear the costs resulting from haphazard development or subdivision of land and the lack of mechanisms to require installation by the developer of adequate and necessary physical improvements and infrastructure.

(14) Provide a greater degree of assurance to the purchasers of land in a development or subdivision that necessary improvements of lasting quality have been or will be installed and maintained.

(Ord. No. 07-20, § 2, 7-10-07)

Sec. 10-7.107. - Compliance.

(a) No subdivision of any lot, tract, or parcel of land shall be effected, no street, sanitary sewer, septic tank, wells, storm sewer, water main, or other facilities in connection therewith shall be laid out, constructed, opened, or dedicated for public use or travel, or the common use of occupants of buildings abutting thereon, nor site development commenced, except in strict accordance with the provisions of this article and applicable Florida Statutes.

(b) No person, developer, applicant or any other legal entity or association shall create a subdivision of land or develop any lot within a previously approved subdivision or undertake development on a parcel anywhere in the unincorporated area of the county except in conformity with this article. No subdivision shall be platted or recorded unless such subdivision meets all the applicable county ordinances, and those of any applicable laws of the state, and has been approved in accordance with the requirements of this article.

(c) A site and development plan, and subdivision if applicable, approved pursuant to this article may be transferred in total to a subsequent fee owner of the property which is the subject of the site plan, and subdivision if applicable. The transfer shall become effective only when the subsequent landowner notifies the county administrator, along with proof of title. Site and development plan approval shall run with the land, which includes all conditions and requirements which are part of the site and development plan approval.

(Ord. No. 07-20, § 2, 7-10-07)

Sec. 10-7.108. - Consistency with Comprehensive Plan.

(a) All proposed subdivisions or development shall be designed to be consistent with the adopted Comprehensive Plan, as amended.

(b) All proposed subdivisions or development shall be designed to comply with at least the county zoning, building regulations, concurrency, and environmental management ordinances, and such other applicable land development regulations, ordinances, and policies, for the area in which the proposed subdivisions or development shall be located.

(c) In accordance with this article and other applicable requirements of the local Comprehensive Plan and county ordinances, land, proposed subdivision or site and development plans shall be suitable for the characteristics of the underlying land. Sites where topographic features, flooding potential,

drainage, soil type or other site specific features are likely to harm neighboring landowners, future users of the subject property, natural resources or public infrastructure demand, shall not be developed and/or subdivided, unless adequate methods of mitigation or correction of the harm area formulated by the developer and accepted by the county.

(d) Any applicant subdividing land shall record an approved final plat in accordance with the requirements of this chapter.

(e) The adequacy of necessary public or private facilities and services for traffic and pedestrian access and circulation, solid waste, waste water disposal, potable water supply, storm water management, parks and recreation and similar public facilities and services, shall be considered in the review of all subdivision or development site and development plan proposals to assure the concurrency requirements of the local Comprehensive Plan and county ordinances are met.

(f) Unless installation of a required improvement is waived pursuant to Division 6, no final plat or certified survey shall be recorded until a site and development plan, as required by this article, has been approved, the required infrastructure or development improvements which are applicable to the subject parcel or parcels are completed or an appropriate surety instrument, as approved in advance by the county attorney, is posted, in accordance with the requirements of this article, and the terms and conditions of any applicable development order have been fulfilled.

(g) No parcel shall be approved for platting for any purpose unless it is suitable for a use permitted by article VI. No parcel shall be approved for development unless it is consistent with the local Comprehensive Plan and contains an adequate development site, both in size for the use intended and in its relationship to abutting land uses.

(Ord. No. 07-20, § 2, 7-10-07)

Sec. 10-7.401. - Purpose and intent.

The purpose of this division is to establish provisions pertaining to site and development plan review and approval.

This division shall allow for variable levels of review based on project complexity, characteristics, and potential impacts. No more than one site and development plan application shall be pending for review and development on any one parcel of land, and only one approved site and development plan shall be in effect for any one parcel of land at any time.

(Ord. No. 07-20, § 2, 7-10-07)

Sec. 10-7.402. - Development review and approval system.

The development review and approval system shall consist of the following elements:

1. *Permitted use verification process.* A permitted use verification certificate (PUV) shall be used to determine eligibility for either subdivision of property, development of land, or change in use, based upon applicable land development regulations and site-specific conditions. A residential compliance certificate (RCC) shall be used to determine eligibility for small residential uses or structures. The fee for a RCC may be applied to fees for a subsequent project status determination application (PSD) or an administrative streamlined approval process (ASAP) application associated with the proposed residential development tendered within one year of the issuance of the RCC. PUVs and RCCs shall not be construed to be development order approvals.
2. *Project status determination.* For any development proposal not required to comply with the provisions of article VII, the applicant must request a project status determination (PSD) from the development support and environmental management department prior to submitting an application for development approval. This PSD will indicate on what basis the proposed development is excepted from either the procedural or substantive provisions of this article and shall verify compliance with any applicable previously approved development order and land development code, as may be applicable. Applications for PSDs shall be reviewed, and if appropriate, approved by the county administrator or designee.
3. *Pre-submittal conference (optional for Type A, B, and C; required for Type D).* The pre-submittal conference is intended to set forth the specific application requirements once a development review track is identified.
4. *Development review types.* There are four different review types of development review, Type A, B, C, and D review. The applicable level of review for proposed subdivision or site and development plan application depends upon the type and intensity of development, the extent of environmental constraint, and zoning district in which the development site is located. Table 10-7.1, below, specifies the applicable review level for development qualifying for administrative streamlined application process, and Type A through Type C site and development plan review applications. Table 10-7.1 specifies the review level by zoning district, for residential, nonresidential, and institutional land uses. Type D site and development plan review is required for any new planned unit development concept plan application, and for any application determined, by the State of Florida, to require an application for development approval, substantial deviation to a development of regional impact (DRI) or Florida quality development (FQD). Type C applications consist of any application where the scale of development proposed exceeds the upper limit of the thresholds listed in the table for Type B site and development plan review, but not required to undergo Type D review.

   The thresholds set out in Table 10-7.1 may be modified as follows:

   (a) *Incentive for mixed use development.* The review threshold for any Type A—Type C site and development plan application proposing a mixture of residential and office or retail/service commercial use shall be equivalent to 100 percent of the residential unit threshold plus 100 percent of the office or retail/service commercial use; however, the thresholds for Type A and Type B site and development

plan applications proposing a mixture of residential and office or retail/service commercial use may be increased to 125 percent of the residential unit threshold plus 125 percent of the office or retail/service use, so long as the following criteria are met: (1) the application must include a minimum of four residential dwelling units per gross acre of site area; and, (2) the application must include a minimum of 10,000 gross square feet of nonresidential use.

(b) *Incentive for quality design—Nonresidential use.* The review threshold for any Type A—Type C site and development plan application proposing any nonresidential or institutional use, and proposing the following design elements may be increased by the corresponding percentage:

(1) Threshold increased by ten percent, for a building footprint of no greater than 50,000 square feet of enclosed floor area;

(2) By 15 percent, for utilization of a planted "green roof" over no less than 40 percent of roof surface area, or a rain garden, which reduces stormwater runoff by no less than 60 percent;

(3) By 15 percent, for developments with access to an arterial road and having ≥100,000 gross square feet of office or commercial retail floor area (also referred to as equivalent to 100 percent commercial base standard) and ≥ 100 dwelling units (equivalent to 100 percent of the residential base standard) or, any combination of these uses wherein the square footage of office or commercial floor space exceeds 20,000 and the number of residential units exceeds 25 and the cumulative total of the base standards exceeds 200 percent;

(4) By 15 percent, for developments having ≥100,000 of office or commercial retail gross square footage floor area that provide a transit stop consisting of surface area for bus access, a shelter to provide weather protection, bench or seating for the shelter, and pedestrian access to the stop;

(5) By 25 percent, for developments locating no less than 90 percent of provided parking spaces behind the front building facade line;

(6) By ten percent, for structures having ground floor window glazing along building frontages adjacent to streets or publicly-accessible parking areas ≥20 percent of facade area on the ground floor principal frontage and ≥15 percent of the area of each other applicable ground floor facade;

(7) By 15 percent, for developments where the number of spaces provided ≤80 percent of the standard number of parking spaces set out in schedule 6-2; and,

(8) By 15 percent, for developments having a density of connectivity of ≥.4 per acre.

(c) *Incentive quality design—Residential use.* The review threshold for any Type A—Type C site and development plan application proposing residential use site and proposing the following design elements may be increased by the corresponding percentage:

(1) Threshold increased by ten percent, for utilization of a planted "green roof" over no less than 40 percent of roof surface area, or a rain garden, which reduces stormwater runoff by no less than 80 percent;

(2) By ten percent, for developments with access to an arterial road having ≥200 dwelling units that provide a transit stop of surface area for bus access, a shelter to provide weather protection, bench or seating for the shelter, and pedestrian access to the stop;

(3) By 15 percent, for having ≥.25 accessory dwelling unit for every residential dwelling unit;

(4) By 15 percent, for having ≥50 percent of all principal dwelling units served by side- or rear-loaded garages;

(5) By 15 percent, for developments having a density of connectivity of ≥.4 per acre;

(6) By 15 percent, for developments having an index of interconnectivity of ≤.5.

(d) *Incentive for development in the Southern Strategy Area.* The review threshold for any Type A, B or C site and development plan proposed within the Southern Strategy Area, as identified in the Tallahassee-Leon County Comprehensive Plan, shall be increased 25 percent.

(e) *Incentive for development in the Gum Road Target Planning Area.* The review threshold for any Type A, B or C site and development plan proposed within the Gum Road Target Planning Area, as adopted by the Leon County Board of County Commissioners, shall be increased 25 percent.

(f) *Incentive for providing access to multiple businesses within a safe and convenient pedestrian pathway through facade design.* The threshold is increased by 25 percent, when all proposed nonresidential building facades are less than 100 feet in length; and, each facade abutting a street frontage, public open space, parking area, or pedestrian corridor, has no less than 40 percent surface area coverage by windows, display areas, or doorways, or, in those instances where the facade exceeds 100 feet in length, the following criteria are met:

1. Structure with a single facade longer than 100 feet shall be divided into individual tenant spaces and shall not be used solely by a single business. Individual tenant spaces shall have no more than 60 feet of horizontal frontage along that facade. Tenant spaces shall be separated by vertical elements on the facade at intervals no greater than 60 feet, coinciding with the dimensions of tenant spaces. Vertical elements shall include columns, posts, or pilasters; reveals, recesses and other shadow-casting devices; variations in material, texture or color; recessed entrances; or, other methods of architectural articulation.

2. Every individual business establishment located along the facade of greater than 100 feet shall have it's own public entrance located on the facade or on a diagonal at each building corner having two street frontages, with one of them being the facade.

3. The facade shall have windows, display areas or doorways spanning no less than 75 percent of the length of the facade and covering no less than 40 percent of the surface area of the facade. No blank walls shall face street frontages, public open spaces or pedestrian corridors along any building side.

4. The area directly adjacent to the facade length shall include a pedestrian walkway of at least eight feet in width.

5. The applicant may utilize alternative design approaches to qualify for this incentive by demonstrating to the county administrator or designee that the alternative fulfills the design objective of providing access to multiple businesses within a safe and convenient pedestrian pathway.

(g) *Incentive for conservation subdivisions.* The review threshold for any Type A, B or C site and development plan proposed within the Lake Talquin Recreation Urban Fringe or Urban Fringe zoning district, accomplished as a conservation subdivision, shall be increased 50 percent.

(h) *More rigorous review to protect environmental features.* Any application otherwise qualifying for administrative streamlined application process or Type A site and development plan review per this section, and proposing development on a site inside the urban services area with 75 percent or more site coverage by conservation or preservation areas as defined by the Comprehensive Plan or outside of the urban services area with 40 percent or more coverage by conservation or preservation areas, shall require review as Type B site and development plan application. Sites of three acres or larger wherein all buildings, attendant parking facilities, streets, and access facilities will be located outside of conservation and preservation areas shall be exempt from this requirement.

(i) *Combination of threshold modifications.* A combination of threshold modifications (a)—(e) may be cumulatively applied to Type A—Type C site and development plan applications, as applicable.

(j) *Limitation on degree of site and development plan review level reduction.* The incentives provided above may be used to reduce what would otherwise be a Type C site and development plan application to a Type B or Type A site and development plan application, to reduce what would otherwise be a Type B site and development plan application to a Type A site and development plan application, and a Type A site and development plan application to an administrative streamlined application. Modifications (a)—(f) shall not be applicable to any Type D application, including those establishing a planned unit development concept plan, or for development of regional impact, or Florida quality development.

Review Level	**Zoning** District → **Type of use ↓**	**R, UF, LTR/UF**	**RC, WC**	**RP, RA, OS**	**LP**	**R-1, R-2, R-3, R-4, R-5**	**MH**	**BOR, OR-1, OR-2, C-1, BC-1, BC-2, BCS**	**MCR, MCN, LPN**	**NBO**
Administrative Streamlined	Residential	≤2 dwellings or lots for dwellings		≤2 dwellings or lots for dwellings		≤2 dwellings or lots for dwellings		≤2 dwellings or lots for dwell		
	Nonresidential	See Note**		N/A	See Note**; only for lawfully established existing uses	N/A	See Note**	See Note**	See Note**	See Note
	Institutional	See Note**		See Note**		See Note**		See Note**		
Type A	Residential	≤10 dwellings		3—14 dwellings		≤24 dwellings	Addition of ≤99 dwellings to an existing MH Park	≤34 dwellings		≤24 dwel

	Nonresidential	≤14,999 gross building square feet	≤49,999 gross building square feet	N/A	Expansion of lawfully established existing use by ≤5,000 square feet gross building area no greater than; or, an increase in total impervious surface area on the subject parcel of ≤15 percent	N/A	N/A	≤19,999 gross building square feet		≤9,9 gros build squa feet
	Institutional	≤14,999 gross building square feet	≤49,999 gross building square feet	Expansion of existing use by ≤5,000 square feet gross building area no greater than; or, an increase in total impervious surface area on the subject parcel of ≤15 percent	Expansion of lawfully established existing use by ≤5,000 square feet gross building area no greater than; or, an increase in total impervious surface area on the subject parcel of ≤15 percent	Expansion of existing use by ≤5,000 square feet gross building area no greater than; or, an increase in total impervious surface area on the subject parcel of ≤15 percent	Expansion of existing use by ≤5,000 square feet gross building area no greater than; or, an increase in total impervious surface area on the subject parcel of ≤15 percent	≤19,999 gross building square feet		≤9,9 gros build squa
Type B	Residential	11—74 dwellings		15—99 dwellings		25—149 dwellings	Addition of 100—199 dwellings to an existing mhp	35—199 dwellings	35—74 dwellings	25— dwel

	Nonresidential and Institutional	15,000—149,999 gross building square feet	50,000—99,999 gross building square feet	New use of ≤5,000 square feet gross building area; expansion of existing use by ≤7,500 square feet gross building area; or, an increase in total impervious surface area on the subject parcel of ≤25 percent	Expansion of lawfully established existing use by ≤7,500 square feet gross building area; or, an increase in total impervious surface area on the subject parcel of ≤25 percent	New use of ≤5,000 square feet gross building area; expansion of existing use by ≤7,500 square feet gross building area; or, an increase in total impervious surface area on the subject parcel of ≤25 percent	New use of ≤5,000 square feet gross building area; expansion of existing use by ≤7,500 square feet gross building area; or, an increase in total impervious surface area on the subject parcel of ≤25 percent	20,000—179,999 gross building square feet	20,000—79,999 gross building square feet	10,0 59,9 gros build squa feet
Type C	Residential	75 dwellings—DRI threshold	75 dwellings—DRI threshold	100 or more dwellings—DRI threshold*		150 dwellings—DRI threshold*	Establishment of a new manufactured home park; addition of 200 or more dwellings to an existing mhp, not to exceed—DRI threshold*	200 dwellings—DRI threshold	75 dwellings—DRI threshold	50 dwel —DR thres
	Nonresidential and Institutional	150,000 gross building square—DRI threshold	100,000 gross building square feet—DRI threshold	Any development in excess of Type B level, not determined to be a PUD or DRI	New institutional use or expansion of a lawfully established non-residential use greater than 7,500 gross square feet	Any development in excess of Type B level, not determined to be a PUD or DRI		180,000 gross building square feet—DRI threshold	80,000 gross building square feet—DRI threshold	60,0 gros build squa feet- thres

Type D	Residential	Generally, Any Development determined to be a DRI or FQD*	Generally, Any Development determined to be a DRI or FQD*		Generally, Any Development determined to be a DRI or FQD*	Generally, Any Development determined to be a DRI or FC
	Nonresidential and Institutional	Any Development determined to be a DRI or FQD	N/A	Optional	N/A	Any Development determine FQD

*Generally, in Leon County, a development of 2,000 or more dwellings is presumed to be a DRI or FQD. The Florida Statutes and Florida Administrative Code establish a variety of exceptions.

;rn0;9;**Administrative Streamlined Application Process (ASAP) limited to applications proposing one or more of the following: Gross building area of no greater than 1,000 square feet; or, an increase in total impervious surface area on the subject parcel of no greater than ten percent.

5. *Development review tracks.* Proposed development projects that have been determined through the PUV process to require Type A, B, or C subdivision or site and development plan approval, shall be required to select at the option of the applicant from two review tracks. These review tracks are as follows:

(a) *Concept plan approval (CPA) review track.* The CPA review track is an available option for all proposed projects that have been determined through the PUV process to require review and approval of a Type A or Type B level subdivision or site and development plan. The CPA review track option is intended to expedite the review process by reducing the requirement for permitting level information while providing the applicant the assurance that the development entitlements reflected on the concept plan can be realized on the subject site. Subsequent to CPA, the applicant would be required to complete the environmental permitting process for the project prior to initiating onsite development. The CPA review track shall include the following sequential steps:

(1) Completion of a PUV in support of the proposed project.

(2) Submittal and approval of a natural features inventory (NFI) for the subject property.

(3) Approval of an environmental impact analysis (EIA) in support of the proposed development project. The EIA submittal requirements shall be limited to a conceptual analysis and discussion of the proposed project's stormwater management system and shall include information outlining how onsite conservation and/or preservation features as identified in the project's approved NFI will be protected and/or preserved including how all anticipated impacts to these features will be mitigated in the design of the proposed development project. Permitting level information shall be deferred to the project's associated environmental permit review process and will not be required for the CPA review track.

(4) Completion and approval of a concurrency management application to address the anticipated impacts to public and other facilities from the proposed development.

(5) Scheduling and participating in an application review meeting on the proposed development project. A pre-submittal meeting is optional.

(6) Submittal of a completed subdivision or site and development plan application.

(b) *Final design plan approval (FDPA) review track.* The FDPA review track is an available option for all proposed projects that have been determined through the PUV process to require review and approval of a Type A, B, or C level subdivision or site and development plan. The FDPA review track option is intended to expedite the review process by providing for the concurrent review of a proposed project's subdivision or site and development plan and associated environmental permit. Under the FDPA review track option, subsequent to completion of the associated review process, the applicant would receive land use and environmental permitting approval concurrently. The FDPA review track shall include the following sequential steps:

(1) Completion of a PUV in support of the proposed project.

(2) Submittal and approval of a natural features inventory (NFI) for the subject property.

(3) Submittal of an environmental management permit (EMP) application in support of the proposed development project. The EMP shall include the conceptual EIA components outlined in subsection 10-7.402.5(a)(3) and all engineering and design level information required to demonstrate compliance with all environmental and stormwater related requirements applicable to the subject site.

(4) Completion and approval of a concurrency management application to address the anticipated impacts to public and other facilities from the proposed development.

(5) Scheduling and participating in an application review meeting on the proposed development project. A pre-submittal meeting is optional.

(6) Submittal of a completed subdivision or site and development plan application.

(7) For Type B and Type C level subdivision or site and development plan proposals scheduling the review of the proposed project by the committee. Additionally, all Type C level projects will require final disposition by the Board of County Commissioners.

6. *Exception to site and development plan review.* The following shall be exceptions to those review types set forth in subsection 4., above:

(a) The construction or modification of one single-family dwelling unit; a two-, three-, or four-family dwelling unit; or a manufactured home; or the construction of an accessory building to such a dwelling on a lot or parcel with legal access. For properties proposing residential use, a completed school impact analysis form shall be provided.

(b) Commencement of home occupations as defined in and in accordance with this Code.

(c) Development of nonresidential or multiple use development providing for not more than 1,000 square feet of total gross floor area after construction or ten percent increase of total on-site impervious area. This exemption applies to additions to existing structures and uses and to new construction and uses on a noncumulative basis. Nonresidential development of less than 1,000 square feet that would increase the total gross floor area of a development by 20 percent or more shall require that the applicant demonstrate, through the completion of an application for exception to site plan, that such development will not result in an increase in total on-site impervious area of ten percent or greater.

(d) Changes in tenancy in already built space (existing structure), provided that the conversion requires no substantial modification to the exterior of the structure or modifications to the associated parking area. Type A review applies to those changes of tenancy involving substantial modification to the exterior of the building or modification to the associated parking area, as determined by the county administrator or designee.

(e) The development or alteration of any building used exclusively for agriculture, horticulture, or floriculture located in the rural land use district; provided, however, that construction of dwellings units, not otherwise exempt, or commercial or industrial facilities to process agricultural, horticultural or floricultural beyond harvest, storage or sale of the raw materials is not exempt from this article.

(f) Change of occupancy. The establishment, exclusively through change of occupancy, of new uses in an existing structure shall not be subject to Type A site and development plan review; but, shall be required to meet all other applicable development standards of this chapter. However, Type A review shall apply to those changes of occupancy involving substantial modifications to the exterior of the building or modification to the associated parking area, as determined by the county administrator or designee.

(g) Industrial development. New or expansion of existing industrial uses or development of up to 10,000 square feet, if site is zoned industrial and infrastructure extensions to the subject site are not required.

(h) Exceptions specified under the definition of subdivision in section 10-1.101. Any and all landowner(s) of a parcel that is divided or developed pursuant to this exception shall file an affidavit, on a form approved by the county attorney, with the clerk of the court in the public records of the county. The affidavit shall specify that the property has been modified or subdivided, the number of new parcels, if any, created, the exemption type used for this action, the legal description of the original location of the parcel(s), and the metes and bounds descriptions of each new parcel.

7. *Review process for exceptions.* The development listed in the table set out as parts (a) and (b) of this subsection shall be excepted from Type A—D site and development plan review, as set forth in subsection 4., above.

(a) The following chart provides a range of development and changes of use excepted from site and development plan application. The chart specifies appropriate criteria for approval, applicable review process, notice requirements and other applicable substantive or procedural requirements. Omission of a particular requirement from the chart shall not be construed so as to alleviate requirement for compliance.

Proposed Use or Development	Criteria for Approval	PUV or RCC Required	Review Required for Approval	Notice Requirements	Public Meeting Requirements	Application Content Requirements

Single-family (attached or detached) residential dwelling unit, manufactured home, duplex residential units on any vacant existing parcel; any structures accessory to these residential units, including garages, pavilions, kiosks, gazebos, or other similar structures accessory as determined by the county administrator or designee.	Precedent development order, such as, approved plat or site plan, Otherwise as required in the Land Development Code	No, RCC is optional.	PSD	None	No	PSD; scaled sketch plan accessory buildings in this category require affidavit of nonhabitable structure; project-specific environment permits as applicable
Home occupation in an existing residence	Home occupation standards; Life-safety code	No, RCC is optional	None	None	No	RCC (optional); project-specific environment permits as applicable
Agricultural, horticultural, floriculture, and silviculture-related bldgs in a zoning district allowing agricultural as a principal use; structure size ≤5,000 s.f.	As required in the Land Development Code	No	PSD	None	No	Affidavit of nonhabitable structure; project-specific environment permits as applicable

Agricultural, horticultural floriculture and silviculture-related bldgs in a zoning district allowing agricultural as a principal use; structure size ≥5,000 s.f.	As required in the Land Development Code	Yes	ASAP	Ad for PUV	No	Affidavit of nonhabitable structure; project-specific environment permits as applicable
Principal industrial use within a district allowing heavy or light Industrial use as a Principal Use; structure size ≤300 s.f.	As required in the Land Development Code	Yes	PSD	Ad for PUV	No	Sketch plan; project-specific environment permits as applicable
Principal industrial use within a district allowing heavy or light Industrial use as a Principal Use; structure size >300 s.f. and ≤10,000 s.f.	As required in the Land Development Code	Yes	ASAP	Ad for PUV	No	Site plan; project-specific environment permits as applicable
Proposed use or development	Criteria for approval	PUV or RCC required	Review required for approval	Notice requirements	Public meeting requirements	Application content requirements
Change in tenancy without expansion or functional modification	N/A	Yes, to verify that use was originally properly established and allowed in zoning district	None	Ad for PUV	No	N/A
Change of use without expansion or functional modification, to another use allowed within the zoning district, ≤1,000 s.f.	Zoning district; life-safety health codes	Yes	None, unless a special exception or restricted use	Ad for PUV	No	Project-specific environment permits, as applicable

Change of use without expansion or functional modification, to another use allowed within the zoning district, >1,000 s.f.	Zoning district; life-safety health codes	Yes	ASAP, unless a special exception or restricted use	Public notice of approval or denial	No	Project specific environmental permits, as needed.
Additional dwelling unit without subdivision	Approved plat or site plan, otherwise as required in the Land Development Code	No, RCC optional	PSD	None	None	Affidavit; project specific environment permits as applicable
Accessory dwelling unit without subdivision	Approved plat or site plan, otherwise as required in the Land Development Code	RCC required	PSD	Ad for RCC	Presubmittal (optional)	Scaled sketch plan; documentation demonstrating compliance with section 10-6.803; notarized affidavit for accessory dwelling unit shall be recorded prior to issuance of building permit.
Miscellaneous residential accessory structures	Approved plat or site plan, otherwise as required in the Land Development Code	No	PSD	None	None	PSD requires scaled sketch plan; project specific environment permits as applicable.

Other development determined to be below the type A site and development plan review threshold and ≤300 s.f.; and structures accessory to other than single-family, manufactured home, or duplex residential dwellings and ≤300 s.f.	Approved plat or site plan, and otherwise as required in the Land Development Code	Yes, except for accessory structures	PSD	Ad for PUV	No	Scaled sketch plan; information demonstration compliance with Land Development Code standards; project specific environment permits as applicable.
Other development determined to be below the Type A site and development plan review threshold and >300 s.f.; and structures >300 s.f. accessory to other than single-family, manufactured home, or duplex residential dwellings	Approved plat or site plan, otherwise as required in the Land Development Code	Yes	ASAP	Ad for PUV	Presubmittal (optional)	Site plan; project specific environmental permits, as applicable.

(b) Exceptions specified under the definition of subdivision in Section 10-1.101. Any and all landowner(s) of a parcel that is divided or developed pursuant to this exception shall file an affidavit, on a form approved by the county attorney, with the clerk of the court in the public records of the county. The affidavit shall specify that the property has been modified or subdivided, the number of new parcels, if any, created, the exemption type used for this action, the legal description of the original location of the parcel(s), and the metes and bounds descriptions of each new parcel. A judicial exception based on a court order shall be excepted from site and development plan application but may be required to comply with the Land Development Code. Review of development proposed pursuant to such orders shall be through a process determined by the county administrator or designee.

(c) Requirements for administrative streamlined application process (ASAP).

(1) *1:2 subdivision/lot split, inside the urban service area.* All ASAP applications for 1:2 subdivision/lot split shall demonstrate compliance with article IV, environmental management, article VI, zoning, and division 5 of article VII, substantive standards and criteria, subdivision and site and development plan regulations. Review and determination of compliance shall be conducted by the county administrator or their designee. Review may include consultation with other county and affiliated agency technical staff. Applications shall include a site plan or survey of the subject property along with sufficient information to demonstrate compliance with applicable standards. The application should furnish sufficient information to clearly demonstrate legal access, utility service connections, compliance with zoning district standards, and adequate protection of environmental resources.

(2) *Other administrative streamlined applications process applications.* All other ASAP applications shall demonstrate compliance with article IV, environmental management; article VI, zoning; and division 5 of article VII, substantive standards and criteria, subdivision and

site and development plan regulations. Review and determination of compliance shall be conducted by the county administrator or their designee. Review may include consultation with other county and affiliated agency technical staff. Applications shall include a site plan or survey of the subject property along with sufficient information to demonstrate compliance with applicable standards. The application should furnish sufficient information to clearly demonstrate legal access, utility service connections, compliance with zoning district standards, and adequate protection of environmental resources. Applications shall be required to furnish a natural features inventory, as set out in article IV, and provide calculations demonstrating compliance with applicable stormwater management standards; waiver or modification of these requirements may be provided by the county administrator or designee. The application should furnish sufficient information to clearly demonstrate compliance with zoning district standards and any precedent development order.

8. *Review process application.* Except for any exception or exemptions specified in this chapter, a site and development plan application is required for review Types A, B, C, and D site and development plans. Application submittal requirements for Types A, B, and C site and development plans are as set forth in section 10-7.402. Application submittal requirements for Type D site and development plans are as set forth in section 10-7.406. The difference between the review types shall also be affected by the level of detail as determined by the county administrator or designee and technical assistance staff, which may be determined at the presubmittal meeting (optional) or quick check. The submittal requirements for site and development plan review are listed below. The county administrator or designee is authorized to waive or modify specific submittal requirements for any site and development plan proposal based on review type, site conditions, and characteristics of the proposed development. When site and development plan applications are to be submitted to the county administrator or designee, the county administrator or designee is also authorized to waive any specific submittal requirements as deemed appropriate.

(a) The requirement for "planned development review" for development of properties abutting a designated canopy road segment shall mean compliance with the site and development plan regulations set forth in this chapter.

(b) Submittal requirements.

(1) An applicant shall provide for the preapplication meeting the required information on a form approved by the county administrator or designee.

(2) The following information shall be required for a site and development plan application, unless the county administrator or designee waives a requirement, with documentation, as inapplicable to the particular development;

(i) A site and development plan for the parcel or parcels which are the subject of the application. A proposed plat, if the parcel or parcels are to be subdivided, and the depiction of the site and development plan, shall be prepared as a single map, if the information conveyed remains clear. The proposed plat and site and development plan shall include, consistent with the provisions of this section:

a. A title block containing the following:

1. The proposed development.

2. Date of preparation.

3. Scale of the site and development plan, both written and graphic.

b. A legal description and boundary survey of the parcel which shall be signed and sealed by a professional surveyor licensed to practice in the state.

c. Tax identification number(s) for parcel or parcels that are subject of application.

d. Total acreage of the parcel or parcels, and, if the development is on a portion of a larger parcel, the acreage of the larger parcel and of the portion to be developed.

e. A scaled vicinity map with north arrow.

f. Names, addresses, and telephone numbers of all owners of the parcel or parcels, developers, optionees, and agents.

g. Location and type of proposed easements, including legal access.

h. Dimensions of the lots, to the nearest foot.

i. Lot and block numbers, if applicable. If a resubdivision of an existing plat is proposed, the numbering must be consistent with the existing system.

j. A circulation diagram showing vehicular and pedestrian movements including location and dimensions of access points, sidewalks, any special engineering features and traffic control devices, if any.

k. Proposed changes to existing topography.

l. Location of stormwater management facilities, including all conveyances and drainage easements.

m. Location and type of buffers and conservation easements to be provided.

n. Number of spaces and location of parking facilities or other impervious surfaces. A calculation of the square footage of parking facilities and other impervious surfaces.

o. Location and depth of setbacks. This information may be provided in tabular form.

p. Location and use of temporary structures as defined in section 10-7.109.

q. Location and generalized footprint of each building existing or to be constructed by the applicant. For nonresidential structures, a calculation of the gross square footage for each, including floor area ratios and height of any structure

proposed.

r. Location and footprint of each type of infrastructure to be constructed.

s. Areas to be protected by a conservation easement, preservation easement, or other means acceptable to the county.

t. If the development fronts on a street or roadway, include each street or roadway and street or roadway name.

u. Street plans, locations, designs, and names assigned in accordance with county regulations shall be depicted and described.

v. If the applicant will construct them, location and description of all structures to be built by the developer, and, if common facilities are to be constructed, how those common facilities will be maintained.

w. Location and type of recreation facilities.

x. Refuse collection areas, and location and type of screening, if proposed.

y. Where the site and development plan covers only a portion of the landowner's entire parcel, a map depicting all of the landowner's contiguous property and proposed use for the balance of the parcel or parcels not including in the site which is the subject of the application.

z. Proposed build-out date of the infrastructure for the development in its entirety, and, if the development will be built in phases, a development scheduled and proposed buildout date for each phase.

aa. A utility service plan addressing proposed water supply, power supply, and method and location of sewage disposal.

bb. All lot lines, parcel tax identification numbers, roads, access easements on the subject parcel, structures, and paved areas within 300 feet of the parcel boundaries.

(ii) A site map depicting the existing natural and developed features on the parcel or parcels which are the subject of the application shall also be submitted. The information submitted shall include consistent with the provisions of this section:

a. Location of the wooded areas, differentiating between native forests, high quality successional forests, and mature successional forests.

b. Location of listed species, as defined by the EMA, occurrences, and their habitats.

c. For multifamily residential and all nonresidential site plans, identify trees defined as protected by the EMA which are impacted by the proposed development.

d. Location of wetlands.

e. Conservation and preservation areas as set forth in the Comprehensive Plan.

f. Location of sinkholes.

g. Location of all water bodies, watercourses, drainage ditches, canals, and other surface water features.

h. Location and type of known hazardous materials, hazardous waste and underground storage tanks.

i. Location of 100-year floodplain.

j. Location of other natural features.

k. A scaled aerial photograph showing the location of the site and adjacent properties within 300 feet of the site. The boundary of the subject property shall be outlined or highlighted on the aerial photograph.

l. A conceptual landscaping plan, including a planting plan for public right-of-way, common areas, and buffers or open space areas showing types, sizes, and spacing of trees and other vegetation.

m. Location of closed basins and natural drainage divides.

n. Proposed covenants, grants, easements, dedications, and restrictions to be imposed on the land, buildings, and/or structure, including proposed easements for public utilities and instruments relating to the use and maintenance of common natural areas, open spaces, private streets, and other private infrastructure shall be furnished with an application. All such documents shall be subject to review and approval by the county attorney as to form and sufficiency, prior to action on this application. Such instruments shall allow access of public vehicles for public safety or maintenance purposes.

(iii) For nonresidential development, the applicant also shall provide the following information consistent with the provisions of this section:

a. Names and amounts of hazardous or toxic materials or wastes to be used or produced on-site.

b. Types and amounts of radioactive materials or wastes, explosives, or flammable materials to be used or produced on-site.

c. Types and amounts of smoke, dust, particulate matter, noxious or odorous gases or other pollution of the air produced on-site.

d. Types and amounts of materials identified above in subsections a, b, and c above, which can be expected to be moved off-site.

e. Noise levels expected at the site boundaries.

f. The types of manufacturing, production, processing or other industrial activities which will take place.

(iv) Additional information as may be required by the county to clarify relevant points.

(Ord. No. 07-20, § 2, 7-10-07; Ord. No. 08-03, § 17, 1-29-08; Ord. No. 08-24, § 3, 11-25-08; Ord. No. 09-04, § 1, 1-15-09; Ord. No. 09-24, §§ 1—3, 7-14-09; Ord. No. 10-07, § 4, 3-23-10; Ord. No. 10-28, § 1, 10-12-10; Ord. No. 11-01, § 1, 1-18-11; Ord. No. 13-06, § 12, 3-12-13; Ord. No. 14-10, § 29, 6-10-14; Ord. No. 16-10 , § 3, 6-14-16; Ord. No. 17-01 , § 13, 1-24-17)

Sec. 10-7.404. - Type B review.

Type B review shall be applied to the types of site and development plans listed in Table 10-7.1. For the purpose of this section, nonresidential site and development plans include, but are not limited to, commercial, office, institutional, and industrial development.

Review requirements.

(a) *Preapplication.* The applicant may schedule a presubmittal meeting with the county administrator or designee to discuss the application, the procedures for review and approval, and the applicable regulations and requirements for the review type. The county administrator or designee may modify or eliminate any required information submittals, after documentation, based upon consideration of the complexity of the proposed site and development plan, environmental constraints, existing site conditions, or other relevant submittal items required for review and approval of site and development plans.

(b) *Application.* The applicant shall select the proposed project's development review track from the options outlined in subsection 10-7.402 5. and proceed accordingly. The applicant shall submit the required site and development plan to the county administrator or designee for distribution to the DRC. Notice of the application shall be as set forth in subsection 10-7.402 6.(d).

(c) *Determination of completeness.* Within ten working days after receipt of the application for site and development plan approval, the county administrator or designee shall determine whether the application contains all require information at the required level of detail; and shall advise the applicant of all areas of deficiency. This notification shall specify the additional information and level of detail required in order to meet the requirements of this section. In the event that an applicant fails to submit the required additional information within 30 calendar days of the date of the notice of deficiency, the county administrator or designee shall consider the application to be withdrawn. The county administrator or designee may grant extensions of up to 30 days at the request of the applicant; provided any such request for an extension is received prior to the expiration of the relevant time period. Upon a determination of completeness, the county administrator or designee shall refer the application to the DRC.

(d) *Public notice of application.* Public notice of the Type B application shall be published consistent with the provisions of [F.S. §] 125.66(4)(b)2. and 3. within seven calendar days of receipt of application and mailed to each property owner, based upon the most current tax rolls in the Office of the Leon County Property Appraiser, owning property within 800 feet of the project and to registered home owners associations and business associations of property within 800 feet of the project. Notice of the application must be prominently posted at the job site. Notice of the application must clearly delineate that an aggrieved or adversely affected person has the right to request a quasi-judicial hearing before a special master, must explain the conditions precedent to the appeal of any development order rendered on the application, and must specify where written procedures can be obtained that describe the process to appeal the decision of the county. Required notices may be provided in combination with other notices.

(e) *DRC meeting notice.* Public notice of the DRC meeting shall be given at least seven calendar days in advance of the meeting by publication in a newspaper of regular and general circulation in the county. In addition, written notice shall be mailed at least five calendar days in advance of the DRC meeting to the current address (based upon the most current tax rolls in the office of the Leon County Property Appraiser) of each property owner within 800 feet of the project and to registered neighborhood and business associations of property located within 800 feet of the project. Notices shall advise such persons of the application, and specify that the application will be reviewed by staff at a public DRC meeting and provide the date, time, and place of that meeting. The public notice shall also advise that no testimony may be heard by the DRC at their meeting since it is an administrative review and not subject to quasi-judicial provisions. Notices must state that an aggrieved or adversely affected person has the right to request a quasi-judicial hearing, and must also include a statement that, as a condition precedent to filing an appeal, one must submit written comments regarding the application to the clerk of the DRC prior to the adjournment of the DRC meeting at which the written preliminary decision on the development application is made. Required notices may be provided in combination with other notices.

(f) *DRC meetings.* No testimony shall be received from any applicant or member of the public during the course of the DRC meeting, although written comments may be provided to the DRC and the meetings shall be open to public attendance. Each member of the DRC is responsible for providing proposed written findings which identify whether a development meets the applicable criteria and standards of this chapter and those imposed by other applicable ordinances, regulations and/or adopted standards of the county. The proposed written findings shall be transmitted to other members of the DRC, the applicant, and made available for public inspection at least one working day prior to consideration by the DRC. The proposed written findings shall be the basis for a recommendation by each DRC member for the DRC as a whole to issue a written preliminary decision to approve, approve with conditions, or deny the application. Absent a written preliminary decision, the DRC may continue consideration of an application to a date and time certain.

(g) *DRC review.* The DRC shall review the application at any scheduled meeting, and shall prepare and submit to the county administrator or designee a written preliminary decision including an itemized list of findings of fact which support the preliminary decision of approval, approval with conditions, or denial of the application; or shall request additional material and data determined to be necessary to undertake

the required review and continue its review to a date and time certain. Within five calendar days of the decision, notice of the written preliminary decision shall be provided to the applicant and persons who submitted written comments, provided the person's mailing address is readily ascertainable on the face of the written comments provided. The written preliminary decision of the DRC shall include a statement that an aggrieved or adversely affected person may request a quasi-judicial hearing pursuant to paragraph (h) herein.

(h) *Conditional approval.* Subsequent to the action of the DRC to approve a Type B site and development plan subject to conditions, the applicant shall furnish for review and verification by the DRC or their designee, a revised site and development plan application, demonstrating compliance with all conditions. The revised site and development plan shall be submitted to the DRC or their designee within 90 days of the date of approval entity's action; however, the applicant may, upon demonstration of good faith effort and hardship that is not self-created, be granted a 90-day extension by the DRC or designee. Subsequent 90-day extensions may be requested and granted, based on the same criteria. Failure to comply with these time limits shall render the site and development plan application approval expired.

(i) *Appeals.* The written preliminary decision of the DRC shall become final 15 calendar days after it is rendered unless a person who qualifies as a party, as defined in section 10-7.414, and who has filed written comments with the department of development support and environmental management prior to the adjournment of the meeting at which the decision was rendered files a notice of intent to file an appeal of a decision on a site and development plan application. Subsequent to the filing of a notice of intent, a petition must be filed within 30 calendar days from the date of rendition of the DRC's decision. Petitions shall be made in writing and directed to the clerk of the DRC, and shall include the project name, application number, a description of the facts upon which the decision is challenged, and all allegations of inconsistency with the Comprehensive Plan and land development regulations, and any argument in support thereof. Failure to file both a notice of intent and a petition is jurisdictional and will result in a waiver of the hearing. Hearings before a special master will be conducted in accordance with the procedures outlined in section[s] 10-7.414 and 10-7.415

(Ord. No. 07-20, § 2, 7-10-07; Ord. No. 08-03, § 17, 1-29-08; Ord. No. 08-23, § 5, 11-25-08; Ord. No. 10-28, § 3, 10-12-10; Ord. No. 11-01, § 3, 1-18-11; Ord. No. 11-23, § 3, 10-11-11; Ord. No. 14-10, § 31, 6-10-14)

Sec. 10-7.407. - Site and development plan review criteria.

In deciding whether to approve, approve with conditions, or deny a site and development plan application, the county shall determine:

1. Whether the applicable zoning standards and requirements have been met.
2. Whether the applicable provisions of the Environmental Management Act have been met.
3. Whether the requirements of this chapter and other applicable regulations or ordinances which impose specific requirements on-site and development plans and development have been met.

(Ord. No. 07-20, § 2, 7-10-07)

Sec. 10-7.414. - Procedures for quasi-judicial hearings before a special master.

(A) *Appointment of a special master.* From time to time the Board of County Commissioners shall appoint and retain special masters or shall contract with the Florida Division of Administrative Hearings for administrative law judges to conduct quasi-judicial proceedings regarding site and development plan applications. Each special master shall be a licensed attorney with the Florida Bar who has practiced law in Florida for at least five years, and who has experience in land use law, real estate law, local governmental law, or administrative law. None of the special masters or the law firms with which they may be associated shall be representing clients before any agency of the county government or any agency of any municipality in the county during the period in which they serve as special master.

(B) *Term, compensation.* Each special master appointed and retained by the Board of County Commissioners shall serve at the pleasure of the board and shall be compensated at a rate or rates to be fixed by the board.

(C) *Ex parte communication.*

(i) No county employee, elected official, or other person who is or may become a party to a proceeding before a special master shall engage in an ex parte communication with the special master. However, the foregoing does not prohibit discussions between the special master and county staff that pertain solely to scheduling and other administrative matters unrelated to the merits of the matter before the special master.

(ii) If a person engages in an ex parte communication with the special master, the special master shall place on the record of the pending case all ex parte written communications received, all written responses to such communications, a memorandum stating the substance of all oral communications received and all oral responses made, and shall provide the memorandum to all parties and advise all parties that such matters have been placed on the record. Any party desiring to rebut the ex parte communication shall be entitled to do so, but only if such party requests the opportunity for rebuttal within ten days after receipt of notice of such communication. If the special master deems it necessary due to the effect of an ex parte communication, the special master may withdraw from the case.

(iii) After the filing of a notice of intent, no party to the hearing may engage in any ex parte communication with a member of the Board of County Commissioners regarding the pending application for site and development plan or the issues in the pending hearing.

(D) *Prohibition from acting as agent or attorney for subject matter.* A special master, and any firm with which he or she is or may become associated, is prohibited for a period of three years, after issuance of the decision on the application which was the subject of a quasi-judicial hearing in which he or

she presided, from acting as an agent or attorney on any matter involving property which was the subject of the proceeding in which the special master hearing officer presided. Violations of this subsection shall be prosecuted in the manner provided by general law.

(E) *Timeliness of requests for quasi-judicial hearings and standing determinations.* All determinations on the timeliness of notices of intent and petitions and all determinations of standing will be made by the special master.

(F) *Standing.* Parties to the proceedings shall be limited to the county, the applicant, and any aggrieved or adversely affected person who has timely filed both a notice of appeal and a petition to challenge a development order. The term "aggrieved or adversely affected party" shall mean any person or local government that will suffer an adverse effect to an interest protected or furthered by the local government Comprehensive Plan, including interests related to health and safety, police and fire protection service systems, densities or intensities of development, health care facilities, equipment or services, and environment or natural resources. The alleged adverse interest may be shared in common with other members of the community at large but must exceed in degree the general interest in community good shared by all persons.

(G) *Powers of special masters.* The special masters who conduct quasi-judicial proceedings pursuant to this section shall have the powers of special masters enumerated in F.S. § 120.569(2)(f), as well as to issue other orders regarding the conduct of the proceedings and the power to compel entry upon the land that is subject to the application at issue.

(H) *Mediation.* Parties are encouraged to agree to formal mediation when an appeal is filed pursuant to this article. If agreed upon, mediation shall be completed within 45 calendar days of the filing of the petition, unless extended by stipulation of the parties to the appeal. Such mediation shall be conducted in accordance with the Florida Rules of Civil Procedures regarding mediation, and the county appellate proceedings shall run concurrent with mediation.

(I) *Prehearing requirements.* At least seven days prior to the date set for the hearing, the parties shall exchange a list of names and addresses of witnesses planned to testify at the hearing, and a list of exhibits planned to be introduced at the hearing, as well as produce the physical exhibits for inspection by the parties. Each party is entitled to depose witnesses scheduled to testify at the final hearing.

(J) *Hearings.*

(i) All hearings shall be commenced within 60 calendar days of the date the petition was filed. Requests for continuance by any party, either before or during the hearing, may be considered and granted upon good cause shown.

(ii) All hearings shall be open to the public and shall be advertised in a newspaper of general circulation not less than 15 calendar days to the date of the hearing.

(iii) The participants before the special master shall be the applicant, the applicant's witnesses, if any, county staff, and other parties as the term "party" is defined in this section, and witnesses of the parties, if any, and members of the public desiring to enter comments pursuant to subparagraph (v)d. of this section. Any party who is not the applicant or county staff who participates at the hearing shall provide his or her mailing address to the special master.

(iv) Testimony and evidence shall be limited to matters directly relating to the application and development. Irrelevant, immaterial or unduly repetitious testimony or evidence may be excluded.

(v) All testimony shall be under oath. The order of presentation of testimony and evidence shall be as follows:

a. The party challenging the DRC's written preliminary recommendation and his or her witnesses, if any.

b. The applicant, if not the party challenging the DRC's written preliminary decision, and the applicant's witnesses, if any.

c. The county, and its witnesses, if any, including county staff.

d. Comments by members of the public, if any.

(vi) To the maximum extent practicable, the hearings shall be informal. All parties shall have the opportunity to respond, to present evidence and argument on all issues involved which are related to the development order, and to conduct cross-examination and submit rebuttal evidence. During cross examination of witnesses, questioning shall be confined as closely as possible to the scope of direct testimony. The special master may call and question witnesses or request additional evidence as he or she deems necessary and appropriate. To that end, if during the hearing the special master believes that any facts, claims, or allegations necessitate review and response by any party or parties, then the special master may order the hearing continued until a date certain, but no longer than 15 days after the start of the hearing. The special master shall decide all questions of procedure and standing.

(vii) The standard of review applied by the special master in determining whether a proposed development order is consistent with the Comprehensive Plan shall be strict scrutiny in accordance with Florida law. The standard of review to determine whether the proposed development order is consistent with applicable Land Development Regulations shall be in accordance with Florida law.

(viii) The special master shall render a recommended order on the application to the Board of County Commissioners within 30 calendar days after the hearing concludes, unless the parties waive the time requirement. The recommended order shall contain written findings of fact, conclusions of law, and a recommendation to approve, approve with conditions, or deny the application. A copy of the recommended order shall be served on all parties and any member of the public who participated at the hearing. Service of copies may be made by electronic communication.

(K) *[Exceptions.]* The parties shall have ten calendar days from the date of the recommended order is served to file specific, written exceptions to the recommended order with the clerk of the Board of County Commissioners. Exceptions shall include appropriate references to the record before the special master.

(L) *Action by Board of County Commissioners.* Upon receipt of the special master's recommended order, the board shall take up the matter pursuant to section 10-7.415 of this Code.

(Ord. No. 07-20, § 2, 7-10-07; Ord. No. 11-01, § 5, 1-18-11; Ord. No. 11-23, § 5, 10-11-11)

Editor's note— Section 5 of Ord. No. 11-23, adopted Oct. 11, 2011, changed the title of § 10-7.414 from "Procedures for hearings before a special master" to "Procedures for quasi-judicial hearings before a special master."

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 multifamily development shall be designed to require vehicular and pedestrian cross access to adjacent commercial, office, multifamily, 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 paragraphs (2)(e)(i) and (2)(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 paragraphs (2)(e)(i) and (2)(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, multifamily, 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.

(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 off-site 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 paragraphs (b)(2)a. and b. above do not apply if it is demonstrated, as determined by the development review comm 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. New residential lots created pursuant to subsection 10-6.617(a)(4) may have direct driveway access to a major collector or arterial roadway as long as the adverse impacts to the transportation network are mitigated as provided in subsection 10-6.617(a)(4).

(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 dedicated to the public without the express approval of Leon County Commission and the owners of two-thirds of the other lots within that sub

(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 multifamily, 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 four-inch by four-inch and extend at least six 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.

(Ord. No. 07-20, § 2, 7-10-07; Ord. No. 08-03, § 19, 1-29-08; Ord. No. 09-20, § 7, 7-14-09; Ord. No. 10-08, § 8, 3-23-10; Ord. No. 17-01 , § 14, 1-24-17)

Sec. 10-7.505. - General principles of design relating to impacts on nearby streets and property owners.

Each development shall be designed to:

(1) Be as compatible as practical with nearby development and characteristics of the land.

(2) Minimize adverse environmental impacts both on-site and off-site.

(3) Provide boundary buffers between the proposed development and differing land uses on abutting property as required by article IV.

(4) Reduce any adverse environmental and visual impact of parking lots by buffer fences or retaining natural vegetation and trees, or providing landscaping along the edges and within the parking lot.

(5) Provide fencing and vegetative screens in locations where potential health or safety hazards may arise, such as, but not limited to, waste storage or collection areas, stormwater ponds, sewage treatment facilities, and immobile exposed machinery.

(6) Maintain roadside trees, which are important to the character of the county, through careful siting of buildings, parking lots and access points.

(7) In rural areas, control the height, location and intensity of lighting to maintain rural character and to prevent undue amounts of light shining beyond the development onto abutting properties.

(8) Site buildings, parking lots, and other structures by taking into account the topography of the site and avoiding development in environmentally sensitive areas where feasible.

(9) Take into account the local Comprehensive Plan's goals, objectives and policies regarding affordable housing.

(10) Preserve open space and provide recreational opportunities including pedestrian and bike paths where appropriate to the type of development.

(11) Provide in accordance with this article for the ongoing operation and maintenance of supporting infrastructure which will remain in private ownership.

(Ord. No. 07-20, § 2, 7-10-07)

Sec. 10-7.521. - Stormwater management.

Swales or other nonstructural means to direct stormwater may be used in developable areas. The storm drainage and surface water drainage system used shall be installed in accordance with Article IV and other requirements and specifications of the county.

(Ord. No. 07-20, § 2, 7-10-07)

Sec. 10-7.522. - Buffer zone standards.

(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																							
EXISTING DEVELOPMENT		PROPOSED DEVELOPMENT Land Use Code Number																					
		NONURBAN			RESIDENTIAL					COMMERCIAL					OFFICE USES				INDUSTRIAL			
L/U Code Number	Land Use Activity	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21
	NONURBAN LAND USES																					
1	Agriculture	NR	NR	NR	A	A	A	A	A	NR	NR	NR	NR	NR	NR	NR	NR	NR	NR	NR	NR	NR
2	Commercial forestry	NR	NR	NR	A	A	A	A	A	NR	NR	NR	NR	NR	NR	NR	NR	NR	NR	NR	NR	NR
3	Mining	NR	NR	NR	D	D	D	D	D	B	B	B	B	B	C	C	C	C	B	C	NA	B
	RESIDENTIAL LAND USES																					
4	Single-family detached	NR	NR	D	A[1]	A	B	B	C	B	C	C	D	B	A	B	A	B	C	D	D	D
5	Two-family, attached; duplexes	NR	NR	D	A	NR	B	B	B	B	C	C	D	B	A	B	A	B	C	D	D	D
6	Townhouse; single-family attached	NR	NR	D	B	B	NR	B	C	B	C	C	D	B	A	B	A	B	C	C	D	D
7	Multifamily	NR	NR	D	B	B	B	NR	C	B	B	C	C	B	A	B	A	B	C	D	D	D

8	Manufactured mobile home park	NR	NR	D	B	B	B	C	NR	B	B	C	C	B	A	B	A	B	C	D	D	D
	COMMERCIAL LAND USES																					
9	<20,000 sf	NR	NR	B	B	B	B	B	B	NR	NR	NR	NR	NR	NR	A	NR	NR	B	B	C	B
10	20,000—100,000 sf	NR	NR	B	B	B	B	B	B	NR	NR	NR	NR	NR	NR	B	NR	NR	B	B	C	B
11	100,000—200,000 sf	NR	NR	B	B	B	B	B	B	NR	NR	NR	NR	NR	NR	B	NR	NR	B	B	C	B
12	200,000—1,000,000 sf	NR	NR	B	B	B	B	B	B	NR	NR	NR	NR	NR	NR	C	NR	NR	B	B	C	B
13	Retail w/ outside storage, notwithstanding square feet	NR	NR	B	D	D	D	D	D	B	B	B	B	B	B	B	A	A	NR	C	C	A
	OFFICE AND PERSONAL SERVICES LAND USES																					
14	Minor offices	NR	NR	B	B	B	B	B	B	NR	NR	NR	NR	NR	NR	NR	NR	NR	B	B	C	B
15	Office park	NR	NR	B	B	B	B	B	B	A	B	B	C	B	NR	NR	NR	NR	B	B	C	B
	Office buildings																					
16	Personal services	NR	NR	B	B	B	B	B	B	NR	NR	NR	NR	NR	NR	NR	NR	NR	B	B	C	B
17	Major	NR	NR	B	B	B	B	B	B	NR	NR	NR	NR	NR	NR	NR	NR	NR	A	B	C	B
	HEAVY COMMERCIAL/INDUSTRIAL LAND USES																					
18	Warehousing/distribution	NR	NR	B	D	D	D	D	D	B	B	B	B	B	B	B	A	A	NR	A	C	A
19	Light industrial	NR	NR	C	D	D	D	D	D	B	B	B	B	B	B	B	A	B	A	NR	C	A
20	Heavy industrial/heavy infrastructure	NR	NR	NA	D	D	D	D	D	C	C	C	C	C	C	D	B	C	B	C	NR	B
21	Transportation/ utilities	NR	NR	B	D	D	D	D	D	B	B	B	B	B	B	B	A	B	A	C	B	NR
	COMMUNITY SERVICE FACILITIES AND INSTITUTIONAL USES																					
22	Elementary and/or secondary schools	NR	NR	D	D[2]	D[2]	D[2]	D[2]	D[2]	B	B	B	B	B	B	B	B	B	B	B	B	B

KEY:

A, B, C, and D indicate accompanying Landscape Standards that must be used.

NR indicates that no buffering is required.

[1] indicates that no buffering is required, except when the proposed development is adjoining a single-family detached dwelling unit located within the RP zoning district, whereupon, the proposed development must provide buffering meeting no less than the Type A landscape standard.

[2] indicates that a ten-foot Type "B" buffer with an eight-foot (height) opaque wooden fence may be utilized as an alternative for a required Type "D" buffer. Expansions to existing schools that do not qualify for a major modification, pursuant to section 10-7.411, shall not be subject to the buffer zone standards.

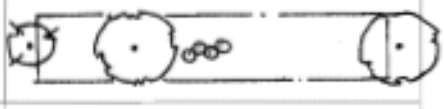
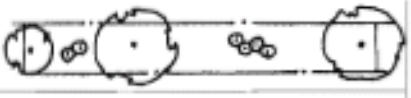
NOTES: To determine the required buffer:

(1) Locate "Existing" adjacent use on left side of table;

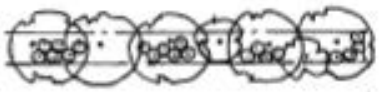
(2) Locate "Land Use Code Number" of proposed use at top of table;

(3) Read down in row of Existing Adjacent Use in final buffer requirement.

TYPE "A" LANDSCAPE BUFFER

PLANT MATERIAL REQUIRED PER 100' OF LANDSCAPE BUFFER	MINIMUM BUFFER WIDTH	ILLUSTRATION
1.2 CANOPY 0.4 UNDERSTORY 4 SHRUBS	20'	
1.8 CANOPY 0.6 UNDERSTORY 6 SHRUBS	15'	
2.4 CANOPY 0.8 UNDERSTORY 8 SHRUBS	10'	

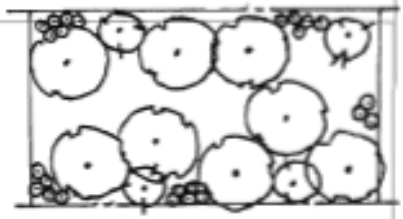
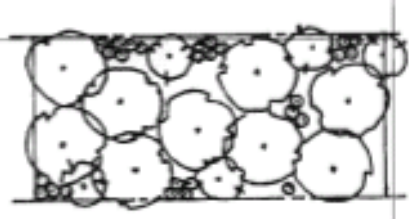
TYPE "B" LANDSCAPE BUFFER

PLANT MATERIAL REQUIRED PER 100' OF LANDSCAPE BUFFER	MINIMUM BUFFER WIDTH	ILLUSTRATION
3.5 CANOPY 1.4 UNDERSTORY 14 SHRUBS	25'	
4 CANOPY 1.6 UNDERSTORY 16 SHRUBS	20'	
4.5 CANOPY 1.8 UNDERSTORY 18 SHRUBS	15'	
5 CANOPY 2 UNDERSTORY 20 SHRUBS	10'	

TYPE "C" LANDSCAPE BUFFER

PLANT MATERIAL REQUIRED PER 100' OF LANDSCAPE BUFFER	MINIMUM BUFFER WIDTH	ILLUSTRATION
4.8 CANOPY 2.4 UNDERSTORY 19 SHRUBS	35'	
5.4 CANOPY 2.7 UNDERSTORY 22 SHRUBS	30'	
6 CANOPY 3 UNDERSTORY 24 SHRUBS	25'	
6.6 CANOPY 3.3 UNDERSTORY 28 SHRUBS	20'	

TYPE "D" LANDSCAPE BUFFER

PLANT MATERIAL REQUIRED PER 100' OF LANDSCAPE BUFFER	MINIMUM BUFFER WIDTH	ILLUSTRATION
8 CANOPY 4 UNDERSTORY 24 SHRUBS	60'	
9 CANOPY 4.5 UNDERSTORY 27 SHRUBS	50'	
10 CANOPY 5 UNDERSTORY 30 SHRUBS	40'	
12 CANOPY 6 UNDERSTORY 36 SHRUBS	30'	

(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 nonresidential 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 requirements. 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.

(Ord. No. 07-20, § 2, 7-10-07; Ord. No. 08-03, § 18, 1-29-08; Ord. No. 09-20, § 8, 7-14-09; Ord. No. 13-06, § 13, 3-12-13; Ord. No. 16-07 , § 18, 5-10-16; Ord. No. 17-01 , § 16, 1-24-17)

Sec. 10-7.523. - Public water supply.

(a) Potable water facilities, where required, shall be installed in accordance with standards, specifications, and policies of the county and the service provider except in the urban service area, where such facilities shall be installed in accordance with standards and specifications at least equal to those of the City of Tallahassee for water quality.

(b) New potable water service, within the urban service areas, shall be provided in a manner which promotes orderly, compact urban and cost efficient growth, and prevents leapfrog development, while optimizing the use of existing facilities.

(c) Connection and user fees shall be set at levels sufficient to equitably finance the water infrastructure projects in the capital improvements element of the Comprehensive Plan where "equitably" is defined as users paying their fair share of infrastructure projects.

(d) On or after May 1, 1993, all new developments within the urban service area shall be required to connect to a central water system, if such system is made available within 1,000 feet of the subject property along an existing right-of-way or easement or proposed dedicated right-of-way or easement and within 180 days of the approval of the site and development plan, or issuance of development order, whichever comes first; or within 365 days if right-of-way or easements must be acquired to accomplish the extension. The City of Tallahassee within its franchise area and the public works department in all other unincorporated portions of the urban service area shall determine based on the above criteria, whether central water service is available and shall require a developer to finance, design, and build an off-site extension to serve a proposed development in order to meet the 180 or 365-day availability criteria.

If the system is not available as defined in the above paragraph, then the property owner shall be allowed to install private wells on individual lots, or community water system with central well(s) and distribution systems for potable water on no less than one-half acre lots. If a community water system is within the City of Tallahassee franchise area, upon completion of the construction of a central well(s) for a community water system, it shall be dedicated to the city, and the city shall then be responsible for its operation. The distribution system associated with such community water system shall be constructed and then dedicated to the city in the same manner as any other distribution system in the city system.

(Ord. No. 07-20, § 2, 7-10-07)

Sec. 10-7.524. - Public sanitary sewer or on-site sewage disposal systems.

(a) Sanitary sewer facilities shall be installed in accordance with the requirements, policies, and specifications of the county and service provider and those treatment standards of the Florida Department of Environmental Regulation. On-site sewage disposal systems shall be installed in accordance with the requirements, policies and specifications of the county.

(b) Needed sanitary sewer facilities will be provided in a manner which promotes orderly, compact urban and cost efficient growth while optimizing the use of existing facilities.

(c) In the urban fringe and the rural land use categories, package plants can only be constructed to serve:

(1) Environmental problem areas; or

(2) Allowable industrial activities; or

(3) Community services.

(d) Heavy infrastructure facilities which do not generate a demand for central sanitary sewer service and which are traditionally located far from urban development because of their off-site impacts, shall not be required to have central sanitary sewer service or potable water service. Examples of such uses are waste-to-energy facilities, power generating plants, landfills, sanitary sewer sprayfields, and materials recovery facilities.

(e) In this section "heavy infrastructure" shall mean government operational facilities which have significant off-site impacts. "Heavy infrastructure" shall include such facilities operated by semi-public or private utility providers. These facilities shall include but are not limited to:

(1) Waste-to-energy facilities.

(2) Materials recovery facilities.

(3) Sanitary sewer sprayfields.

(4) Sanitary sewer percolation ponds.

(5) Sewage treatment plants.

(6) Airports.

(7) Electric generating facilities.

(8) Landfill.

(9) Sludge disposal facilities.

(10) Incinerators.

(11) Correctional facilities.

(12) Water treatment plants.

(13) Outdoor storage facilities.

(14) Vehicle maintenance facilities.

(15) Solid waste transfer station.

(f) Connection and user fees shall be set at levels sufficient to equitably finance the sewer infrastructure projects in the CIE where "equitably" is defined as users paying their fair share of the infrastructure projects.

(g) On or after May 1, 1993, all developments within the urban service area shall be required to connect to a central sewer system, if such system is made available within 1,000 feet of the subject property along an existing right-of-way or easement or proposed dedicated right-of-way or easement and within 180 days of the approval of the site and development plan, or issuance of development order, whichever comes first; or within 365 days if right-of-way or easements must be acquired to accomplish the extension. The City of Tallahassee within its franchise area and the public works department in all other unincorporated portions of the urban service area shall determine based on the above criteria whether central sewer service is available and shall require a developer to finance, design, and build an off-site extension to serve a proposed development in order to meet the 180 or 365-day availability criteria.

If the system is not available as defined in the above paragraph, then the property owner shall be allowed to install septic tanks on no less than one-half acre lots, or construct a small wastewater treatment facility. Any such wastewater treatment facility shall be constructed by the developer and designed to meet DER treatment standards. Such design and construction cost shall be borne exclusively by the developer. If such facility is within the City of Tallahassee franchise area, upon completion of the construction of the facility, it shall be dedicated to the city, and the city shall then be responsible for its operation. By the year 2010, within the City of Tallahassee franchise area, the city shall be obligated to connect any wastewater treatment facilities authorized by this section to its central wastewater treatment system. The distribution or collection system associated with such treatment facility shall be constructed and then dedicated to the city in the same manner as any other distribution or collection system in the city system.

Any land developed within the City of Tallahassee franchise area in the urban service area with septic tanks under this provision at a residential development level of seven units or more with lots smaller than one acre, or a nonresidential development that is estimated to generate a wastewater flow of 900 gallons or less per day, will be subject to:

a. Payment of city system charges.

b. Dedicating easements/rights-of-way for future installation of water and sewer lines.

c. Connecting to central water and sewer service, when it is available.

d. County assessment of the on-site water and sewer installation costs within the area at the time the provider is ready to provide the water and/or sewer service.

e. A requirement that the developer include a deed restriction requiring the property owner to connect to central water and sewer as well as a notice to the buyer of lots in the subdivision.

No nonresidential development that is estimated to generate a wastewater flow of 900 gallons or more per day, except community facilities as authorized in Policy 2.1.3[SS] of the Comprehensive Plan, shall be allowed to be developed with septic tanks under this section.

(Ord. No. 07-20, § 2, 7-10-07; Ord. No. 12-01, § 4, 1-24-12; Ord. No. 13-06, § 14, 3-12-13)

Sec. 10-7.526. - Electric service.

All development approved pursuant to this article shall be provided with electrical services prior to the issuance of certificate of occupancy. Electrical service shall be installed and necessary easements provided in accordance with the requirements, policies, and specifications of the service provider.

(Ord. No. 07-20, § 2, 7-10-07)

Sec. 10-7.527. - Fire protection facilities.

(a) All development approved pursuant to this article which is within the urban fringe which are served by public water supply systems of sufficient size and water pressure to serve hydrants shall also be required to afford fire protection by means of hydrants installed in accordance with the requirements and specifications of the county and the service provider. The service provider shall determine the number, placement, and location of fire hydrants.

(b) All development approved pursuant to this article which is within the Urban service area shall be required to afford fire protection by means of hydrant placement and fire flow in accordance with the requirements and specifications of the City of Tallahassee.

(Ord. No. 07-20, § 2, 7-10-07)

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 section 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 subsection 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; Ord. No. 15-10 , § 3, 7-7-15)

Sec. 10-7.545. - Number of off-street parking spaces.

(a) The standard number of off-street parking spaces required for specific land uses is established in schedule 6-2, below. The actual number of parking spaces provided in association with any proposed use may, at the developer's discretion, be equivalent to a range of number of parking spaces based upon the zoning district in which the development is located, pursuant to the following table:

Zoning District	**Allowed Number of Parking Spaces**
R, UF, LTRUF, RC, WC, LP, RP, RA, OS, OA-1	95%—100% of standard in schedule 6-2; up to 5% may be allowed over the standard, but shall be of an approved pervious material.
R1, R2, R3, R4, R5, OR-1, MH, MCR	85%—100% of standard in schedule 6-2; up to 10% may be allowed over the standard, but shall be of an approved pervious material.
OR-2, MR-1, C-1, BC-1, BOR, M-1, I, MCN, NBO	80%—100% of standard in Schedule 6-2; up to 15% may be allowed over the standard, but shall be of an approved pervious material.

AC, BC-2, BCS, OR-3, CM, C-2, CP, IC, UP-1, UP-2, LPN	75%—100% of standard in schedule 6-2; up to 15% may be allowed over the standard, but shall be of an approved pervious material.
DRI, PUD	Development-specific schedule to be included in approved development application.

Any deviation from the range of required parking established within the table above, would require approval or approval with conditions by the parking standards committee.

Surface parking areas in excess of the standard identified in schedule 6-2 of this division shall be of an approved pervious material, unless determined that pervious material would be more damaging to the environment or would not comply with accessibility requirements.

SCHEDULE 6-2

Required Parking Spaces

	Use	Minimum Off-Street Parking Requirement	Ratio of Full Size to Compact Parking Spaces (Full/Compact)	Required Bicycle Spaces	Notes
			RESIDENTIAL		
1.	Conventional detached	1,2 and 3 bedrooms: 1.5 spaces/unit* ** 4 bedrooms: 2 spaces/unit* **	100/0	0	* If on-street parking is not permitted or is restricted on the unit's street frontage, then 1 visitor parking space shall be required. The visitor space shall be located not more than 100 feet from the unit's street frontage. ** Resident parking spaces may be tandem.
2.	Cluster/multifamily development: -Resident parking*	1 Studio/bedroom: 1 space/unit 2, 3 or more bedrooms: 1.5 spaces/unit	100/0	0.10 per required parking space	* Resident parking spaces may be tandem. ** On-street parking provided in accordance with the dimensions required for parallel spaces may count toward visitor parking requirements. These spaces must be located within the maximum distances specified in section 10-7.544(d)(2).
	Visitor parking**	0.5 space/unit	50/50		
3.	Housing for the elderly	To be determined by the parking standards committee*			* Developer shall submit a parking study.

4.	Mobile home parks				* Resident parking spaces may be tandem.
	-Resident parking*	1.5 spaces/unit	100/0	0	
	-Visitor parking**	0.25 spaces/unit	50/50		** On-street parking provided in accordance with the dimensions required for parallel spaces may count toward fulfilling visitor parking requirements. These spaces must be located within the maximum distances specified in section 10-7.544(d)(2).
			COMMERCIAL		
5.	Uses located in commercial shopping centers	1 space/350 square feet of gross floor area	70/30	0.10 per required parking space	
6.	Auto repair/service station	2 per service bay plus 1 per 2,000 square feet of gross floor area	70/30	0	
7.	Auto sales	1 space/400 square feet of gross floor area*	70/30	0	* Areas for vehicle display shall utilize pervious material to the greatest extent possible.
8.	Auto washing	1 space/washing stall	70/30	0	
9.	Barbershops or beauty parlors	1 space/250 square feet of gross floor area	70/30	0.10 per required parking space	
10.	Bank, savings and loan	1 space/400 square feet of gross floor area	70/30	0.10 per required parking space	
11.	Hotel, motel	.75 space per unit	70/30	0	
12.	Lumberyards, nurseries	1 space/350 square feet of gross floor area for retail sales plus 1 space/2,000 square feet of outdoor area devoted to displays and storage	70/30	2	
13.	Offices:			0.10 per required parking space	* For on-site parking facilities containing 1,000 or more parking spaces, the parking requirement shall be 1 space per 500 square feet of gross floor area for parking spaces required in excess of 1,000.
	-Administrative business and professional	1 space/350 square feet of gross floor area*	50/10		

	- Government	1 space/350 square feet of gross floor area*	50/50	0.05 per required parking space	
14.	Restaurants: -All restaurants except fast food	1 space/200 gross square feet of floor area up to 6,000 gross square feet plus 1 space/150 gross square feet of floor area over 6,000 square feet	70/30	0.10 per required parking space	
	-Fast food restaurant	1 space/350 square feet of gross floor area	70/30	0.25 per required parking space	
15.	Retail, general (i.e. department stores, markets, etc.)	1 space/350 square feet of gross floor area	70/30	0.10 per required parking space	
16.	Retail, furniture and appliance	1 space/1000 square feet of gross floor area	70/30	0.05 per required parking area	
17.	Elementary and junior high schools	1.5 spaces/classroom	70/30	5.00 per required parking space*	* Bicycle spaces for teachers and visitors should be separate from spaces for students.
18.	Senior high schools	3.25 spaces/classroom	70/30	2.50 per required parking space	
19.	Colleges	3.25 spaces/classroom	70/30	3.00 per required parking space	
20.	Convenience food stores	1 space/300 square feet of gross floor area	70/30	0.10 per required parking space	
HEALTH SERVICES					
21.	Convalescent and nursing homes	1 space/4 beds	70/30	0.10 per required parking space	
22.	Medical and dental offices and clinics, veterinary hospitals and clinics	1 space/250 square feet of gross floor area	70/30	0.5 per required parking space	
INDUSTRIAL USES					

23.	Manufacturing	1 space/750 square feet of gross floor area devoted to manufacturing for the first 20,000 square feet plus the required parking for area devoted to other uses; 1 space/2,000 square feet for the second 20,000 square feet. 1 space/4,000 square feet for floor area in excess of 40,000 square feet	50/50	0.10 per required parking space	
24.	Warehouse	1 space/1,000 square feet of gross floor area for the first 20,000 square feet devoted to warehousing plus the required footage devoted to other uses. 1 space/2,000 square feet for the second 20,000 square feet. 1 space/4,000 square feet for floor area in excess of 40,000 square feet	50/50	.05 per required parking space	
25.	Reserved				
			ENTERTAINMENT AND RECREATION		
26.	Arcades, games	1 space/300 square feet of gross floor area	70/30	0.20 per required parking space	
27.	Bowling alleys, billiard halls	3 spaces/alley plus 1.5 for each billiard table plus required parking for other uses on the site	70/30	0.20 per required parking space	
28.	Commercial stables	1 space/5 stalls boarded on the site	70/30	0.10 per required parking space	
29.	Driving range (golf)	1 space/tee plus required parking for any other uses on the site	70/30	0.10 per required parking space	
30.	Golf course (regulation)	5 spaces/hole plus required parking for any other uses on the site	70/30	0.10 per required parking space	
31.	Miniature golf	1 space/3 holes plus required parking for any other uses on the site	70/30	0.10 per required parking space	

32.	Parks (public or private)	To be determined by the parking standards committee*	70/30		* Developer must submit a parking study.
33.	Skating rinks	1 space/300 square feet of gross floor area	70/30	0.25 per required parking space	
34.	Tennis, handball and racquetball facilities	2 spaces/court plus required parking for additional uses on the site	70/30	0.25 per required parking space	
35.	Health club	1 space/ 200 square feet of gross floor area*	70/30	0.25 per required parking space	* Swimming pool shall be counted as floor area.
36.	Theaters, movies: - Single screen	1 space/4 seats	70/30	0.10 per required parking space	
	-Multiscreen	1 space/4 seats			
			MISCELLANEOUS		
37.	Auditoriums	1 space/200 square feet of gross floor area	70/30	0.10 per required parking space	
38.	Churches and other spaces of public assembly	1 space/200 square feet of chapel, sanctuary or assembly area*	70/30	0.10 per required parking space	* May be all pervious material unless determined by parking standards committee to require impervious parking
39.	Day care, preschools, nursery schools	1 space/300 square feet of gross floor area, if adequate drop-off facilities are provided*	70/30	0.10 per required parking space	* Drop-off facilities must be designed to accommodate a continuous flow of passenger vehicles to load and unload children safely. The adequacy of drop-off facilities shall be determined by the transportation engineer based on standard traffic safety principles.
40.	Model home	2 spaces/model home plus 1 space/salesperson * **	100/0	0	* Salesperson space may be a vacant garage space in the model home. ** On-street parking adjacent to the site frontage may count toward fulfilling required parking if doing so does not produce a shortage or residential parking or obstruct traffic.

41.	Utilities	To be determined by the parking standards committee*			* Developer must submit a parking study.
42.	Libraries	To be determined by the parking standards committee*	70/30	0.20 per required parking space	* Developer must submit a parking study.

(b) For any use not listed in schedule 6-2, the county administrator or designee, upon review of the proposed use, shall specify the required number of loading spaces to be provided, using generally accepted traffic engineering practices and standards.

(Ord. No. 07-20, § 2, 7-10-07; Ord. No. 08-03, § 21, 1-29-08; Ord. No. 13-25, § 3, 12-10-13; Ord. No. 14-10, § 36, 6-10-14; Ord. No. 17-01 , § 17, 1-24-17)

Sec. 10-7.610. - Plats containing streets and subdivision improvements not dedicated to the public.

1. If a proposed plat contains streets, roads, alleys, rights-of-way, common areas, utility, conservation and drainage or other easements not dedicated to the public, the applicant, prior to plat approval, shall file with the county attorney certified copies of the executed and filed articles of incorporation and the bylaws of a homeowners' or property owners' association, or other corporate entity, together with restrictive covenants applicable to the property, approved by the county attorney as to form, content, and manner of execution, providing enforceable assessment procedures for financing the maintenance of the streets or roads, alleys, rights-of-way, common areas and facilities, utility and drainage or other easements. The plat shall not be submitted to the Board of County Commissioners until the articles, bylaws, and restrictive covenants have been approved as to form and manner of execution by the county attorney. At a minimum, the restrictive covenants shall:

(a) Provide to each lot owner legal access to a public street by way of private streets or roads in the subdivision.

(b) Designate a property owners' association, or other corporate entity, as the responsible agency for maintaining the private streets or roads, drainage facilities, and other facilities specified above which are located within the subdivision.

(c) Establish a procedure requiring such association, or other corporate entity, to assess lot owners a proportionate share of the costs of such maintenance, including repairs and replacements of facilities and the management or protection of common areas including, but not limited to, open spaces, natural areas or environmentally sensitive areas, and enabling it to obtain liens on individual lots for unpaid assessments and to foreclose upon such liens

(d) Provide that lot owners, at all times, shall be allowed to elect all directors of the association, or other corporate entity, on a one-vote-per-lot basis and that the first election shall be held before more than 50 percent of the lots have been sold or deeded away by the developer.

(e) Provide for an award of attorneys' fees to the prevailing party in litigation to require the association, or other corporate entity, to perform its obligations in regard to annual assessments and the maintenance or repair of streets and other common facilities.

(f) Provide for an award of attorneys' fees to the prevailing party in litigation to require the developer to incorporate the association or to perform any other action or obligation imposed on the developer pursuant to the restrictive covenants.

(g) Include a signed estimate prepared by the engineer of record of the reasonably expected annual and total maintenance and replacement costs for private streets or roads and other common area facilities within the subdivision, based upon the life expectancy of the facilities as designed.

(h) Require the developer to deed the private streets or roads, drainage facilities, and other required common area improvements to the property owners' association or other responsible corporate entity before more than 70 percent of the subdivision lots have been sold or deeded away by the developer.

(i) Require the property owners' association, or other corporate entity, to dedicate to public use any street or road in the subdivision whenever two-thirds of the owners of two-thirds of the property abutting such street or road present a signed petition proposing such dedication to the county or a successor local government and such local government agrees to accept for maintenance the subject street or road as a public right-of-way.

(j) Prohibit the property owners' association from dedicating to the public use any street or road in the subdivision unless such dedication is agreed to by two-thirds of the owners of two-thirds of the property abutting such street or road in a signed petition proposing such dedication which is presented to the county or a successor local government and such local government agrees to accept such dedication.

(k) Require at least annual assessments to begin within one year after construction of private streets or roads or other common facilities, which assessments shall include both maintenance costs and a reasonable contribution to a reserve account for future major repairs or replacement.

(l) Permit amendments to the restrictive covenants, and to the corporation's articles and bylaws, by a percentage of the lot owners not less than 66 2/3 percent and not more than 80 percent.

(m) Require that developer-owned lots be subject to that portion of the assessment representing maintenance costs when more than 50 percent of the lots have been sold or deeded away by the developer and to that portion of the assessment representing the contribution to a reserve

account when more than 75 percent of the lots have been sold or deeded away by the developer.

(n) Prohibit the amendment of the required provisions set forth in subsections 10-7.610 1.(a) through 1.(m), above, without the written consent and joinder of the county, which consent and joinder may be given by the county attorney provided the minimum requirements of this section have been fully complied with.

(o) Include an iteration of all restrictions, easements or development conditions which apply to the subdivision.

2. The required restrictive covenants may apply by phase, and may provide for a separate property owners' association or other corporate entity for each phase, when a development is approved by the county to be developed in separate, identifiable phases.

3. The restrictive covenants shall be recorded along with the plat, and a copy thereof shall be provided by the seller of any lot in the subdivision to a prospective buyer prior to execution of a contract for sale and purchase.

4. The owner of any lot in a subdivision having private streets or roads shall, prior to the complete execution of a contract for the purchase and sale of such lot, obtain from the prospective purchaser a signed receipt that a copy of the restrictive covenants applicable to such subdivision has been received, read, and understood. Failure of a seller to provide a copy of the restrictive covenants in advance of complete execution of a contract for purchase and sale shall, unless a signed receipt is obtained from the buyer as provided herein, create a rebuttable presumption that the seller has failed to disclose a fact materially affecting the value of the property.

5. A certified copy of the recorded restrictive covenants for any private street subdivision approved hereunder shall be filed with the county administrator or designee within 30 calendar days after recorded for all recorded subdivisions, or prior to the sale or conveyance of any lot for previously approved but unrecorded subdivisions.

6. The applicant shall post and maintain signs of a size prescribed by the county which designate the streets as: "Streets Not Publicly Maintained."

7. The final plat on its face, in boldface letters, shall contain a statement substantially in the following language:

"All roads, street, common areas and facilities, easements including drainage easements, and rights-of-way providing ingress and egress to the property hereon described, except for the following:(if none, insert none), shall be maintained by _____ and Leon County is not responsible for the maintenance of the above."

8. Private street subdivisions shall have all infrastructure completed prior to plat recordation.

9. The final plat shall contain a dedication executed by the owner or owners of record of the lands subdivided in the same manner in which deeds are required to be executed. In addition, all mortgagees and any other persons, corporations, or entities having a record interest in the lands subdivided shall execute, in the same manner in which deeds are required to be executed, a separate instrument joining in and ratifying the plat and all dedications and reservations thereon. The dedication shall be substantially as follows:

STATE OF FLORIDA

COUNTY OF LEON

Know all persons by these presents that _____ (a corporation organized and existing under the laws of the State of Florida), the owner(s) fee simple of the land shown hereon platted as _____ (name of subdivision) and more particularly described as follows: _____ containing (number) of acres have caused said lands to be divided and subdivided as shown hereon and do hereby dedicate to the perpetual use of _____ (name of entity to which land is dedicated) all _____ (itemize roads, streets, alleys and other rights-of-way and all parks and recreation areas and all easements for utilities, drainage, and other purposes and all purposes incident thereto) as shown and depicted hereon.

_____ (reversionary provision, if applicable).

This the _____ day of _____ , 20 _____ .

_____ _____

Witness Authorized Signature
Developer

Printed Name:_____ Printed Name:_____

_____ _____

Witness Authorized Signature
Mortgagee

Printed Name:_____ Printed Name:_____

Reversionary provision: Reserving, however, the reversion or reversions thereof should the same be renounced, disclaimed, abandoned or the use thereof discontinued as prescribed by law by appropriate official action of the proper officials having charge or jurisdiction thereof.

STATE OF FLORIDA

COUNTY OF LEON

The foregoing instrument was acknowledged before me this _____ day of _____ 20 _____ , by who is personally known to me or who has produced _____ as identification and who did (did not) take an oath.

Signature of Notary/Deputy Clerk

_____

Type or Print Name

This plat conforms to the Site and Development Plan approval provisions made by the Development Review Committee, this _____ day of _____ , 20 _____ .

/s/ _____
County Administrator or designee

Approved by the Board of County Commissioners of Leon County, Florida, this _____ day of _____ , 20 _____ .

/s/ _____
Chairperson

/s/ _____
County Attorney

/s/ _____
County Engineer

Accepted for files and recorded, this _____ day of _____ / _____ / _____ , 20 _____ in Plat Book _____ / _____ / _____ Page _____ / _____ / _____

/s/ _____
Clerk of Circuit Court
Leon County, Florida

(Ord. No. 07-20, § 2, 7-10-07)

STATE OF FLORIDA
DIVISION OF ADMINISTRATIVE HEARINGS

MOORE POND HOMEOWNERS
ASSOCIATION, INC., and
OX BOTTOM MANOR COMMUNITY
ASSOCIATION, INC.,

Petitioners,

vs. CASE NO: 17-5082

GOLDEN OAK LAND GROUP,
LLC, and LEON COUNTY,
FLORIDA,

Respondents.
_____/

COPY

THE DEPOSITION OF: WENDY GREY

AT THE INSTANCE OF: The Petitioners

DATE: October 26, 2017

TIME: Commenced at 2:07 p.m.
Terminated at 4:10 p.m.

PLACE: Law Offices
119 South Monroe Street
Tallahassee, Florida

REPORTED BY: SARAH B. GILROY, RPR, CRR, FPR
sbrinkhoff@comcast.net
Notary Public in and for
the State of Florida at
Large

ACCURATE STENOTYPE REPORTERS, INC.
2894-A Remington Green Lane
Tallahassee, FL 32308
(850) 878-2221

1 APPEARANCES:

2

REPRESENTING THE PETITIONERS:

3

JEREMY V. ANDERSON, ESQUIRE
4 janderson@andersongivens.com
JUSTIN J. GIVENS, ESQUIRE
5 jgivens@andersongivens.com
Anderson Givens
6 Post Office Box 12613
Tallahassee, Florida 32317

7

8 REPRESENTING THE RESPONDENT, GOLDEN OAK:

9 GARY K. HUNTER, JR., ESQUIRE
ghunter@hgslaw.com
10 ERIN J. TILTON, ESQUIRE
etilton@hgslaw.com
11 Hopping Green & Sams
119 South Monroe Street, Suite 300
12 Tallahassee, Florida 32301

13

REPRESENTING THE RESPONDENT, LEON COUNTY:

14

CARLY J. SCHRADER, ESQUIRE
15 cschrader@ngnlaw.com
GREGORY T. STEWART, ESQUIRE
16 gstewart@ngnlaw.com
Nabors Giblin & Nickerson
17 1500 Mahan Drive, Suite 200
Tallahassee, Florida 32308

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I N D E X

WITNESS	PAGE NO.
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(Exhibits attached hereto.)

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B	Resume	10
C	Compatibility analysis	16
D	Portions of comp plan	17
E	Permitting survey	26
F	Portion of BV permit submittal	38
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1 The following deposition of WENDY GREY was taken on
2 oral examination, pursuant to notice, for purposes of
3 discovery, and for use as evidence, and for other uses
4 and purposes as may be permitted by the applicable and
5 governing rules. Reading and signing is not waived.
6 * * *
7 THE COURT REPORTER: Do you solemnly swear or
8 affirm the testimony you are about to give in this
9 cause will be the truth so help you God?
10 THE WITNESS: I do.
11 Thereupon,
12 WENDY GREY
13 the witness herein, having been first duly sworn, was
14 examined and testified as follows:
15 DIRECT EXAMINATION
16 BY MR. ANDERSON:
17 Q I'm Jeremy Anderson. This is my law partner,
18 Justin Givens. We represent Moore Pond Homeowners
19 Association and Ox Bottom Manor Community Association
20 in the action challenging the Brookside residential
21 subdivision.
22 For the purposes of discussion today,
23 references to Brookside Village Residential
24 Subdivision is the same as saying Brookside, Brookside
25 Development, Brookside Village; all of those things

1 mean the same thing.
2 For the purpose of the petitioners; Moore Pond
3 Owners Association, Moore Pond, and Ox Bottom Manner,
4 just Ox Bottom, unless we're referring to another
5 community. And when I say petitioners in general
6 means both.
7 Applicant is Golden Oak. And Leon County
8 would just be Leon County, or the county.
9 Leon County Comprehensive Plan, comprehensive
10 plan, comp plan, Leon County Comprehensive Plan, all
11 those different variations. Land Development Code for
12 Leon County, LDC, or land development code, or even
13 code.
14 All right. Please state your name.
15 A Wendy Grey, W-E-N-D-Y G-R-E-Y.
16 Q What is your address?
17 A My physical address is 1047 Myers Park Drive
18 in Tallahassee, 32301.
19 Q Okay. I forgot, I just remind you you are --
20 you are sworn, so everything is on the record. Your
21 testimony is going to become part of the record.
22 Speak clearly. And I think you're a pro at this;
23 you've done this before. But no verbal answers;
24 everything has to be oral.
25 Our policy is if you need to take a break, let

1 us know. Anybody needs to take a break, just let us
2 know, and we will take a break.
3 All right. So were you retained by the
4 applicant for securing DRC approval of the Brookside
5 project?
6 A I was retained by the applicant of this
7 project, yes.
8 Q And will you be testifying as the expert
9 witness on behalf of the applicant?
10 A Yes.
11 Q Okay. By chance, did you bring a rate sheet
12 or any other information related to your being
13 retained?
14 A There is a retention letter in the files that
15 indicates my rate.
16 Q All right. Would we be able to see that, as
17 well as -- as well as your resume?
18 A Yeah. The documents you requested are right
19 here.
20 This is the electronic communication, and my
21 resume, and the rest is my printed files.
22 Q Thank you. We can talk about this one and
23 mark this Exhibit A, just your expert witness
24 experience.
25 (Exhibit A was identified for the record.)

1 BY MR. ANDERSON:
2 Q If you don't mind telling me just a little bit
3 about the cases you participated in, starting from the
4 top and going down to the bottom, and just tell me the
5 scope of the representation and kind of the subject
6 matter.
7 A Okay. T&P Enterprises of Bay County was a
8 challenge. I represented T&P Enterprises. And it was
9 a challenge to a land use decision by Bay County to
10 the comprehensive plan.
11 The Department of Community Affairs vs. the
12 City of Groveland. In that case the Department of
13 Community Affairs challenged a land use map amendment
14 by the City of Groveland. And in that case I
15 represented the property owner, the applicant who
16 owned the property that was subject to the DCA action.
17 Hildreth Cooper v. Panama City was a
18 challenge by Mr. Cooper to a development order by the
19 City of Panama City. And I represented the applicant
20 in that case.
21 Diane Brown vs. Bay County was a case in which
22 a -- Ms. Brown and the Panhandle Citizens Coalition
23 appealed a Bay County land use -- future land use map
24 amendment. And I represented the applicant in that
25 case.

1 Leseman Family Land Partnership vs. Clay
2 County. Clay County approved a future land use map
3 amendment, and I was an expert witness for the
4 applicants who were objecting to that.
5 Q All right.
6 A And the circuit court case Alan Ficarra, I did
7 a consistency review for that.
8 Q Okay. On any of these cases was a -- any of
9 the courts you just related to, like in this case, a
10 compatibility dispute?
11 A Primarily the Ficarra case.
12 Q The Ficarra case? All right. And in the --
13 A And then there was -- with the City of
14 Groveland I did testify to the compatibility issues
15 for that land use. That was an issue on that one as
16 well.
17 Q Okay. And then the Ficarra case, in that one
18 I believe you said you represented the applicant on
19 that case?
20 A Correct.
21 Q And was that case successful in favor of the
22 applicant?
23 A I believe it was settled was my recollection.
24 Q Okay. All right. So you had experience with
25 the City of Tallahassee. Can you explain your

1 roles -- excuse me -- with the director of the Leon --
2 Tallahassee-Leon County planning department, your
3 roles in that position.
4 A Right. In -- I was the -- well, I will speak
5 to my most extensive -- my last experience. From 1992
6 to 2002 I served as the planning director, and it's a
7 joint department, and in that capacity oversaw issues
8 related to the comprehensive plan, rezonings, long
9 range transportation planning and environmental
10 planning primarily were the areas we were responsible
11 for for both the city and the county.
12 Q During that time when -- that involves a long
13 span -- were there developments that were challenged
14 against the -- your department, and you were
15 determined to be wrong in your analysis?
16 A Oh, boy --
17 Q Related to -- let's narrow the scope, I guess,
18 related to compatibility.
19 A I would have to honestly say, not that I can
20 remember. I mean, there were challenges, but I cannot
21 say for 100 percent sure that we -- there was not a
22 settlement or a decision. But none that come to mind.
23 Q Same with no challenges based upon the
24 consistency --
25 A There definitely were challenges and appeals,

1 you know. I didn't mean to imply that there weren't.
2 The outcome of them I would have to say
3 oftentimes they were settled, negotiated. I won't say
4 that there weren't any; just to my recollection, I
5 can't think of any.
6 Q Okay. I think we're all finished with that.
7 So currently -- actually, I'm sorry, let's
8 mark this as Exhibit B.
9 MR. HUNTER: What's Exhibit B?
10 MR. ANDERSON: I'm sorry. It's her resume.
11 (Exhibit B was identified for the record.)
12 BY MR. ANDERSON:
13 Q You also have substantial professional
14 experience now, it looks like from 2002 to 2017, the
15 last 15 years, your own planning --
16 A Uh-huh.
17 Q Describe what you do, primarily, and different
18 clients that you represent.
19 A Okay. I have done some work for local
20 governments, helping them do some comprehensive plan
21 assessments for their -- there is a process that was
22 called evaluation appraisal report, which is a
23 statutory process. At one time it was fairly
24 extensive. I worked with several local governments on
25 those.

1 I've worked with the City of Albany, doing
2 some redrafting and reorganizing, restructuring of
3 their zoning code.
4 I've worked with developers, representing
5 private clients who generally need some kind of
6 consistency and compatibility reviews. And I have
7 done that kind of work and provided my findings at
8 commission meetings and public hearings.
9 Q Okay. All right. And for the applicant, for
10 Golden Oak, have you represented them before, for
11 other prior developments?
12 A No.
13 Q Okay. Your representation of these -- before
14 the different commissions related to consistency or
15 compatibility, were there any instances where you
16 provided your expert testimony, but the -- the body
17 ruled against you, or against your client?
18 A Yes.
19 Q Okay. Do you specifically remember any of
20 those cases?
21 A Well the most recent one was, I can recall,
22 was in Walton County, and it was a project called
23 Chateau 30A, I think, and it was a proposal for a
24 motel on 30A in Walton County, and the county
25 commission denied the application.

1 Q And was that specifically on compatibility?
2 A I would have to go back. It's a little
3 difficult to say that I remember. Clearly
4 compatibility was an issue. There were other issues
5 as well, including infrastructure, availability of
6 infrastructure and the impact of traffic on 30A and
7 some other issues.
8 But I would be -- you know, I don't want to
9 kind of quote exactly.
10 Q Okay. Would it be fair to say that, when you
11 are hired by developers or -- you know, that they seek
12 for you to secure approvals either for the greatest
13 profit or at the highest use?
14 MR. HUNTER: Object to form.
15 A Well, can you just repeat that?
16 BY MR. ANDERSON:
17 Q Okay. Is it fair to say that, when you're
18 hired by developers, are you requested to prepare
19 plans for greatest profit?
20 A No. How it would generally work is that an
21 applicant has a site plan or a proposal, and they
22 present it and say, we would like you to do a
23 compatibility analysis.
24 And I may make suggestions or recommendations
25 or findings that say this, you know, needs to be -- my

1 findings would be that it's compatible if certain
2 modifications or changes might be made.
3 There are times when I have declined to take
4 on a project because I didn't think I could make that
5 determination that it was compatible.
6 Q Okay. So in this instance, were you brought
7 the plans and asked to provide your guidance on
8 that --
9 A Yes, uh-huh.
10 Q When you analyzed the Brookside development,
11 did you review and analyze for compliance and
12 consistency with the comp plan?
13 A Primarily for compatibility and the provisions
14 which -- within the comp plan that speak to that.
15 Q Okay. Did you review for compliance with the
16 land development code?
17 A To the extent that it looked at compatibility.
18 My analysis speaks to the comprehensive plan, but I
19 did also look at the land development code to see how
20 it related and may have addressed some of those same
21 issues.
22 Q So explain that -- the exact scope of -- just
23 for compatibility you were brought into the review, or
24 was it broader than that? Can you explain the scope
25 of what you were hired to do?

1 A I was retained to conduct a compatibility
2 study. In my final report,.
3 I think there were some other issues that were
4 raised by the planning department that had to do with
5 density and comprehensive policy, comprehensive plan
6 policy related to density and environmental features.
7 And those were included in my report. That analysis
8 was prepared by the project engineer.
9 Q Okay. Did anybody review for consistency for
10 all the requirements of the comprehensive plan? Was
11 there anybody on the project retained for that
12 purpose?
13 A I think each expert retained was responsible
14 for their area, but I really couldn't speak
15 specifically to that.
16 Q What other experts were hired besides you?
17 A It was a project engineer.
18 Q Okay.
19 A And I'm not sure of all the range of people
20 that were hired. I was brought in specifically to
21 look at this piece.
22 Q And do you know if he's competent to determine
23 consistency with the comprehensive plan?
24 MR. HUNTER: Object to form.
25 A Whether the engineer is?

1 BY MR. ANDERSON:
2 Q Uh-huh.
3 A I couldn't speak to that.
4 Q Okay. All right. Is your professional
5 planning opinion that the Brookside development is
6 consistent with each and every one of the goals,
7 policies, and objectives of the comp plan?
8 MR. HUNTER: Object to the form.
9 A I did not make a determination as to whether
10 it was consistent with every goal, objective, and
11 policy.
12 BY MR. ANDERSON:
13 Q The ones that relate to the project or that
14 you could identify that relate to the project?
15 A Yes. As far as the scope of my review, it was
16 consistent.
17 Q Okay. All right.
18 A If that's what you're asking?
19 Q Yes.
20 A Okay.
21 Q Within your scope of review, in your
22 professional planning opinion, did Brookside comply
23 with the land development regulations for Leon County?
24 A Yes --
25 MR. HUNTER: Object to form.

1 MS. SCHRADER: Join.
2 A To the extent that they applied to the scope
3 of my review.
4 BY MR. ANDERSON:
5 Q I'm going to talk about -- we're going --
6 Exhibit C. It's going to be Wendy Grey's report that
7 was initially prepared on October 19th, 2016, revised
8 April -- April -- excuse me -- revised April 26, 2017,
9 revised again July 5th, with the final revision, to my
10 knowledge, is August 2nd, 2017.
11 (Exhibit C was identified for the record.)
12 BY MR. ANDERSON:
13 Q Okay. On page 4 of your report -- would you
14 like --
15 A I've got a copy.
16 Q Page 4 of the report. You opined that neither
17 the comprehensive plan nor the land development code
18 provided a definition for compatibility.
19 If there is no definition of compatibility,
20 please explain how you developed your definition of
21 compatibility and applied it to this project.
22 A Okay. The -- lacking a definition of
23 compatibility in the plan or the code, I looked at the
24 state growth management law, which basically provides
25 direction for local governments in the content,

1 preparation of the comprehensive plan. And within
2 that statute they provide definitions of terms
3 relevant to the development and implementation of the
4 comprehensive plan.
5 And the definition for compatibility is the
6 one that I used for purposes of this analysis.
7 Q Okay. All right. Did you use anything else?
8 Did you have any guidelines within the comprehensive
9 plan that further honed your, I guess, definition or
10 your review for compatibility?
11 A I think I did, and it's in there. I did look
12 at a dictionary definition of compatibility, just as a
13 straight face type of definition.
14 I did not see anything in the plan that I felt
15 provided a definition. I did see the term used in
16 various contexts, but not in terms of providing a
17 definition.
18 Q Okay. All right. I guess Exhibit D.
19 Everybody has in their packets the excerpts I'm going
20 to talk about today from the Leon County planning
21 code. You have a copy as well.
22 (Exhibit D was identified for the record.)
23 BY MR. ANDERSON:
24 Q All right. On page -- okay. Are you familiar
25 with policy 2.2.3(e)?

1 A Yes.
2 Q Okay.
3 A Uh-huh.
4 Q Would you consider that providing you guidance
5 all of the listed factors that are identified in
6 further defining what compatibility means within Leon
7 County?
8 A Well, it provides criteria to be considered
9 when making a determination to compatibility.
10 Q Okay. When you were making that
11 determination, did you consider each and every one of
12 those?
13 A The ones that were relevant to residential;
14 there were some in there that I determined not to be
15 relevant, like, you know, loading areas, operating
16 hours, et cetera.
17 The other criteria I did look at.
18 Q Okay. So do you agree that this -- these
19 stated factors are required to be reviewed when you're
20 making your compatibility determination, at least the
21 ones that apply for residential?
22 A I would say that if you were going to do a
23 compatibility analysis in a manner consistent with the
24 plan, these are the criteria you would look at.
25 Q All right. Can you run through your review

1 process when you analyze your compatibility for this
2 project?
3 A Sure. Well, as you just noted, I started by
4 taking each of these criteria and collected data and
5 analyzed that data to compile a comparison to this
6 project for the surrounding area. And the plan,
7 again, does not really define what the surrounding
8 area is.
9 So I used a quarter-mile radius from the
10 property as a standard, as a criteria. And I did that
11 based on the fact I had seen other -- done a
12 considerable amount of work in Walton County, which
13 has a lot of compatibility kind of requirements and
14 analyses. That's the standard they use.
15 Generally planners consider that to be sort of
16 a walkable sort of neighborhood kind of distance, even
17 though these neighborhoods aren't interconnected. I
18 did select a quarter mile --
19 Q That's nowhere stated in --
20 A Correct. Correct. Within that area I
21 identified all the lots and then analyzed the various
22 lots based on these criteria. Now, the one case in
23 which I didn't look specifically within that
24 quarter-mile was looking at the densities.
25 And the comprehensive plan defines -- does

1 have a definition for density, and that is gross
2 density. And so for purposes of just generally
3 identifying what the relative densities were in each
4 subdivision, I looked at those as a whole, each one,
5 each one of the four.
6 The other analyses, as I say, are specific to
7 the parcels within that quarter-mile radius.
8 Q Okay. With respect to the comprehensive plan,
9 are you familiar with the vision statement in the
10 implementation portion of the comprehensive plan?
11 A I am.
12 Q Specifically it's going to be on the second
13 page.
14 A Okay.
15 Q The excerpts that I'm looking at -- I will
16 read them out loud -- is, "The purpose of the
17 comprehensive plan is to preserve, protect, enhance
18 the quality of life for all citizens."
19 It further goes on to say, "The residential
20 environment is one of many -- of the many criteria
21 which form the community's perceived quality of life
22 and must be protected."
23 So I guess in your expert opinion, does the
24 vision statement, I guess, allow an applicant to --
25 or -- let's see -- I guess in your expert opinion does

1 the vision statement allow the applicant or the county
2 to pick and choose which communities are supposed to
3 have the quality of life protected, or does it require
4 it for all?
5 A Well, I would say the intention is that for
6 statements within the comprehensive plan to apply to
7 all communities and neighborhoods, unless it says
8 otherwise, because there are some policies and plans
9 that are specific to certain areas.
10 Q Okay. All right.
11 Did you take this vision statement into
12 consideration when reviewing this for quality of life
13 impacts on Ox Bottom or Moore Pond?
14 A I did not specifically address that -- that
15 statement in my --
16 Q Why not?
17 A Well, I would say that in working with
18 comprehensive plans -- and I think there is more
19 sections to this that also talk about sort of
20 containing urban growth -- there are many types of
21 issues and factors that have to be addressed. And
22 generally in the plans they do that from the most
23 general, broadest way, like in a vision statement.
24 And then those general vision statements and
25 goals are more specifically addressed, more guidelines

1 provided in the objectives and policies. So while I
2 was familiar with that, and also goal statements, it's
3 important to see, how does the plan provide guidance
4 for implementing this, versus the other kinds of
5 policies that they put in there, like urban
6 containment strategy and those other kind of things.
7 These are very high level statements.
8 So I relied more on the kind of objectives and
9 policies that puts more meat on the bone.
10 Q Okay. In your professional planning opinion,
11 does clustered housing have the potential to create
12 more negative impacts than, say, large, wooded lots
13 when they're being constructed next to a development?
14 MR. HUNTER: Object to form.
15 MS. SCHRADER: Join.
16 BY MR. ANDERSON:
17 Q If clustered housing subdivisions -- if a
18 clustered housing subdivision is constructed next to
19 an existing subdivision, is that likely to have more
20 impacts than if you constructed a large wooded lot
21 subdivision?
22 MR. HUNTER: Object to form.
23 MS. SCHRADER: Join.
24 A Answer; right?
25 BY MR. ANDERSON:

1 Q Yeah.
2 A What I would say is that, in my experience
3 single-family homes on smaller lots, I'm not familiar
4 with instances in which I feel that there is -- or I'm
5 aware there has been a detrimental effect on larger
6 lots. That is not an uncommon condition.
7 Q If they're constructed tighter together on
8 smaller lots, wouldn't you have more noise, more
9 traffic, visual effects from those?
10 MR. HUNTER: Object to form.
11 MS. SCHRADER: Join.
12 BY MR. ANDERSON:
13 Q Still answer.
14 A As far as some of the off-site impacts like
15 traffic and things, if they're clustered, presumably
16 it's the same number of units. I interpret, when you
17 say the word "clustered," you have X number of units.
18 And you either spread them all out, or you place them
19 in one portion. That's, from a planning perspective,
20 how we interpret the term "clustered."
21 So as far as those types of impacts such as
22 traffic, I don't think there would be a significant
23 difference.
24 My report does identify that putting houses on
25 smaller lots may create a visual impact that would be

1 disconcerting or not desirable by the property owners
2 on the larger lots and points out that the plan -- the
3 site plan, as submitted, provides mitigation for that.
4 Q Okay. So in the area where the homes are
5 clustered, in a clustered-type subdivision, are there
6 more light, noise, and visual effects that could
7 impact an adjoining subdivision?
8 MR. HUNTER: Object to form.
9 MS. SCHRADER: Join.
10 A I would say that for single-family homes next
11 to single-family homes, there would not -- I'm --
12 trying to think if there would be an example of a
13 higher impact. Single-family residential next to
14 single-family residential has very similar kinds of
15 impacts.
16 If you're saying that if there is 10 houses on
17 one side of the lot line, and three houses on the
18 other, I think it would be very difficult, from a
19 planning perspective, to say that there would be a
20 considerable difference in terms of noise. There
21 could be ten families with no children. The kinds of
22 things you would think of as being noise or impact, I
23 don't think that, from a planning perspective, you
24 would identify a significant change in the impacts.
25 Q Okay. So no more potential light from a

1 single-family home on a three-acre lot --
2 A Right.
3 Q -- just one, abutting multiple smaller lots,
4 all .2 acres --
5 A Light, you mean coming through windows?
6 Q Through windows, noise, because they're closer
7 together?
8 MR. HUNTER: Object to form.
9 MS. SCHRADER: Join.
10 A I think that the -- again, the buffering
11 that's been provided in terms of this site plan would
12 address any potential light issues.
13 BY MR. ANDERSON:
14 Q Is the buffering the mitigating factor here
15 that would mitigate and make it, in your opinion, more
16 compatible?
17 A Yes. And I want to clarify that in my
18 analysis the impact that I identified was potentially
19 the visual impact of people who live on larger lots
20 facing these smaller lots with the houses built --
21 Q What other mitigating things were done on
22 this -- for this project to mitigate and make
23 Brookside more compatible?
24 A My understanding is that the total number of
25 lots were reduced, that lot sizes adjoining the Ox

1 Bottom and Moore Pond were increased in size are two
2 that I'm aware of.
3 Q Okay. Let's go ahead and -- I believe there
4 was a -- everybody's packet, August 2nd is a Brookside
5 Village permitting summary. I'm going to do that as
6 Exhibit E.
7 (Exhibit E was identified for the record.)
8 MS. SCHRADER: Which version are you on?
9 MR. ANDERSON: We're on August 2nd. And we're
10 going to be on page 3 and 4.
11 BY MR. ANDERSON:
12 Q Are you familiar with this document?
13 A No. Oh, is this the narrative that was --
14 Q It was loaded in project docs. There was a
15 reference by Sean Mastin. But it doesn't say
16 narrative. I believe this may be the narrative he's
17 speaking to.
18 A I think I may have seen a previous version; I
19 have not seen this one.
20 Q So on page 3 it does reference that -- okay.
21 Midway down, lot sizes have been altered to provide
22 larger lots adjacent to existing adjacent residences.
23 That's on page 3 -- eight paragraphs down.
24 Page 4 it's noted different lot sizes that
25 were increased due to those comments. Your report is

1 dated August 2nd?
2 A Uh-huh.
3 Q And you're still concluding that there is
4 potential impacts even after the lot sizes have been
5 increased. So are there still, with increased lot
6 sizes, your report submitted to DRC indicates there
7 are compatibility issues.
8 MR. HUNTER: Object to form.
9 A It was my conclusion that it -- that the
10 buffer provided a level of visual protection for the
11 neighbors who were expressing significant concerns
12 about the visual impact of a development such that it
13 would be appropriate to maintain that buffer even
14 though some of the lot sizes had been increased.
15 In other words, my findings were not changed
16 by that, particularly.
17 Q So the lot sizes -- are the lot sizes now
18 being proposed compatible with the adjacent lots? Not
19 just -- take the whole buffering out of it.
20 Are the differences in sizes, would they be
21 compatible if there was no buffering? .2 acre in
22 Brookside Manor -- may be off on my numbers a little
23 bit -- but .2, and 3 acres in Moore Pond, for example,
24 if there was no buffering, would they be compatible?
25 A Well the code requires buffering.

1 Q Yes, ma'am. Yes, ma'am. And as a planner,
2 then you will have your proposed development, and then
3 you include mitigating factors that provide for
4 buffering and provide for compatibility without it --
5 A But no code requires a 10-foot buffer as part
6 of the site plan submittal.
7 Q Yes. Without the buffering, though, would
8 they be compatible? Then I will ...
9 A As a professional planner, the difference in
10 sizes in the lots, the fact that these are
11 low-density, single-family adjoining low-density,
12 single-family, my professional conclusion, generally,
13 is that they are compatibility in the sense of the
14 definition of compatibility being, can these two
15 uses -- and these are actually the same use -- exist
16 over time in a relatively stable fashion.
17 They're not the same. But my finding is there
18 is nothing about -- inherent in a smaller house that
19 makes it incompatible with a larger house.
20 Q All right. Then why does the comprehensive
21 plan for -- for Leon County -- I'm getting bogged down
22 with paper here.
23 A That's okay.
24 Q You testified earlier that policy 2.2.3(e) --
25 2.2.2.3(e) required you to look at a number of

1 factors.
2 A Right.
3 Q And the number of factors included things that
4 would -- lot coverage, lot size, mass, bulk, all those
5 things --
6 A Right.
7 Q -- that are related to smaller lots. So are
8 we ignoring it?
9 A Well, no. I would say that they need to be
10 looked at in context. So if you look at policy
11 2.2.3 and -- it's labeled page 31 here.
12 Q Okay.
13 A And preceding the paragraphs (a) through, I
14 think it's (f) or (g), it says, "In order to preserve
15 existing stable and viable residential neighborhoods
16 within the residential preservation land use category,
17 development and redevelopment activities in and
18 adjoining RP shall be guided by the following
19 principles."
20 So then it goes through a number of scenarios,
21 including higher density residential developments that
22 are proposed adjoining established neighborhoods in
23 RP.
24 A second example it gives is limitation on
25 commercial adjoining these neighborhoods. The third

1 one is existing light industrial. And then the fourth
2 one is community facilities.
3 And then each one of those -- I think maybe
4 with the exception of one of them -- refers you back
5 to this land use compatibility test.
6 So this is meant to address land use
7 compatibility for those preceding paragraphs, those
8 conditions. And then there are some other following
9 paragraphs that are specifically subdivision and RP.
10 So I guess in trying to answer your question,
11 this language, these criteria are looking at a wide
12 range of possible scenarios of development. And I
13 think it could be argued that they probably may not
14 even apply for low-density residential, adjoining
15 low-density residential and RP. But in an effort to
16 be as conservative as we could in our approach, I
17 looked at that.
18 And I'm sorry that's a long answer. If I need
19 to clarify it, I will try to do that.
20 Q Paragraph (e) specifically refers to
21 residential preservation neighborhoods.
22 A Uh-huh.
23 Q Is both the -- are all the neighborhoods for
24 the applicant, the proposed development, is that in a
25 residential preservation neighborhood?

1 A Is the project?
2 Q The project.
3 A Yes. It's an RP zoning.
4 Q And adjoining properties?
5 A Yes, are RP.
6 Q And that paragraph right after that is
7 under -- is that under paragraph (e)?
8 A So if we can just kind of back up --
9 Q I'm sorry.
10 A No, that's okay. A talks about high density
11 residential development adjoining a neighborhood NRP.
12 So it might be multifamily development or something
13 like that.
14 Then it speaks to limitations on commercial,
15 so it could be retail, office.
16 Q Yes.
17 A Then it looks at existing light industrial.
18 And I think those are actually the ones that refer you
19 back, if you're determining compatibility in those
20 conditions, you would use the criteria in paragraph
21 (e).
22 Q I would like -- can you read the first
23 sentence of the second portion of (e) --
24 A Uh-huh, uh-huh. "A number of factors shall be
25 considered when determining a land use compatible with

1 the residential preservation land use category."
2 Q Paragraph (e) is talking about the land use
3 preservation; correct?
4 A Right.
5 Q So it's your opinion that that paragraph
6 applies to everything and not just residential
7 preservation neighbors?
8 MS. SCHRADER: Object to form.
9 A For example, if you go to -- let's go -- since
10 we're on the same page, let's look at paragraph (b):
11 Limitation on future commercial intensities adjoining
12 low-density residential preservation neighborhoods.
13 And it talks about various policies.
14 And then if you go midway it says, the factors
15 cited in paragraph (e) below shall be used. So that's
16 what I mean.
17 They're kind of citing conditions that might
18 occur, developments that might be proposed, and what
19 should be the criteria for determining compatibility.
20 Q Okay. Okay. I understand what you're saying,
21 that (e) would apply to other paragraphs. Earlier in
22 your testimony you indicated that when you did your
23 compatibility analysis, you reviewed all of these --
24 A Uh-huh.
25 Q -- provisions. And then you testified

1 subsequently that you don't think they may not apply
2 in all instances.
3 Does it apply?
4 A Well, not all the factors apply. I would say
5 to you that it is not entirely clear to me, having
6 read this a number of times, given the language in
7 here, whether or not this instance is subject to these
8 provisions.
9 In other words, I think the plan is very clear
10 that if you are joining -- if you have a residential
11 preservation zoning district and a zoning district
12 adjoining residential preservation, if different, that
13 these would apply.
14 It's not entirely clear to me definitively
15 whether these apply for residential preservation
16 within the residential preservation zoning district.
17 However, in an effort to be conservative, I did the
18 analysis to do those findings, with the exclusion of
19 those criteria that don't apply to residential
20 development.
21 Q Okay. All right. Would -- in your
22 analysis -- because you did indicate, I believe, in
23 your opinion on page 4 -- excuse me -- page 8. So you
24 did review for mass and bulk?
25 A Yes, I did.

1 Q So mass and bulk, in your opinion, could apply
2 to this potential. What about --
3 MR. HUNTER: Object to form.
4 BY MR. ANDERSON:
5 Q Okay. Let's read right through them.
6 Lot coverage. Is it in your opinion that lot
7 coverage for the proposed project should be considered
8 when determining compatibility?
9 A It was part of my analysis, yes.
10 Q What about lot size?
11 A That was part of my analysis.
12 Q All right. So now that's part of your
13 analysis --
14 A Uh-huh.
15 Q -- for this. Considering the lot size, .2
16 acres in Brookside development, approximately,
17 abutting three-acre lots in Moore Pond, are those
18 compatible under your analysis?
19 A In this site plan, yes, they are. And --
20 sorry.
21 Q Go ahead.
22 A The issue of compatibility, or the definition
23 of compatibility is not that they are the same. The
24 definition is, can these two uses, or in this case
25 residential development patterns to these residential

1 development densities, site plans, coexist with each
2 other such that neither one is unduly negatively
3 impacted.
4 So they can differ significantly if ultimately
5 those differences don't affect the ability of those
6 uses to coexist.
7 Q Okay. In your analysis, at what point would
8 the different sizes of lots be so different that they
9 wouldn't be compatible?
10 A I think that the defining characteristic is
11 more that these are single-family homes compared to
12 single-family homes. I don't know that it's an issue
13 of lot size in my analysis so as much as the fact that
14 these are single-family homes, low density, adjoining
15 low-density, single-family homes.
16 So I couldn't give you a number and say this
17 particular lot size would therefore be incompatible.
18 Q In your professional opinion, could homes that
19 are tightly bunched together with very small side
20 yards, side setbacks, be considered objectionable to
21 the adjacent property owners?
22 MR. HUNTER: Object to form.
23 A I can say that I am aware, certainly in this
24 instance, that there were objections from the
25 neighbors about that.

1 BY MR. ANDERSON:
2 Q Are you familiar with goal 1 of the
3 comprehensive plan? If you need to take a break or
4 anything, please let me know.
5 A Okay. I will.
6 Do you have it in here?
7 Q Yes. It should be -- I tried to keep them in
8 order.
9 A Okay. Got it. Uh-huh.
10 Q In the first paragraph, if you could read
11 that, and is this sort of -- is this project the
12 inevitable growth into locations that the county is
13 speaking to?
14 A I think it's an appropriate location in the
15 sense that the plan also talks to -- I think it's
16 actually in the following objectives -- that
17 development should occur inside the community's urban
18 service area, which is the area that the county and
19 city commit to providing urban level of services.
20 This is a property, for example, that's served by
21 central water and sewer.
22 So those are the kinds of locations that the
23 plan envisions growth occurring in, inside the urban
24 service area, where urban services are being provided
25 to residents and businesses.

1 So this would be an appropriate location for
2 growth.
3 Q Does that also, that paragraph, have a goal of
4 protecting residential neighborhoods?
5 A Yes.
6 Q Okay. All right. Could this growth be better
7 designed to better protect Moore Pond and Ox Bottom?
8 MR. HUNTER: Object to form.
9 MS. SCHRADER: Join.
10 BY MR. ANDERSON:
11 Q Could it be better designed with less negative
12 impacts?
13 MR. HUNTER: Object to form.
14 MS. SCHRADER: Join.
15 A I think the site plan is balancing several
16 things that the comprehensive plan asks for. It asks
17 for development to occur within the urban service area
18 to make efficient use of urban services, particularly
19 water and sewer, in this case. It asks that
20 environmental features be preserved in the development
21 be located away from those environmentally-sensitive
22 areas, and it does that.
23 And it asks that -- or has policies that speak
24 to the protection of residential areas. And the --
25 one of the mechanisms by which those residential areas

1 are protected are by these requirements for
2 compatibility. And it's my determination that it is
3 compatible.
4 So it balances, I think appropriately, the
5 various goals of the plan.
6 Q Okay. In your review of the project, did you
7 review policy 1.4.12? And that's in the packet.
8 A I think I looked -- I looked through it,
9 because I looked through the whole land use element.
10 I don't believe I've addressed it in my analysis.
11 MR. ANDERSON: I'm going to be speaking --
12 Exhibit F is going to be -- several pages of the
13 site plan.
14 It doesn't include all the pages, because it's
15 25 pages long. But it includes the ones that are
16 most appropriate.
17 You should have a copy as well.
18 (Exhibit F was identified for the record.)
19 BY MR. ANDERSON:
20 Q Okay. So while everybody is looking through
21 that, specifically policy 1.4.12 indicates that
22 "Neighborhood and inter-site compatibility shall be
23 implemented through site planning and design criteria
24 that require objectionable impacts of particular land
25 use activities to be internally located within the

1 site plan or the building designs."
2 The development proposed -- if you look at the
3 site plan -- none of the -- there is environmental
4 concerns. But the impacts that you've identified in
5 your August 2nd report about the mass and the bulk are
6 located all along the edge abutting the properties.
7 A Uh-huh.
8 Q So does your project comply with 1.4.12 by
9 locating them internally?
10 A Let me --
11 MR. HUNTER: Object to the form.
12 A Let me correct something. You say all along
13 the edge. There are two large lots that are
14 located -- I think you're talking particularly about
15 the smaller lots?
16 Q We're not talking about the large lots in this
17 particular question.
18 A Right. Can I take one minute just to review
19 this one again?
20 Q Uh-huh. Yes.
21 A Okay. Again, I think it's -- if you look at
22 paragraph (a) in its entirety, let's look at the
23 sentence immediately before that: "Environmental
24 impacts shall be minimized through the development and
25 redevelopment of compact and efficient urban land use

1 patterns that closely integrate living and work spaces
2 while maintaining compatibility through specified
3 performance design criteria."
4 So they're specifically talking, in this case,
5 about development or redevelopment of compact and
6 efficient land use patterns that integrate living and
7 work spaces while maintaining compatibility.
8 And that sentence that you read, in my
9 interpretation, you have to take that whole paragraph
10 in context. And in that, being that they're talking
11 about mixing uses, that language that you reference
12 did specifically speak to use -- land use activities,
13 which I think more appropriately applies maybe to the
14 different types of land uses that might occur, such as
15 residential versus office or whatever.
16 Q Isn't Brookside Village a specific land use
17 activity?
18 A It's a residential land use activity.
19 Q Yes.
20 A And it's adjoining another residential land
21 use activity.
22 Q Yes. Does that specifically, that sentence,
23 prohibit you from analyzing two similar or same land
24 use activities?
25 A I wouldn't say it prohibits it. But I think

1 that in reviewing the direction of comprehensive
2 plans, it's not appropriate to take one sentence or
3 one piece out of a context. It's important to read
4 the context in which it's being addressed.
5 Q Okay. So you contend that this does not apply
6 or -- to this particular development. And -- or is
7 that your position, that this does not apply, and
8 you're not required -- excuse me -- is it your
9 position that this does not apply to this particular
10 proposed development?
11 A I don't think this particular policy is
12 relevant to the review.
13 Q So is it your position that the design, the
14 neighborhood, and compatibility should be -- should
15 have been designed to make the objectionable impacts
16 that you identified on the interior?
17 MR. HUNTER: Objection to form.
18 MS. SCHRADER: Join.
19 A I think -- is your question should --
20 potential impacts should have been moved internal to
21 the site; is that what you were asking?
22 BY MR. ANDERSON:
23 Q Yes, ma'am.
24 A Yeah.
25 No, I don't think they're required to do that

1 to achieve consistency to achieve compatibility.
2 Q Is there anywhere you can point to anywhere in
3 the comprehensive plan where it specifically says it
4 does not apply to this particular instance?
5 A Well, I think -- let's see. If you look at,
6 on your page -- this would be page 21, for example,
7 policy 2.1.1, it actually talks about existing
8 residential encroachment of incompatible uses that are
9 destructive to the character, integrity of the
10 residential development.
11 And you can see on (c), limitations on higher
12 density residential development adjoining low density
13 residential development. Such limitations are to
14 result in effective visual and sound buffering, either
15 through vegetative buffering or other design
16 techniques between the higher density residential uses
17 and the low density.
18 Now in this case it's actually low density
19 adjoining low density. But -- and this is why it's
20 important to kind of look at the plan in its whole
21 context. But there it specifically says that
22 residential development buffering, including
23 vegetative buffering or landscape buffering, can be
24 used to address the issue of protecting residential
25 areas.

1 Q Okay. I believe in your testimony you
2 indicated that to reduce the incompatibility there is
3 a requirement of a buffering. Do you contend that the
4 requirement in policy 1.4.12 that requires -- or that
5 prohibits the exclusively relying on buffering to
6 reduce perimeter going to objectionable impacts does
7 not apply?
8 MR. HUNTER: Object to form.
9 MS. SCHRADER: Join.
10 A I don't believe that 1.4.12 applies in this
11 case.
12 BY MR. ANDERSON:
13 Q All right. In that same packet with -- oh,
14 no, actually -- do you have the land development code?
15 And I have that as Exhibit?
16 THE REPORTER: G.
17 (Exhibit G was identified for the record.)
18 THE WITNESS: Is it okay to take a five-minute
19 break?
20 (Break from 3:05 to 3:15 p.m.)
21 BY MR. ANDERSON:
22 Q I believe we had Exhibit G, the land
23 development code provisions that we may talk about
24 today. And I'm going to first talk about section
25 10-7.505.

1 Are you familiar with this code provision?
2 A Yes.
3 Q Okay. It requires that each development shall
4 be designed to be as compatible as practicable with
5 the nearby developments and the characteristics of the
6 land.
7 A Uh-huh.
8 Q Is this as compatible as practicable?
9 A Yes.
10 Q Is there anything that could be done to make
11 it more compatible?
12 A Well --
13 MR. HUNTER: Object to form. Go ahead.
14 A It's compatible. So I don't see -- I mean
15 it's not -- either it's compatible, or it's not, I
16 guess. I don't see it as a -- I'm not sure I
17 understand the question.
18 BY MR. ANDERSON:
19 Q Two identical parcels, same size.
20 A Uh-huh.
21 Q Same bulk, mass, single family; they're the
22 same size. Are they more compatible than a large,
23 three-acre lot and a .2 acre lot with very small
24 setbacks?
25 MS. SCHRADER: Object to form.

1 MR. HUNTER: Object to form.
2 A The compatibility, the standard definition of
3 compatibility could be met in either case. And it was
4 met in this case with the smaller lots.
5 BY MR. ANDERSON:
6 Q Okay. And -- but you, in your report dated
7 August 2nd, you opined that there were compatibility
8 concerns with mass and bulk because the minimal
9 setbacks; so are they compatible or not?
10 MR. HUNTER: Object to form.
11 MS. SCHRADER: Same.
12 A I think the wording in my report is that there
13 could be a potential compatibility issue. And that's
14 because it was also in my analysis, as I indicated
15 earlier, I was aware of the concerns of the neighbors
16 on either side about the potential visual impact of
17 this development.
18 In making a determination about compatibility,
19 looking at the site plan as a whole, the size of the
20 lots did not create an incompatible situation, because
21 any potential visual impact has been addressed, has
22 been mitigated. That's kind of the purpose of site
23 planning is to kind of try to balance all those
24 things.
25 Q Okay. All right. Does section 10-7.505

1 require you to look at the characteristics of the
2 land?
3 A Yes.
4 Q Okay. So what are the characteristics of Ox
5 Bottom Manor?
6 MS. SCHRADER: Object to form.
7 A Well, this is talking about each development,
8 so I'm -- is subject to the application and review
9 process. So I'm not sure ...
10 BY MR. ANDERSON:
11 Q Okay. So this indicates that the development
12 shall be designed to be as compatible as practicable
13 with the nearby development and characteristics of
14 land.
15 A Right. I read that to mean characteristics of
16 the land that's being subject to development.
17 Q Why would it have to be compatible with the
18 land it's being constructed on? How can you be
19 compatible with yourself?
20 A Well, I'm not sure that I can say --
21 absolutely understand what that means. Generally
22 characteristics of land is not a term that you usually
23 think of in terms of compatibility. Usually it is use
24 or development.
25 When you're thinking of the characteristics of

1 land, you might think is it hilly; is it flat; is it
2 wetlands.
3 Q Okay. What are the factors in determining
4 neighborhood development patterns?
5 A Is there a reference in the code or something
6 that you're talking about here?
7 Q Yes. Hold on just one moment.
8 A Okay.
9 Q Just one moment.
10 A Sure.
11 Q Okay. So section 10-617(a)(5)b -- that may be
12 wrong. Hold on.
13 A I think it's ...
14 Q Okay. Section 10-6.617(a).
15 A Okay.
16 Q Indicates that "The primary function is to
17 protect existing stable and viable residential areas
18 from incompatible land uses and density intrusions."
19 You did testify earlier that the Brookside
20 development would be considered a land use.
21 A Residential land use.
22 Q Yes. Yes.
23 A Uh-huh.
24 Q Okay. Residential land use.
25 A Uh-huh.

1 Q Okay. And -- okay. If you follow that
2 paragraph all the way down, the last sentence dealing
3 with compatibility: "Compatibility with surrounding
4 residential type and density shall be a major factor
5 in the authorization of development approval and the
6 determination of permissible density."
7 A Uh-huh.
8 Q The question is, does this provision direct
9 you to pay attention to compatibility to the adjacent
10 subdivisions?
11 A Yes.
12 Q Okay. So now you're testifying that you do
13 have to have, when you have one land use that's
14 residential and another land use that's residential,
15 that you have to make a determination upon
16 compatibility?
17 Previously you indicated that residential land
18 uses, I believe, are all compatible.
19 A Well, I think when I made that statement I
20 said that, as a professional, I generally find that
21 single-family residential adjoining single-family
22 residential in my experience is not creating
23 incompatibility issues. Having said that, there is
24 still criteria and conditions that are laid out in the
25 comp plan that need to be addressed.

1 Q Okay. Okay. This one says it's a major
2 factor in the authorization. Did you put this as one
3 of your paramount review items, or was it a major --
4 retract the question.
5 Was this a major factor in your review?
6 A Compatibility?
7 Q Yes.
8 A Yes.
9 Q Okay. Did you also consider compatibility
10 when you were looking at permissible density?
11 A Yes. Density was one of the factors that I
12 looked at in my evaluation.
13 Q Okay. In your professional opinion, when
14 would two residential land uses, one being constructed
15 right next to it, no longer be compatible?
16 A I really can't answer that question, because
17 there are just so many -- could you repeat the
18 question? I'm not sure --
19 Q In your professional land use planning
20 opinion, when could you have two residential uses in
21 the same land use category be considered to be
22 incompatible?
23 A I think I would try to answer this question,
24 since I'm not looking at a specific example, as use,
25 slash, type. So, for example, depending on the

1 context, which includes the zoning, the land use, all
2 those kinds of things, a high-rise development in a
3 residential district, assuming it would be allowed,
4 adjoining a single-family home in a residential
5 district, there may be significant compatibility
6 issues there.
7 Q Okay.
8 A It's hard for me to say definitively, because
9 one of the things that's involved in doing these
10 studies is looking at all the contexts -- the context
11 and the various requirements of each individual plan,
12 as well as my professional judgment.
13 Q Okay. So in your August 2nd report, you
14 identified Brookside lots that fall within a range of
15 lot sizes --
16 A Uh-huh.
17 Q -- that they fall within a range of lot sizes
18 for the surrounding neighborhoods; okay? But you say
19 there is a significantly wide range of lot sizes in
20 the surrounding area.
21 Is it your professional opinion that such a
22 wide range encompasses compatibility?
23 A When you say "encompass compatibility," you
24 mean can they be compatible with that wide a range?
25 Q Uh-huh.

1 A Yes. They can be.
2 Q Okay. How did you calculate the lot area
3 average for each subdivision, Moore Pond first?
4 A Well, I did them all the same way, and they're
5 in the records. I downloaded information from the
6 property appraiser's office for the parcels within
7 that surrounding area, and created spreadsheets for
8 each subdivision, where I put that data in, as
9 required -- or as listed in those -- paragraph (e), I
10 guess I will call it, for shorthand.
11 And that's how I did that -- developed those
12 figures.
13 Q Did they include the anomalies, the much
14 larger lots that may be located in each subdivision?
15 A If it was in the surrounding area. And I
16 think in some cases in the report there is -- I do
17 talk -- there is a range.
18 So, yes, some of them were much larger than
19 others, I think more in some subdivisions than others,
20 I think maybe Rose Hill. But yes.
21 Oh, I see, I put that down for building size;
22 you can see the range there; it was pretty
23 significant. And the lot sizes there, you can see the
24 ranges, uh-huh.
25 Q Okay. Is it your opinion that the Brookside

1 Village lots, which range from .2 to .1 acres where
2 they abut Ox Bottom Manor, are compatible with the Ox
3 Bottom Manor lots ranging from .62 to .86?
4 MR. HUNTER: Object to form.
5 A My professional judgment is that the site
6 plan, as submitted and acted on by the DRC, is
7 compatible.
8 BY MR. ANDERSON:
9 Q Okay. Let's look at the site plan -- I
10 believe it was Exhibit -- I will give you a specific
11 page.
12 A Okay. If I have some trouble reading the
13 numbers, I will let you know.
14 Q For purposes of looking at the page, C-115.1.
15 A Uh-huh.
16 Q All right. It shows that the two rows of
17 single-family homes and shows where they're proposed
18 to be constructed. Is the inner -- looking at that,
19 is the inner row of homes offset in most instances
20 from the -- I guess the outermost homes?
21 A I'm not sure what you mean by "offset."
22 Q This home, is that home constructed where if
23 you're -- the sight line between these two homes, you
24 then see the home behind it?
25 A In other words, if you're on this property --

1 Q If you're on that property, so here is the
2 edge of that home, if you're on this property, would
3 you be able to see this home here?
4 MS. SCHRADER: Jeremy? On this -- the site
5 plan you're using is the April 2017 one?
6 MR. STEWART: Did you intend to use that one?
7 MR. ANDERSON: Is this an updated one on that?
8 MS. SCHRADER: This is not the most recent.
9 MR. ANDERSON: It's not the most recent?
10 MR. GIVENS: Five minutes?
11 (Break from 3:40 to 3:42 p.m.)
12 BY MR. ANDERSON:
13 Q We're going to hold on the site plan for a
14 second. We're going back to the ordinance. Now I
15 forget where I was wanting to go.
16 So 10-6.617, it is (a)(5)b. This provision
17 states: "Parcels proposed for residential which are
18 located in the -- inside the urban service area and
19 not in a recorded subdivision shall be developed
20 consistent -- or shall develop consistent with the
21 type of residential development pattern located
22 adjacent to the vacant parcel."
23 Is the proposed development parcel for
24 Brookside Village, does this apply?
25 A Yes.

1 Q Okay. All right. It requires that it shall
2 be developed consistent, okay, for the purposes of
3 this provision. Tell me how you interpret
4 "consistent" with the type of residential development
5 pattern located adjacent to the vacant parcel.
6 A Okay. When I looked at this provision under
7 (5) there is several subparts. And so if you go down
8 (c), for example, says "Parcels proposed for
9 residential development surrounded by a mix of
10 conventional homes and manufactured homes shall be
11 developed for conventional single-family homes." (D)
12 talks about a mix of single-family and duplexes. (E)
13 talks about manufactured homes and mobile homes.
14 So looking at its entirety in (5), it's my
15 interpretation when they talk about development type
16 they are talking about single-family, you know,
17 duplexes, manufactured homes; in other words, the
18 housing type.
19 Q Okay. But also type, also it says consistent
20 with the type of residential development pattern.
21 What is the type of development pattern for Moore
22 Pond?
23 A Single family.
24 Q Okay. Single family. But the development
25 pattern, are they larger lots?

1 A Yes. They are larger lots than proposed for
2 Brookside.
3 Q More open space on the lots, larger -- I mean
4 larger setbacks?
5 A Yes.
6 Q Front, larger setbacks?
7 A Probably, yes, uh-huh.
8 Q Back, larger setbacks; side, larger setbacks?
9 A Uh-huh.
10 Q So are they set back farther than the setbacks
11 in Brookside?
12 A Yes.
13 Q That -- the Brookside development pattern has
14 the developments closer together. So are they
15 consistent in the type of patterns?
16 MS. SCHRADER: Object to form.
17 A Okay. (5) says, "Allowable development types
18 shall be construed to mean the following." We agreed
19 that (b) is the appropriate standard. "Shall develop
20 consistent with the type of residential development
21 pattern."
22 It then goes on to describe conditions in
23 terms of residential housing types.
24 BY MR. ANDERSON:
25 Q Can you point that out?

1 A Yes, uh-huh. It says, "allowable development
2 types shall be construed to mean the following." It
3 goes through an (a) and (b) are more general. Then in
4 terms of (c), (d), and (e) they talk about specific
5 housing types.
6 Q Yes.
7 A Not density or size, just specific housing
8 types. So when looking at (5), it's my interpretation
9 in talking about the type of development, development
10 pattern, this section of the code is referring to not
11 the size of lots or the size of houses, but the type
12 of housing, be it a single-family, a duplex,
13 manufactured home; I think those are the ones that are
14 listed.
15 Q So it's your professional opinion that the
16 remainder of the sentence after type of residential --
17 is it your opinion that development pattern located on
18 the adjacent -- located adjacent to the parcel is not
19 part of your analysis?
20 A I'm saying that, in my analysis, I apply this
21 to mean, is this a single-family development adjoining
22 a single-family development, as opposed to a
23 single-family on a duplex or conventional built home
24 next to manufactured home.
25 Q Okay. So that is a type.

1 A Right, yes.
2 Q Do those types have patterns?
3 MS. SCHRADER: Object to form.
4 A I'm not really sure how to answer that. Could
5 you try to maybe rephrase that?
6 BY MR. ANDERSON:
7 Q Okay. Do residential developments have a
8 pattern?
9 A They have characteristics.
10 Q Okay.
11 A And the reason I say it that way is because,
12 for example, you can look at the range, for example,
13 of lot sizes within these subdivisions, individual
14 subdivisions, and they vary, so ...
15 Q You indicated that you use this analysis. Did
16 you use this analysis and look at the development
17 pattern of Moore Pond?
18 A Yes, I did. I think -- yes, I did. I think
19 those criteria that are enumerated in (e) speak to the
20 pattern. They speak to the lot sizes; they speak to
21 the building sizes, the number of stories. Those
22 things were all part of my analysis.
23 Q All right. And are the pattern in Moore Pond
24 different than the pattern in the proposed Brookside?
25 A Yes.

1 Q Okay. Those differences, does that make them
2 inconsistent?
3 A Let's back up for a minute. The projects are
4 consistent in the sense they are both single-family
5 developments. From that perspective, they are
6 consistent.
7 The pattern -- and I'm not speaking to the
8 word "pattern" as it applies here in (5), but to the
9 characteristics of the site -- are different. They
10 are both low density, single-family developments. And
11 the relevant thing in paragraph (5) is that they are
12 single-family adjoining single-family conventional
13 built homes.
14 When you go to paragraph (e), it asks you to
15 look at another range of criteria, which was the basis
16 of my analysis.
17 Q Okay. So is it your professional opinion that
18 10-617(a)(5)b does not require you to actually look at
19 the actual developed pattern of the adjacent
20 developments?
21 A Taking that paragraph in a whole, I don't
22 believe that this particular paragraph is the primary
23 determinant for that. But the analysis that was
24 conducted as part of (e) -- for shorthand, for (e) --
25 would address those criteria that you describe as the

1 pattern.
2 Q As the pattern?
3 A Correct.
4 Q So you use -- I believe what you're saying is,
5 pattern; you define it in paragraph (e). Is the
6 pattern in Moore Pond, which is three-acre lots, large
7 setbacks, open space; and the development pattern of
8 Brookside, .2 acres, mass and bulk of the buildings
9 almost to the lot lines, on .2 acre lots, are those
10 patterns consistent with each other?
11 MR. HUNTER: Object to form.
12 MS. SCHRADER: Join.
13 A I can kind of only repeat what I said
14 previously, which is, I believe that they're
15 consistent as to the type of residential development
16 pattern as I read paragraph (5).
17 BY MR. ANDERSON:
18 Q Okay. Okay. So in -- when her and I were
19 referring to paragraph (e), it's -- let's go -- that
20 is policy -- of the comp plan, policy 2.2.3(5)(e).
21 Okay. You've testified that you use for your
22 analysis of 10-617(a)(5)b for the purposes of pattern;
23 we look at paragraph (e) of the comp plan -- let's
24 just go through each one of them.
25 Is the pattern as it relates to building size

1 consistent between Moore Pond and Brookside?
2 A The criteria in (e) are compatibility, not
3 consistency, which has a slightly different meaning.
4 So in that section -- we will shorthand that as (5) --
5 is it the same residential type. It's the same
6 residential type. It's single-family residential,
7 conventionally built homes.
8 Paragraph (e) says, look at the compatibility.
9 And in that case, it gives you those additional
10 criteria. To me it's a different thing they're asking
11 you to look at, not the same construction type,
12 essentially, if you want to call it that, but are
13 these other factors being addressed in terms of
14 compatibility.
15 Q Okay.
16 A And that's what I looked at in (e).
17 Q But I believe you testified that -- a little
18 bit ago that, when you use the word "pattern," you
19 looked at paragraph (e).
20 So we don't look at that now?
21 A What I was trying to say was, when I was
22 looking at paragraph (5), I read that to be, is there
23 a consistent development type. Now they have the word
24 "pattern" in there.
25 So if I read that entire paragraph in its

1 whole, when it talks about development type or
2 development type pattern, it's speaking about the
3 construction type; is it conventionally built home; is
4 it a manufactured home; is it a duplex. That's what I
5 interpret (5) to be addressing; is it the same type of
6 residential development.
7 And it is the same type. It is single-family,
8 conventional built homes.
9 What I'm saying is paragraph (e) is another
10 set of standards which speaks to, once you've
11 established that they're the same type, you can take
12 this additional set of criteria to determine
13 compatibility. And that has to do with the specific
14 characteristics of the development.
15 Q Okay. Let's go ahead and check our map, and I
16 guess E, F, G -- is H, the entire development.
17 A Uh-huh.
18 (Exhibit H was identified for the record.)
19 BY MR. ANDERSON:
20 Q So off to the left and the right we have the
21 various subdivisions, Ox Bottom Manor and Moore Pond,
22 and we have the buildings depicted. Just as far as
23 the development layout, are there instances where, it
24 looks like there is the -- the way the development is
25 staggered between the two developments, does that

1 increase the kind of a walled effect? Because
2 visually, I guess the question is, visually, if you're
3 on these lots, are you going to be able to see through
4 the building, or are you going to see nothing but
5 buildings?
6 MR. HUNTER: Object to form.
7 MS. SCHRADER: Join.
8 A Well, first of all I would say that there are
9 existing trees. We're not looking at the existing
10 condition, just looking at the houses and saying,
11 could you see that there are already portions along
12 here where you have vegetation, and other portions
13 along here you will have berm, fencing, and
14 vegetation.
15 So that question I can only answer it in the
16 context of the site plan that was submitted or
17 recommended for approval by the DRC, which is not
18 this, but this with the landscaping and the berming
19 and the fencing that's been a requirement of the plan.
20 Q But the -- I guess the sight line from the
21 proposed development onto the other lots, you're going
22 to be able to see on both sides of the homes and
23 through the lot and it not have a wall -- similar
24 walled effect; is that correct?
25 MR. HUNTER: Object to form.

1 MS. SCHRADER: Object to form.
2 THE WITNESS: I'm not sure I understood the
3 question.
4 MR. ANDERSON: Never mind. Winding down. Do
5 you have any --
6 MR. GIVENS: I've got a few quick things. I
7 will be brief; I promise. I tried to write and
8 listen to him at the same time; I'm terrible about
9 it.
10 Let me apologize in advance if I ask the same
11 thing twice.
12 MR. HUNTER: Just for the record, I've been
13 doing this for a while. Normally I don't see two
14 people representing the same party taking a
15 deposition.
16 I'm fine with you doing it, Justin, but let's
17 not -- y'all have the same client. You don't get
18 to sit here and tag team in a deposition.
19 MR. GIVENS: I will let him ask the
20 questions -- I have seven, and they're not long
21 ones. They will be yes or no or very short, if
22 everybody is okay with it.
23 DIRECT EXAMINATION
24 BY MR. GIVENS:
25 Q In the compatibility analysis that you have to

1 do in your position, it is fair to say that density is
2 a factor that you look at; is that correct?
3 MS. SCHRADER: Object to form.
4 A Yes.
5 BY MR. GIVENS:
6 Q Would it be fair to say that the density
7 between Brookside and Moore Pond is substantially
8 different?
9 MR. HUNTER: Object to form.
10 MS. SCHRADER: Join.
11 A Yes, they are different.
12 BY MR. GIVENS:
13 Q Is -- and lot size is also a factor --
14 A Yes.
15 Q -- in a compatibility analysis; right?
16 A Yes, as required in the code.
17 Q And as I think we have pretty well covered the
18 lot size between Brookside and Moore Pond, there is a
19 substantial difference in those lot sizes; is that
20 correct?
21 MS. SCHRADER: Object to form.
22 A Yes, there is a difference.
23 BY MR. GIVENS:
24 Q What about -- and this is where they say don't
25 ever ask a question that you don't know the answer to,

1 but I will do it anyway.
2 What about market value of homes? From a
3 planning perspective, is that at all important? Do
4 you guys ever consider that?
5 MS. SCHRADER: Object to form.
6 A Well, what I can say to you, in this case I
7 looked at what the code said to look at. And that was
8 not a criteria.
9 BY MR. GIVENS:
10 Q Okay. So is market value ever -- well strike
11 that.
12 So is market value a criteria in
13 compatibility? I understand it's not in the code you
14 looked at. I mean, have you ever seen market value as
15 a criteria in compatibility?
16 A Not that I can recall, no.
17 Q In your professional opinion, are the wishes
18 of residences in adjoining communities, is that
19 relevant? Is that something you take into
20 consideration?
21 MS. SCHRADER: Object to form.
22 A To the extent that that can be done while
23 still not restricting what is a permissible,
24 approvable development.
25 BY MR. GIVENS:

1 Q Can you elaborate on that?
2 A Well, I think as an example here, I mean, this
3 buffer that's being provided here is typically -- and
4 I think I mentioned it in my report -- is -- exceeds
5 the type of buffer that would normally be required
6 between a single-family use and a fairly substantial
7 nonresidential use. The number is in my report.
8 And, in fact, it's enhanced from that type C
9 standard. And that was done in response to the
10 concern raised by the adjoining residents that there
11 would be this visual impact.
12 Q Did you take a look at the Ox Bottom Gardens
13 community at any point?
14 A I drove through -- yes, those communities.
15 Well, I didn't go through Rose Hill and Moore Pond,
16 because they don't have public access.
17 Q But they connect, I believe --
18 A Manor and Gardens connect.
19 Q Right. Do you recall, or did you ever look at
20 what the setbacks were between Ox Bottom Gardens and
21 Ox Bottom Manor?
22 A I think in my report it was not possible for
23 me to actually determine that, where I could get
24 actual data. I did do that I think in the case of the
25 setbacks. I just made observations based on what I

1 saw by driving through them, if you could just give me
2 a second to confirm that.
3 Q Sure.
4 I'm almost done, I swear.
5 A Yes. It was based just on my driving through
6 and kind of looking at the pattern of development.
7 Q What if I told you it was 75 feet?
8 A The setbacks?
9 Q The buffer. I'm sorry. The buffer I meant to
10 say.
11 A Oh, the buffer. Yeah, I think I have that in
12 my report.
13 Q Okay.
14 A Uh-huh.
15 Q I apologize.
16 A You meant buffer, not setback?
17 Q I meant buffer, yes, ma'am.
18 A Uh-huh. Uh-huh.
19 Q So if -- in knowing that the buffer between Ox
20 Bottom Manor and Ox Bottom Gardens is 75 feet, would
21 that have any effect on your opinion of what the
22 buffer between the proposed development and Moore Pond
23 should be?
24 A I think that the -- and I wouldn't just say
25 size -- but the characteristics of the buffer, both

1 its depth and its planting, can be -- that's what
2 you're trying to get, basically, if you would say
3 that, performance standard. And in this case the
4 performance standard was, what's the highest level of
5 opacity that we think we can achieve; and in this
6 case, within that 25-foot buffer it was possible,
7 based on the landscape architect's assessment, to
8 achieve 75 percent opacity upon completion of the
9 buffer and about 90 percent within several years.
10 So that, rather than some number, was the
11 criteria.
12 Q I believe you testified earlier that -- I
13 don't want to misstate this -- but something to the
14 effect that the -- the fact that they were both
15 designated single-family residential, in your opinion,
16 was a large factor, not the ultimate factor, that made
17 them consistent; is that right? I'm sorry.
18 Compatible.
19 A It's a large factor, in my professional
20 opinion. But I did go through all the steps in the --
21 as enumerated in (e), all the criteria as enumerated
22 in (e).
23 Q Does that mean if they're both designated
24 single-family residential, that they are not
25 automatically consistent?

1 A Well, first of all, let's say low density. So
2 single family, you know, in the plan we say that low
3 density, I think residential preservation, is zero to
4 six. So generally when you establish that range
5 within a zoning district, there is generally, I think,
6 a presumption, unless there is some other standard,
7 that I would say professionally that they are
8 essentially compatible.
9 This provision happens to be in here. I think
10 as I said earlier, I'm not entirely sure it even
11 actually applies in this case. But in an effort to be
12 conservative in our approach, we did look at it.
13 Q Okay. So some of the factors don't line up
14 very well; is that fair to say, between Moore Pond and
15 Brookside; some of the factors actually don't --
16 MR. HUNTER: Object to form.
17 MS. SCHRADER: Join.
18 MR. HUNTER: I don't know what factors you're
19 talking about.
20 BY MR. GIVENS:
21 Q Lot size.
22 A Some of the conditions that are enumerated in
23 (e) are different. I would point out, again, that the
24 definition of compatibility is not that they be the
25 same.

1 Q I understand. I understand. But we're just
2 talking about factor, for example, lot size.
3 A Differ; they differ.
4 Q I think it was something like 14 times the --
5 Moore Pond was something like 14 times the size of
6 Brookside. That's a heck of a spread there; isn't it?
7 MR. HUNTER: Object to form.
8 MS. SCHRADER: Join.
9 A I can't verify that figure.
10 MR. GIVENS: And I think that is it. Right.
11 I'm done.
12 MR. HUNTER: I've got just a couple clean-up
13 questions.
14 I think when Mr. Anderson was asking you
15 questions a few of the times, and I was objecting
16 to form, really related to kind of the
17 characterization; I thought of her reports. That's
18 why I'm going to ask her these questions. The
19 compound part didn't bother me so much.
20 CROSS EXAMINATION
21 BY MR. HUNTER:
22 Q But it was implied at least a few times, I
23 thought, that it was your conclusion that the
24 Brookside subdivision had objectionable impacts on
25 neighboring subdivisions. Did you interpret any of

1 his questions to suggest that your conclusions implied
2 there were objectionable impacts?
3 A Could you repeat that question? Sorry.
4 Q Did you understand any of Mr. Anderson's
5 questions to imply that you had concluded there were
6 objectionable impacts from Brookside to neighboring
7 subdivisions?
8 A The neighboring subdivisions objected, had
9 objections.
10 Q Well, it was my impression that his
11 characterization of questions were that you concluded
12 there were objectionable impacts. I guess my question
13 is, did you at any point anywhere in your reports
14 conclude there were objectionable impacts?
15 A No.
16 Q Secondly, looking at these factors in -- when
17 I say (e), I'm now talking about the comp plan policy
18 2.2.3. And if you will pull that out, let's go to
19 2.2.3, subparagraph (5). And then the flush left
20 paragraph under subparagraph (5) it says: "In order
21 to preserve existing stable and viable residential
22 neighborhoods."
23 Are you with me?
24 A Yes.
25 Q So this is Composite Exhibit D.

1 So when you were testifying earlier, I
2 understood you to say, just to make clear, because
3 there has been a lot of conversation about those
4 various factors that are in subparagraph (5)(e). Did
5 I understand your testimony to say you looked at those
6 factors in subparagraph (5)(e), being conservative in
7 your analysis, but not with the conclusion as a
8 professional planner that they even applied in this
9 case?
10 A Correct.
11 Q And the reason for that, just so I understand,
12 is because if you look at the various subcriteria that
13 start with subparagraph (a), talking about the
14 creation of transitional development areas for low
15 density residential developments, and then you go down
16 to the next paragraph it says, "Higher density
17 residential developments proposed for areas adjoining
18 an established neighborhood within residential
19 preservation land use shall provide" -- and it goes on
20 to say TDA.
21 Is Brookside a high density residential
22 development area as defined in the comprehensive plan?
23 A No, it's not high density.
24 Q What is it?
25 A Low density.

1 Q By definition it's low density?
2 A Yes.
3 Q What is low density?
4 A I believe low density is generally identified
5 as 0 to 8, but RP is 0 to 6. Residential
6 preservation, 0 to 6.
7 Q And Brookside's density is what; do you
8 remember? If I said less than 2, would that be
9 accurate?
10 A Yes, 1.73.
11 MS. SCHRADER: Did you mean to say gross
12 density?
13 THE WITNESS: Yes. Density in the plan is
14 defined as gross density. So I'm always talking
15 about that.
16 BY MR. HUNTER:
17 Q So based on that, (a) didn't apply in your
18 analysis; subparagraph (5)(a) did not apply in your
19 analysis; is that correct?
20 A Right. Uh-huh.
21 Q And (b) is talking about future commercial
22 intensities adjacent to RP neighborhoods.
23 We're not talking about commercial intensity
24 of any form here; so you concluded (b) didn't apply;
25 correct?

1 A Correct.
2 Q And (c) is talking about light industrial
3 adjoining RP; not applicable; correct?
4 A Correct.
5 Q And did you think (d) was applicable?
6 A (D)? No.
7 Q Okay. And so when you looked at those in
8 aggregation, was it your conclusion that -- or your
9 interpretation, as a planner of the code, one which
10 you were responsible for administering for ten
11 years -- when I say code, I mean comp plan, not land
12 development code -- that, again, it wasn't even clear
13 that (e) applied, given the fact that we're talking
14 about low density residential next to low density
15 residential?
16 A Yes.
17 MR. HUNTER: Okay. I'm good.
18 MS. SCHRADER: I have no questions.
19 MR. HUNTER: Thank you.
20 (The deposition was concluded at 4:11 p.m.)
21
22
23
24
25

1 **CERTIFICATE OF OATH**

2

3 STATE OF FLORIDA)
COUNTY OF LEON)

4

5

6 I, the undersigned authority, certify that said designated witness personally appeared before me and was
7 duly sworn.

8

WITNESS my hand and official seal this 3rd day
9 of November, 2017.

10

11 Sarah Gilroy

12 /s/ Sarah B. Gilroy
SARAH B. GILROY
13 sbrinkhoff@comcast.net
NOTARY PUBLIC
14 850.878.2221

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1 **CERTIFICATE OF REPORTER**

2 STATE OF FLORIDA)
COUNTY OF LEON)
3

4 I, SARAH B. GILROY, Registered Professional Reporter,
5 and Notary Public, do hereby certify that the foregoing
6 proceedings were taken before me at the time and place
7 therein designated; that a review of the transcript was
8 requested, and that the foregoing pages numbered 1
9 through 75 are a true and correct record of the
10 aforesaid proceedings.
11
12 I further certify that I am not a relative, employee,
13 attorney or counsel of any parties, nor am I a relative
14 or employee of any of the parties' attorney or counsel
15 connected with the action, nor am I financially
16 interested in the action.
17 DATED this 3rd day of November, 2017.
18
19
20
21 /s/ Sarah B. Gilroy
SARAH B. GILROY
22 sbrinkhoff@comcast.net
850.878.2221
23
24
25

1 ERRATA SHEET

2 Under penalties of perjury, I declare that I have read the foregoing transcript of my deposition and hereby subscribe to same, including any corrections and/or

3 amendments listed below.

4

5 _____ _____
Signature Date

6 PAGE LINE CORRECTION AND REASON FOR CHANGE

7 _____ _____ _____

8 _____ _____ _____

9 _____ _____ _____

10 _____ _____ _____

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25

ACCURATE STENOTYPE REPORTERS
2894-A Remington Green Lane
Tallahassee, Florida 32308
850-878-2221

November 3, 2017

Wendy Grey
c/o Erin Tilton, Esquire
etilton@hgslaw.com

re: October 26, 2017, deposition of Wendy Grey, Moore Pond Homeowners, et al vs. Golden Oak

Dear Ms. Grey:

This letter is to advise that the transcript for the above-referenced deposition has been completed and is available for your review and signature at your attorney's office, or if you wish, you may sign below to waive review of this transcript.

It is suggested that the review of this transcript be completed within 30 days of your receipt of this letter, as considered reasonable under applicable rules; however, there is no Florida Statute to this regard.

The original of this transcript has been forwarded to the ordering party, and your errata, once received, will be forwarded to all ordering parties for inclusion in the transcript.

Sincerely yours,

SARAH B. GILROY, Court Reporter

cc: Jeremy Anderson, Esquire

Waiver:
I, _____, hereby waive the reading and signing of my deposition transcript.

_____ _____
Deponent signature Date

WENDY GREY, AICP

EXPERT WITNESS EXPERIENCE

Department of Administrative Hearings Proceedings

T & P Enterprises of Bay County, Inc., and Edgar Garbutt v. Bay County, Case No. 03-2449 GM

Department of Community Affairs v. City of Groveland, Case No. 04-3651 GM

Hildreth Cooper v. City of Panama City, Case No. 05-0921 GM

Diane Brown and Panhandle Citizens Coalition v. Bay County and Department of Community Affairs, Case No. 06-0881 GM

Leseman Family Land Partnership, Walter E. Murphree, Jr., and Debra C. Treece v. Clay County and Department of Community Affairs, Case No. 07-5755 GM

Circuit Court

Alan Ficarra v. Walton County, Centurion VI, Inc, and Emerald Coast Associates, Inc, Case No. 04-CA-000-397

EXHIBIT A
Witness Grey
Date 10/26/17

Wendy Grey, AICP
Resume

Phone: 850-566-0155 P.O. Box 6574
E-mail: wendygrey@wendygreyplanning.com Tallahassee, Florida 32314

Professional Experience

Managing Member, Wendy Grey Land Use Planning LLC

September 2002 -

Services provided in the following areas:

- Comprehensive Planning
- Community Planning
- Public Involvement
- Expert Witness Testimony

Selected Projects

Local Government Clients

- Greater Frenchtown/Southside Community Redevelopment Plan, Tallahassee, Florida. Updating the Community Redevelopment Plan to meet statutory requirements and incorporate public input. Project includes assessment of existing land use and infrastructure conditions, land use regulations, and demographic data.
- Mixed-Use Property Market Analysis, Feasibility Analysis and Follow-On Services, Tallahassee Community Redevelopment Agency, Florida. As subconsultant to GAI Consultants, Inc., serve as land use planner evaluating impact of local plans and land development regulations on development options.
- Alternative Transportation Analysis, Star Metro, Tallahassee, Florida. As subconsultant to HDR, Inc., led team effort analyzing alternative transportation routes in relation to existing and proposed land use patterns, zoning, and opportunities for redevelopment.
- Albany-Dougherty County Zoning Code Revisions, Albany/Dougherty County, Georgia. Restructured zoning code to consolidate related

EXHIBIT B
Witness Grey
Date 10/22/07

provisions and eliminate inconsistencies. Provided Planning Department staff with recommendations for efficient implementation of zoning regulations. Assisted staff with revisions to development standards within the Code.

- City of Perry Downtown Report, Perry Florida. As subconsultant to Wood+Partners, served as land use policy planning expert and facilitated public involvement. Specific responsibilities included facilitating focus group meetings and developing goals, strategies, and implementation tasks based on research and public input.
- Woodville Highway Corridor Study and Project Development and Environmental Study. Leon County, Florida. As subconsultant to Kimley-Horn, served as land use resource expert. Participated in stakeholder meetings involving elected officials, city and county staff, and economic development officials. Coordinated and participated in stakeholder meeting with residents. Developed the land use concept for redevelopment of the study area based on land use trends and stakeholder and charette input.
- City of Panama City Downtown Future Land Category, Panama City, Florida. As subconsultant to Wood+Partners, Inc., assisted in developing a new Downtown future land use category to promote mixed use development. In conjunction with other team members, developed and implemented a public participation process. Working with Wood+Partners, drafted a new zoning district to implement the future land use category.
- City of Lynn Haven Evaluation and Appraisal Report (EAR), Lynn Haven, Florida. Served as project manager for a team of consultants responsible for preparing the EAR in compliance with state rules. Project included analysis of population and land use trends; analysis of major issues identified by the City; assessment of Comprehensive Plan implementation status; assessment of implementation of new state planning mandates; and recommendations for changes to the City's plans, regulations, and policies. Project also involved meetings with the Local Planning Agency and City Council and coordination with the Florida Department of Community Affairs.
- City of Lynn Haven Evaluation and Appraisal Report (EAR) Based Amendments, Lynn Haven, Florida. Served as project manager for a team of consultants responsible for preparing amendments to the City's Comprehensive Plan to address recommendation in the EAR.

- City of Panama City Evaluation and Appraisal Report (EAR) Based Amendments, Panama City, Florida. Assisted City with preparation of data and analysis to support Comprehensive Plan amendments, including projection of future population and demand for housing. Review and comment on proposed plan revisions prepared by staff.
- City of Callaway Evaluation and Appraisal Report (EAR) Based Plan Amendments, City of Callaway, Florida. Working with City staff, updated the Plan incorporating most recent data, prepared agenda items, and presented these items at workshops and hearings.
- Peer Review of Lake County Comprehensive Plan, Lake County, Florida. As subconsultant to Renaissance Planning Group, Inc., reviewed staff generated revisions to elements of the Lake County Comprehensive Plan for internal consistency, clarity, and consistency with the State minimum requirements.
- Comprehensive Plan Update, Walton County, Florida. As sub-consultant to Kimley-Horn and Associates, reviewed elements of the Walton County Comprehensive Plan and recommended amendments to make the document more comprehensible, consistent, and usable.

Private Clients

- Sandestin Owners Association, Sandestin, Florida. Provided professional land use planning services to the Association. Evaluated the compliance of development within Sandestin for compliance with Development of Regional Impact Development Order. Prepared and presented assessments and recommendations to the SOA executive board. Provided expert witness testimony to the Walton County Commission regarding compliance issues.
- EBSCO Gulf Coast Development, Inc.
  - Lupin Beach Planned Unit Development, Walton County Florida: Served as land use planner for development. Primary responsibilities were preparation of compatibility analysis, justification of requests for deviation from land development code standards, and Comprehensive Plan and land development code consistency analysis.
  - Review of Walton County Evaluation and Appraisal Report (EAR)-Based Amendments to the Comprehensive Plan. Analyzed proposed amendments to the County's Plan and recommended changes to address concerns of EBSCO and to improve the amendments' clarity and utility.
- Hickory Hill Development of Regional Impact, Hernando County, Florida. Retained by Sierra Properties to respond to the Florida Department of

Community Affair's objections to a Comprehensive Plan amendment based on a 2,700 acre Development of Regional Impact (DRI) in Hernando County.

- Comprehensive Plan Consistency Analyses and Land Use Compatibility Analyses. Prepared comprehensive plan consistency analyses and/or land use compatibility analyses in support of rezoning requests and site plan proposals. Projects have been located in Walton and Bay Counties and the cities of St. Cloud and Palm Bay, Florida.

Expert Witness

Qualified as an expert witness in planning in Florida Department of Administrative Hearings and in Circuit Court. *Expert witness resume available upon request.*

Publications

Planning Commissioners Journal. Serve as columnist for national publication serving citizen planners. (2010 -2012)

Florida League of Cities *Quality Cities* Magazine. Served as regular columnist on planning and growth management issues from (2003 - 2006). Articles can be found at http://www.wendygreyplanning.com/publications.html.

Director, Tallahassee-Leon County Planning Department, Tallahassee, Florida January 1992 - September 2002

Major responsibilities included working with elected officials and community interest groups to identify and provide direction on major planning issues; directing the staff activities of the Metropolitan Planning Organization; and managing citizen involvement and education activities.

Selected Projects

- Directed the Comprehensive Plan amendment process for Tallahassee and Leon County. Managed the process of evaluating proposed amendments, providing analysis and recommendations to local elected officials, and responding to any objections raised by the Florida Department of Community Affairs. Directed preparation of Evaluation and Appraisal Report.
- Directed the development and adoption of a new zoning code and map for 22,000 parcels to address code deficiencies.

- Directed a study to identify an alignment for a major new urban arterial roadway, the Blair Stone North extension, and obtain public consent.

Assistant to the City Manager, City of Tallahassee, Florida
May 1990 – January 1992
Provided professional and administrative assistance to the City Manager and City Commission in implementing City policy. Major responsibilities included managing internal policy development and communications, public information, and intergovernmental programs.

Chief, Division of Economic Development and Special Projects, Tallahassee-Leon County Planning Department, Tallahassee, Florida
March 1988-May 1990
Responsible for economic development and downtown development projects including permitting of City industrial park and development of downtown plan and zoning code.

Community Programs Administrator, Bureau of Local Planning, Department of Community Affairs, Tallahassee, Florida
October 1987 – February 1988
Supervised planners charged with reviewing local comprehensive plans for compliance with state statutes and rules. Worked with local government planners and consultants to improve consistency between state guidelines and local plans.

Planning Manager, Bureau of State Land Planning, Department of Community Affairs, Tallahassee, Florida
August 1984 – September 1987
Served as lead Department staff for Resource Planning and Management Committees established by the Governor to develop regional resource management plans for key environmental areas of the State.

Federal Program Administrator, Bureau of State Land Planning, Department of Community Affairs, Tallahassee, Florida
December 1982 – July 1984
Obtained and managed a federal grant to study urban waterfronts in Florida. Edited and prepared articles for a series of publications on urban waterfront issues.

Federal Programs Coordinator, Office of Federal Coastal Programs, Department of Community Affairs
November 1980 – December 1982

Reviewed, analyzed, and responded to federal technical and policy documents concerning coastal energy development. Developed and presented educational and technical materials on offshore oil and gas exploration for concerned local and regional government and interest groups. Managed federally funded projects studying the local impacts of coastal energy activity.

Education

- Master in Regional Planning, Cornell University, 1980
- Bachelor of Art in Environmental Studies, State University of New York at Binghamton, 1976

Certifications

- Certified Planner, American Institute of Certified Planners

Specialized Training

- Systematic Development of Informed Consent, presented by the Institute for Participatory Management and Planning: 2012, 2002, and 1996
- Citizen Participation by Objectives, presented by the Institute for Participatory Management and Planning, 2012 and 1996

Professional/Community Activities

- Member, American Institute of Certified Planners and American Planning Association
- Co-Chair: Zonta Club of Tallahassee Legislative Advocacy and Awareness Committee (2014 -)
- Team Leader, South City Revitalization Planning Team (2014 - 2015)
- Member, Capital Region Transportation Planning Agency Citizen Advisory Committee (2011 -2013)
- Member, Florida Advisory Council on Small and Minority Businesses (2013 - 2015)
- President, Zonta Club of Tallahassee (2013-2014)
- Member, Woodland Drives Neighborhood Association Lafayette Street Revitalization Committee (2009- 2012)
- Board Member, Tallahassee Trust for Historic Preservation (2002-2007)

Brookside Village Subdivision:
Compatibility Analysis and Analysis of Comprehensive Plan Policies Affecting Density

Prepared by
Wendy Grey, AICP
Wendy Grey Land Use Planning LLC
October 19 2016
Revised April 26 2017
Revised July 5 2017
Revised August 2, 2017

EXHIBIT C
Witness Grey
Date 10/27/17

Brookside Village Subdivision:
Compatibility Analysis and Analysis of Comprehensive Plan Policies Affecting Density

I. Introduction

This report has been prepared for the proposed Brookside Village subdivision in conformance with the Tallahassee-Leon County Comprehensive Plan requirements. It addresses Comprehensive Plan policies related to land use compatibility and density where certain environmental features are present.

II. Description of Brookside Village

Brookside Village is a proposed 61-unit single family residential subdivision on a 35.17 acre parcel located on Ox Bottom Road, approximately 1,770 feet east of Meridian Road. Brookside Village has a density of 1.73 dwelling units/acre, an average lots size of .26 acres, an estimated average building size of 2,850 gross square feet, and an estimated lot coverage of 24%[1]. Lots are generally rectangular, with minor variations to accommodate circular roads, including cul-de-sacs. With the exception of Lots 17A and 2C, houses will be one story or one and one-half story. Lots are accessed internally from a single road with cul-de-sacs at each end. The subdivision has access to Ox Bottom Road (see Exhibit 1).

There is an 11.18 acre conservation easement in the center of the property running primarily along the western and central portion of the site.

The plat includes buffers along four property lines:

- 25 feet along Ox Bottom Road
- 25 feet along the eastern property line abutting Moore Pond subdivision
- 25 feet along the western property line abutting Ox Bottom Manor to Brookside Village Lot 1D. Two adjacent ten foot buffers are provided from that point, adjacent to approximately one third of Lot 7, Bock H and all of Lot 8, Block H in Ox Bottom Manor. A ten foot buffer is provided along the remainder of the joint property line, which abuts both Ox Bottom Manor and Moore Pond. A 2.19 acre lot is proposed adjacent to the ten foot buffer.
- 10 feet along the northern property line abutting Heartland Circle.

The Leon County Land Development Code requires no less than a 'Type A' landscaped buffer between residential developments within the Residential Preservation zoning district. The 25 foot buffers in Brookside Village far exceed this Type A standard and in fact exceed the Type C buffer standard in the Code. They are also designed to have a 75% opacity at the time of planting and a 90% opacity within five years (see Exhibit 2).

---

[1] Assumes 50% of buildings are 2,200 square feet and 50% are 3,500 square feet.

III. Description of Surrounding Area

For purposes of this analysis, the surrounding area ("area") includes land within one quarter mile of the subject site (see Exhibit 3). There are 168 parcels within the area: 166 are residential, one contains a church, and one contains a stormwater facility. Of the 166 residential parcels, a total of nine were either vacant or Property Appraiser data was not available. Therefore, a total of 157 parcels were included in this analysis. All residential development is single family and includes portions of the following subdivisions:

- Moore Pond
- Ox Bottom Manor
- Ox Bottom Gardens
- Rose Hill

The existing subdivisions were platted between 1987 and 1993. The density of each subdivision is consistent with the Comprehensive Plan definition of low density and with the density limitations established by the Residential Preservation future land use category. The development pattern of the subdivisions varies significantly in terms of density and lot and building size. There are very few vacant lots. Based on a site visit to accessible properties, it appears that the subdivisions are well maintained and well established.

The major characteristics of each of the subdivisions are summarized below[2]:

- Ox Bottom Gardens: Of the four subdivisions in the surrounding area, Ox Bottom Gardens has the highest density (2.13 dwelling units/acre) and average lot coverage (28%), and the smallest average lot size (.19 acres), and average building size (2,389 square feet). The subdivision plat contains a 75 foot vegetative buffer between lots in Ox Bottom Gardens and Ox Bottom Manor. These two subdivisions are connected: Love Ridge Drive and Sugar Plum Drive connect to Ox Bottom Manor Drive and Hawk Ridge Drive in the Ox Bottom Manor subdivision, providing residents of Ox Bottom Gardens with access to Meridian Road and Ox Bottom Road.

- Ox Bottom Manor: Ox Bottom Manor has a density of 1.10 dwelling units/acre, an average lot size of .67 acres, an average building size of 3,459 square feet, and an average lot coverage of 10%. The plat does not contain a buffer along the property boundaries with Moore Pond or the subject parcel. As noted above, Ox Bottom Manor has access to Meridian Road and Ox Bottom Road and is connected to Ox Bottom Gardens.

- Moore Pond: Moore Pond has a density of .23 dwelling units per acre, an average lot size of 3.08 acres, an average building size of 6,301 square feet, and an average lot coverage of 5%.

[2] Density is calculated based on entire plat. Other data is calculated based on lots within the "surrounding area" depicted on Exhibit 3.

The pond is centrally located within the subdivision. The plat does not contain a buffer along the property boundaries with Ox Bottom Manor or the subject parcel. With one exception, all lots access Heartland Circle, which provides two points of access to Ox Bottom Road. The one exception is a lot that directly fronts Ox Bottom Road. Moore Pond is a gated subdivision.

- Rose Hill: Rose Hill is the only one of the four subdivisions located on the south side of Ox Bottom Road. The density is .17 dwelling units/acre. The average lot is 2.52 acres, the average building size is 6,143 square feet, and the average lot coverage is 6%. Lots are arranged along a circular road, off of which are several cul-de-sacs. The plat includes a "Common Area" around the periphery of the development (a minimum of 100 feet deep) plus a 100 foot utility easement on the eastern boundary of the property. The designated residential access is via Meridian Road, with two truck entrances on Ox Bottom Road. Rose Hill is a gated community.

It is noted that the subject property and the surrounding area are within the Urban Service Area established by the Comprehensive Plan and urban services are available to serve the project. The Comprehensive Plan states that development should be directed "...to those areas which have in place, or have agreements to provide, the land and water resources, fiscal abilities, and the service capacity to accommodate growth in an environmentally acceptable manner....This Urban Service Area (USA) concept is based upon a desire to have Tallahassee and Leon County grow in a responsible manner, with infrastructure provided economically and efficiently, and surrounding forest and agricultural lands protected from unwarranted and premature conversion to urban land use....." (Future Land Use Element Objective 1.1). The Plan further states that "[i]n order to discourage urban sprawl, new development shall be concentrated in the urban service area plus in the Woodville Rural Community future land use category and the rural communities of Capitola, Chaires, Ft. Braden and Miccosukee, as designated on the future land use map." (Future Land Use Element Policy 1.1.1).

IV. Compatibility Criteria

The criteria used in this analysis are established in the Tallahassee-Leon County Comprehensive Plan and set forth below. The proposed Brookside Village subdivision is analyzed in relation to these policies in the following section of this report.

> ***Future Land Use Element Objective 2.1:*** *Enhance the livability of existing neighborhoods and in new neighborhoods provide for future mixed residential areas which will accommodate growth and provide a wide choice of housing types, densities and prices as well as commercial opportunities based on performance criteria. In furtherance of this, maintain a system of land development regulations and ordinances which will facilitate the implementation of the policies adopted in relation to residential land use. These shall include but not be limited to:*
>
> *1) Setback requirements from natural waterbodies and wetlands*
> *2) Buffering requirements*
> *3) Open space requirements*
> *4) Landscape requirements*
> *5) Tree protection*

6) Stormwater management requirements

Future Land Use Element Policy 2.1.1: [L] *Protect existing residential areas from encroachment of incompatible uses that are destructive to the character and integrity of the residential environment. Comprehensive Plan provisions and Land Development Regulations to accomplish this shall include, but are not limited to:*
a) Inclusion of a Residential Preservation category on the Future Land Use Map.
.....
c) Limitations on future higher density residential adjoining low density residential areas. Such limitations are to result in effective visual and sound buffering (either through vegetative buffering or other design techniques) between the higher density residential uses and the low density residential uses.

Future Land Use Element Policy 2.2.3: [L]: RESIDENTIAL PRESERVATION

Characterized by existing homogeneous residential areas within the community which are predominantly accessible by local streets. The primary function is to protect existing stable and viable residential areas from incompatible land use intensities and density intrusions. Future development primarily will consist of infill due to the built out nature of the areas....Single family, townhouse and cluster housing may be permitted within a range of up to six units per acre. Consistency with surrounding residential type and density shall be a major determinant in granting development approval.

.....In order to preserve existing stable and viable residential neighborhoods within the Residential Preservation land use category, development and redevelopment activities in and adjoining Residential Preservation areas shall be guided by the following principles:

...
e) Land use compatibility with low density residential preservation neighborhoods
A number of factors shall be considered when determining a land use compatible with the residential preservation land use category. At a minimum, the following factors shall be considered to determine whether a proposed development is compatible with existing or proposed low density residential uses and with the intensity, density, and scale of surrounding development within residential preservation areas: proposed use(s); intensity; density; scale; building size, mass, bulk, height and orientation; lot coverage; lot size/ configuration; architecture; screening; buffers, including vegetative buffers; setbacks; signage; lighting; traffic circulation patterns; loading area locations; operating hours; noise; and odor.....

Relevant definitions are as follows:

Compatibility: Neither the Comprehensive Plan nor the Land Development Code provide a definition of compatibility. This analysis uses the definition provided in the State's Community Planning Act, Ch. 163.3164 (9), Florida Statutes: *"Compatibility" means a condition in which land uses or conditions can coexist in relative proximity to each other in a stable fashion over*

time such that no use or condition is unduly negatively impacted directly or indirectly by another use or condition.

Consistency: No definition of consistency is provided in the Comprehensive Plan, the Land Development Code, or the Community Planning Act. This analysis uses the following definition: *1. Agreeing or accordant, compatible; not self-contradictory; 2. constantly adhering to the same principles, course, form, etc., 3. holding firmly together, cohering.* Webster's New Universal Unabridged Dictionary 1996. Barnes & Noble Publishing, Inc. 2003

Low Density Residential: 0-8 dwelling units per acre (Comprehensive Plan Glossary). Residential densities expressed as gross units per acre (Comprehensive Plan Glossary). The Residential Preservation future land use category restricts densities to a maximum of six units per acre. (Future Land Use Element Policy 2.2.3)

V. Analysis of Surrounding Area based on Compatibility Criteria in the Comprehensive Plan

Future Land Use Element Policy 2.1.1: [L] *Protect existing residential areas from encroachment of incompatible uses that are destructive to the character and integrity of the residential environment. Comprehensive Plan provisions and Land Development Regulations to accomplish this shall include, but are not limited to:*
a) Inclusion of a Residential Preservation category on the Future Land Use Map.
.....
c) Limitations on future higher density residential adjoining low density residential areas. Such limitations are to result in effective visual and sound buffering (either through vegetative buffering or other design techniques) between the higher density residential uses and the low density residential uses.

Analysis: All residential development in the surrounding area meets the definition of low density residential as established in the Residential Preservation future land use category (0 – 6 dwelling units/acre). The density for Brookside Village also meets this definition. This policy requires effective visual and sound buffering between low density and higher density residential uses. Although Brookside Village is a low density residential development, the project still incorporates vegetative buffers adjoining existing development.

Future Land Use Element Policy 2.2.3: [L]: RESIDENTIAL PRESERVATION
....Single family, townhouse and cluster housing may be permitted within a range of up to six units per acre. Consistency with surrounding residential type and density shall be a major determinant in granting development approval.

Analysis: The proposed development type is single family, as is development in the surrounding area. The proposed density falls within the range established by the Residential Preservation/Low Density category, as does the development in the surrounding area.

Future Land Use Element Policy 2.2.3(e): Land use compatibility with low density residential preservation neighborhoods

A number of factors shall be considered when determining a land use compatible with the residential preservation land use category. At a minimum, the following factors shall be considered to determine whether a proposed development is compatible with existing or proposed low density residential uses and with the intensity, density, and scale of surrounding development within residential preservation areas: proposed use(s); intensity; density; scale; building size, mass, bulk, height and orientation; lot coverage; lot size/ configuration; architecture; screening; buffers, including vegetative buffers; setbacks; signage; lighting; traffic circulation patterns; loading area locations; operating hours; noise; and odor....

Analysis: The relevant factors cited in the policy are analyzed below.

Density: The range of densities of existing and proposed development is shown in Table 1.

Table 1: Subdivision Density

Subdivision	Density (dwelling units/acre)
Ox Bottom Gardens	2.13
Brookside Village	1.73
Ox Bottom Manor	1.10
Moore Pond	.23
Rose Hill	.17

Sources: Subdivision Plats and Leon County Property Appraiser Website
Density calculated based on entire subdivision
Ox Bottom Garden density calculated using acreage for residential component and stormwater pond.

There is a wide range of densities within the surrounding area. The density of Brookside Village falls within the existing range and is one third of the maximum density permitted in the Residential Preservation future land use category.

Building Size: Building size in the surrounding area compared to Brookside Village is shown in Table 2.

Table 2: Building Size

Subdivision	Building Size Range (Gross Square Feet)	Average Building Size (Square Feet)
Moore Pond	3,485-14,929	6,301
Rose Hill	3,732 – 10,620	6,143
Ox Bottom Manor	2,329 -4,817	3,459
Brookside Village	2,200– 3,500	2,850
Ox Bottom Gardens	1,974 – 3,249	2,389

Source: Leon County Property Appraiser Website: Building Sketches.
Note: Brookside Village minimum gross square footage is based on a minimum heated and cooled building size of 1,600 square feet.

There is a wide range of building sizes in the surrounding area. The average size of Brookside Village buildings falls within the existing range.

Lot Size: The range of lot sizes in the surrounding area compared to Brookside Village is shown in Table 3:

Table 3: Lot Size		
Subdivision	Lot Sizes (Acres)	Average Lot Size (Acres)
Moore Pond	1.49 to 12.39	3.08
Rose Hill	1.48 -6.97	2.53
Ox Bottom Manor	.53-.96	.67
Brookside Village	.14 – 2.19	.26
Ox Bottom Gardens	.13-.32	.19

Sources: Subdivision Plats and Leon County Property Appraiser Website

There is a significantly wide range of lot sizes in the surrounding area. The lot size of Brookside Village falls within the existing range.

Lot Configuration and Orientation: Lots in the surrounding area are generally rectangular, with minor variations to accommodate circular roads, including cul-de-sacs. Lot configuration and orientation in Brookside Village is similar to the existing pattern.

Scale and Height[3]: The surrounding area contains a mix of one story, one and one-half story (habitable space within the roof), and two story. Sixteen percent of the houses in Ox Bottom Gardens had more than one habitable story, 42% in Ox Bottom Manor, 61% in Moore Pond, and 68% in Rose Hill. Buildings on Brookside Village, with the exception of Lots A17 and C2 will be one story and one and one-half stories. The habitable area of buildings with one and one-half stories is located toward the front of the house and no upper story windows will be facing adjoining subdivisions.

[3] Buildings with square footage attributed to "Finished Upper Story" in records from the Property Appraiser's website were classified as having more than one story.

Lot Coverage[4]: The range of lot coverage in the surrounding area compared to Brookside Village is shown in Table 4:

Table 4: Lot Coverage	
Subdivision	Average Lot Coverage
Moore Pond	5%
Rose Hill	6%
Ox Bottom Manor	10%
Brookside Village	24%
Ox Bottom Gardens	28%

Source: Leon County Property Appraiser Website: Building Sketches.
Note: Brookside Village average lot coverage is based on an average lot size of 11,454 square feet and an average lot coverage of 2,712.5 square feet. The average lot coverage was determined assuming 50% of the lots will have a coverage of 2,200 square feet and 50% will have a lot coverage of 3,225 square feet.

The lot coverage ratio in the surrounding area ranges widely. The lot coverage of Brookside Village falls within the existing range.

Mass and Bulk: To provide an estimate of bulk, this analysis focused on existing lots in Moore Pond and Ox Bottom Manor adjoining lots in Brookside Village less than two acres in size. (See Exhibit 1 for location of lots referenced in this analysis.) The total length of building façades along the shared property line was compared to the total length of the property line.

For Moore Pond, the calculation was made using the length of the rear property lines along Lots B23 through B25. Only one home is currently constructed, on Lot B23. It was assumed that the ratio of building to property line would be the same for the remaining lots. The length of the building façade as a percent of the total lot length is .29. For Brookside Village, the calculation was made using Lots A4 through A15. The percent of building façade as a percent of the total lot length is .88[5].

For Ox Bottom Manor, the calculation was made using Lots H1 through H7. The length of building façade as a percent of the total lot length is .45. For Brookside Village, the calculation was made using Lots D1 through Lot D11. The length of building façade as a percent of the total lot length is .88.

As noted previously, neither of these subdivisions contains buffers. There is existing vegetation along portions of the Brookside Village property line.

[4] *Lot coverage* shall mean the area that results from the division of a lot which is occupied or covered by the total horizontal projected surface of all buildings, including covered porches and accessory buildings, by the gross area of that lot. (Leon County Land Development Code, Sec 10-1.101). Horizontal project surface of buildings was calculated based on building square footage of the main level, based on building square footage available on the Leon County Property Appraiser website.
[5] For Brookside Village, five foot side setbacks were assumed.

Based on this analysis, there is a potential issue of compatibility relating to the visual impact of the smaller lot sizes and subsequently higher building mass in Brookside Village where it adjoins Moore Pond and Ox Bottom Manor.

The landscape plan for Brookside Village mitigates the potential visual impact with a landscape buffer that is deeper and substantially denser than the minimum landscape buffer established in the Land Development Code in these locations. The Land Development Code establishes four landscape buffer types, labeled "A" though "D," intended to addresses increasing degrees of incompatibility. For example, the Code requires a minimum of a Type A buffer between single family residential uses in the Residential Preservation future land use category. A Type C buffer is the minimum required between single family use and commercial uses between 20,000 and 200,000 square feet and between single family use and warehousing and distribution uses. The buffer proposed for Brookside Village exceeds the standards for a Type C buffer, and is referred to as a "Type C+" buffer. Table 6 shows the planting standards for the Type A, C, and C+ buffer.

Table 6: Comparison of Type A, C, and C+ Buffer

	Type A	Type C	Type C+
Buffer Width (Feet)	20	25	25
Number Canopy Trees Per 100 Feet	1.2	6	7 (evergreen)
Number Understory Trees Per 100 Feet	.4	3	6 (evergreen)
Number Shrubs Per 100 Feet	4.0	24	24 (evergreen)

Note: Buffer widths in the Code vary for each buffer Type. This comparison uses the buffer width closest to the 25 foot buffer proposed for Brookside Village.

The buffer details sheet states: "It is realistic to expect approximately 75% opacity at the time of planting and over 90% opacity within 5 years." (See Exhibit 2.)

Architecture: The architecture of Ox Bottom Manor and Ox Bottom Garden (the subdivisions that are accessible) are traditional suburban residences. Typical feature include peaked roofs, brick or stucco front facades, and covered entrances. The Brookside Village prototype includes peaked roofs and covered entrances. Facades are Hardie board.

Brookside Village Prototype

Ox Bottom Gardens

Ox Bottom Manor

Screening and Buffering, including vegetative buffers: Each plat was reviewed to determine the existence and extent of a buffer. The results are shown in Table 5:

Table 5: Buffers Provided in Subdivision Plats	
Subdivision	Buffer
Rose Hill	Approximately 100 feet (Labeled "Common Area"). Additional 100 foot utility easement provided along eastern property line.
Ox Bottom Gardens	Approximately 75 feet along boundary with Ox Bottom Manor.
Brookside Village	25 feet adjoining Brookside Village lots less than two acres and Lot 17A. Two ten foot buffers along portions of Ox Bottom Manor Lot 7, Block H and all of Lot 8, Block H. Ten foot buffer in all other locations.
Moore Pond	None provided in plat
Ox Bottom Manor	None provided in plat

Buffers range from 0 feet to 100 feet. The Brookside Village buffer falls within this range and includes standards for planting to achieve a specified level of opacity.

Setbacks: Data on setbacks in the surrounding area are not available. Based on site visits and review of aerial images, setbacks appear to be typical for suburban residential development: e.g., buildings are set back from the curb (as opposed to being placed near front property line) and from adjoining properties (e.g., no zero lot lines). Setbacks for Brookside Village are consistent with this pattern.

Traffic Circulation Patterns: Ox Bottom Manor is characterized by a network of interconnected curving roads. It has access to Ox Bottom Road and Meridian Road via Ox Bottom Manor and Hawks Ridge Drive. Lots in Ox Bottom Gardens are arranged along a system of cul- de-sacs and two streets, Sugar Plum Drive and Love Ridge Drive, which provide connections to the road system in Ox Bottom Manor.

Moore Pond has access to Ox Bottom Road via two connections off Heartland Circle. Heartland Circle provides access to all lots in Moore Pond with the exception of one lot, which has direct access to Ox Bottom Road. Moore Pond is a gated subdivision.

Rose Hill has residential access to Meridian Road via Rose Hill Lane. There are two truck entrances to Rose Hill from Ox Bottom Road. Lots are arranged along a system of cul- de-sacs and connecting streets. Rose Hill is a gated subdivision.

Brookside Village has access to Ox Bottom Road. It does not connect to any other subdivision.

The following criteria listed in Future Land Use Element Policy 2.2.3 were found to be not applicable to this analysis.

- Intensity
- Signage
- Lighting
- Loading area locations
- Operating hours
- Noise
- Odor

VI. Findings of Compatibility Analysis

- The surrounding area is a low density single family residential area. Brookside Village is also a low density single family residential development.
- The surrounding area is characterized by a significant variety of densities, all of which fall within the density range allowed under Residential Preservation. The density of Brookside Village is less than one-third the maximum density allowed in the Residential Preservation future land use category and falls with the range of densities in the surrounding area.
- The surrounding area is characterized by a variety of lots sizes, lot coverages, and building sizes. The lot size, lot coverage and building sizes in Brookside Village fall within the range found in the surrounding area.
- There is a varied pattern of buffers. The plats of the two subdivisions adjoining the Brookside Village, Moore Pond and Ox Bottom Manor, property do not contain buffers. Brookside Village contains a Type C+ 25 foot landscape buffer adjoining lots less than two acres.
- There is a varied traffic circulation pattern, with two subdivisions interconnected via a public road network and two subdivisions with gated access. Brookside Village does not interconnect to any other subdivision and is a public subdivision.

- The building mass of lots in Brookside Village, expressed as a ratio of building to open space based on lot length, are higher than in the adjoining lots in Moore Pond and Ox Bottom Manor. The potential visual impact of the greater mass is mitigated through the provision of the Type C+ landscape buffer.

VII. Conclusions of Compatibility Analysis

The definition of "compatibility" is as follows: *A condition in which land uses or conditions can coexist in relative proximity to each other in a stable fashion over time such that no use or condition is unduly negatively impacted directly or indirectly by another use or condition.*

This analysis demonstrates that the proposed project is compatible with the uses that exist in relatively proximity to the project.

VIII. Comprehensive Plan Policies Indicating that Density of Development Will Be Allowed Only to the Extent that Sufficient Stormwater Capacity is Available

The February 2, 2016 ARM report from the Tallahassee-Leon County Planning Department states: "The Leon County Land Use Development Matrix and Conservation Policies 1.3.2.d, 1.3.3, and 2.2.5, indicate density of development will be permitted only to the extent that sufficient stormwater capacity is available. The availability of stormwater capacity to address providing the appropriate level of service for the project and protecting surrounding water quality within the closed basin has been adequately met." These policies are analyzed below:

> ***Conservation Policy 1.3.2:*** *Potential development within areas of the conservation overlay district shall exhibit best environmental management practices with the emphasis on designing with nature. Assessed impact upon natural resource determines density and/or intensity within a prescribed range within which the parcel is located. Planned development is required for approval. Strict performance requirements will be applied. The major criterion for approval shall be the continued functioning, with minimum disturbances, of the ecosystem, which the development is impacting. Conservation area development criteria are as follows:*
>
> ....
>
> *d) Closed basins – These areas will be permitted to develop only to the extent that there is sufficient stormwater capacity within the basin. Development will be permitted reflective of the density allowed by the existing land use category.*
>
> Analysis: The project provides on-site retention for the volumetric runoff difference between the pre and post development for the 100 year – 24 hour storm event. Stormwater within the ponds will be recovered via exfiltration trenches, which will be filtered down to the groundwater.

Geotechnical investigations that were provided for the proposed on-site stormwater ponds were able to map the groundwater flow currently on-site. Currently the groundwater day lights at the bottom of the ravines and eventually drains to Moore Pond. The proposed improvements will not alter the existing groundwater flow, therefore the studies confirmed there will be no volume impacts to Moore Pond.[6] The project density is one third the permissible density in the future land use category.

Conservation Element Policy 1.3.3: *In all cases the transfer of development to non-environmentally sensitive areas is preferable. Density transfer shall be within the parcel; no off-site transfer is permitted. Transfer of development density to non-environmentally sensitive areas will be allowed up to the density permitted by the future land use category in which the parcel is located. The amount of density transfer may be limited by other applicable requirements and ordinances implemented during the development review process, such as requirements for stormwater retention, open space and landscaping, buffer, setbacks, parking, transportation access and any concurrency requirements. If there is no area on the site suitable for transfer, development will be allowed at one unit per acre unless otherwise stated. Where open space requirements are part of the land development code, 50% credit may be given for conservation areas that are preserved. In no case can the density on the developable portion of the site be more than double the allowed density of the Land Use category in which the parcel is located.*

Analysis:

The policy limits the density within the developable portion of the site to no more than double the density allowed in the subject parcel's future land use category and also states that the maximum density achieved may be limited by other requirements of the Plan and land development code. The allowed density within the Residential Preservation category is six units per gross acre. Of the 35.17 acres site, 11.5 acres are in conservation easement, leaving 23.67 acres as developable. The maximum density allowed on the developable portion of the property is 12 units per acre. The proposed density of the developable area is 2.62 units per acre.

Policy 2.2.5: *Development in closed basins will be permitted only to the extent there is sufficient stormwater capacity within the basin. Inter-basin transfer of stormwater run-off from closed basins shall not be allowed except where conditions a) and c), or b) and c) identified below are met:*

a) The inter-basin transfer is necessary for a public sector project, or a private/public joint venture, either of which must benefit a broad segment of the community;
b) the inter-basin transfer mitigates an existing stormwater problem;
c) a detailed assessment has been made indicating minimal negative impacts to the receiving water shed relative to water quality, quantity, and rate of discharge.

All stormwater treatment requirements regarding water quality must also be met.

[6] Source: Project Engineer

Analysis: The project provides on-site retention for the volumetric runoff difference between the pre and post development for the 100 year – 24 hour storm event. Stormwater within the ponds will be recovered via exfiltration trenches, which will be filtered down to the groundwater.

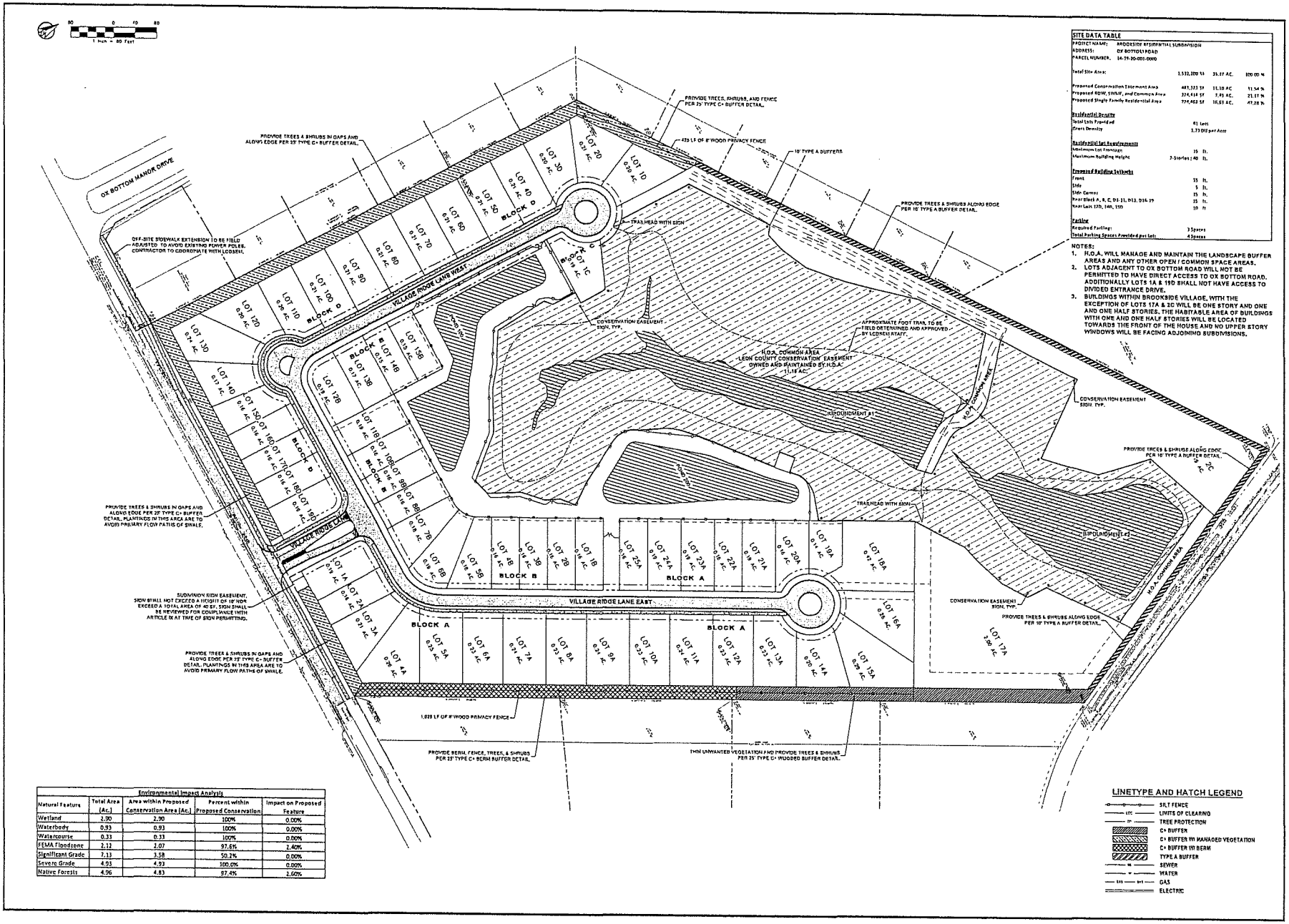
Geotechnical investigations that were provided for the proposed on-site stormwater ponds were able to map the groundwater flow currently on-site. Currently the groundwater day lights at the bottom of the ravines and eventually drains to Moore Pond. The proposed improvements will not alter the existing groundwater flow, therefore the studies confirmed there will be no volume impacts to Moore Pond. No inter-basin transfer is proposed.[7]

Exhibits

Exhibit 1: Brookside Village proposed Site Plan
Exhibit 2: Brookside Village Buffer Details Sheet
Exhibit 3: Map of surrounding area

[7] Source: Project Engineer

EXHIBIT 1



SITE DATA TABLE			
PROJECT NAME:	BROOKSIDE RESIDENTIAL SUBDIVISION		
ADDRESS:	OX BOTTOM ROAD		
PARCEL NUMBER:	14-19-30-001-0000		
Total Site Area:	1,532,200.53 SF	35.17 AC.	100.00 %
Proposed Conservation Easement Area	483,323 SF	11.10 AC	31.54 %
Proposed ROW, SWMF, and Common Area	324,414 SF	7.45 AC.	21.17 %
Proposed Single Family Residential Area	724,463 SF	16.63 AC.	47.28 %
Residential Density			
Total Lots Provided	61 Lots		
Gross Density	1.73 DU per Acre		
Residential Lot Requirements			
Minimum Lot Frontage	35 ft.		
Maximum Building Height	2-Stories / 40 ft.		
Proposed Building Setbacks			
Front	35 ft.		
Side	5 ft.		
Side Corner	15 ft.		
Rear Block A, B, C, D1, J1, D13, D14-19	15 ft.		
Rear Lots 17D, 14D, 15D	10 ft.		
Parking			
Required Parking:	3 Spaces		
Total Parking Spaces Provided per Lot:	4 Spaces		

NOTES:

1. H.O.A. WILL MANAGE AND MAINTAIN THE LANDSCAPE BUFFER AREAS AND ANY OTHER OPEN / COMMON SPACE AREAS.
2. LOTS ADJACENT TO OX BOTTOM ROAD WILL NOT BE PERMITTED TO HAVE DIRECT ACCESS TO OX BOTTOM ROAD. ADDITIONALLY LOTS 1A & 19D SHALL NOT HAVE ACCESS TO DIVIDED ENTRANCE DRIVE.
3. BUILDINGS WITHIN BROOKSIDE VILLAGE, WITH THE EXCEPTION OF LOTS 17A & 2C WILL BE ONE STORY AND ONE AND ONE HALF STORIES. THE HABITABLE AREA OF BUILDINGS WITH ONE AND ONE HALF STORIES WILL BE LOCATED TOWARDS THE FRONT OF THE HOUSE AND NO UPPER STORY WINDOWS WILL BE FACING ADJOINING SUBDIVISIONS.

Environmental Impact Analysis				
Natural Feature	Total Area (Ac.)	Area within Proposed Conservation Area (Ac.)	Percent within Proposed Conservation	Impact on Proposed Feature
Wetland	2.90	2.90	100%	0.00%
Waterbody	0.93	0.93	100%	0.00%
Watercourse	0.33	0.33	100%	0.00%
FEMA Floodzone	2.12	2.07	97.6%	2.40%
Significant Grade	7.13	3.58	50.2%	0.00%
Severe Grade	4.93	4.93	100.0%	0.00%
Native Forests	4.96	4.83	97.4%	2.60%

LINETYPE AND HATCH LEGEND

- SILT FENCE
- LOC — LIMITS OF CLEARING
- TP — TREE PROTECTION
- C+ BUFFER
- C+ BUFFER W/ MANAGED VEGETATION
- C+ BUFFER W/ BERM
- TYPE A BUFFER
- SS — SEWER
- W — WATER
- GAS
- ELECTRIC

URBAN CATALYST CONSULTANTS, INC.
2440 PARKER ROAD
TALLAHASSEE, FLORIDA 32308
PHONE (850) 385-4241
WWW.UCCENG.COM
FL CA 00030572

DATE	BY	REVISIONS

BROOKSIDE VILLAGE
RESIDENTIAL SUBDIVISION
OVERALL SITE PLAN
LEON COUNTY FLORIDA

SEAN K. MARSION, P.E.
LICENSE NUMBER 55987

DRAWN BY: W.E.C.
CHECKED BY: S.K.M.
DATE: 08/02/17
HORZ. SCALE: 1"=80'
VERT. SCALE:

SHEET C-112.1
PROJECT No. 15015.00

August 1, 2017 12:06:12 EST
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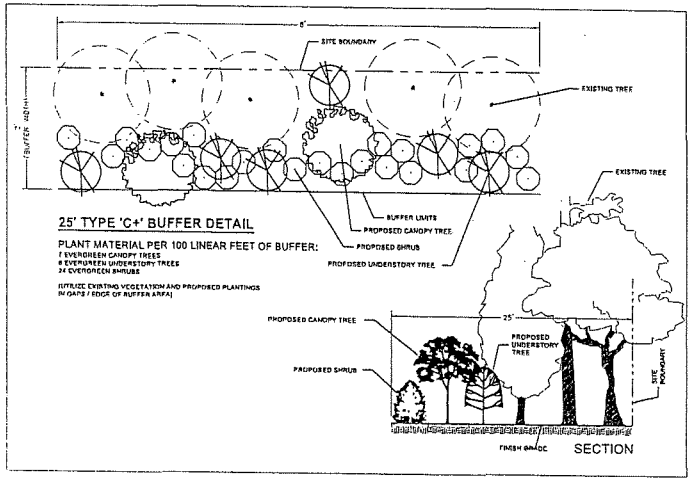
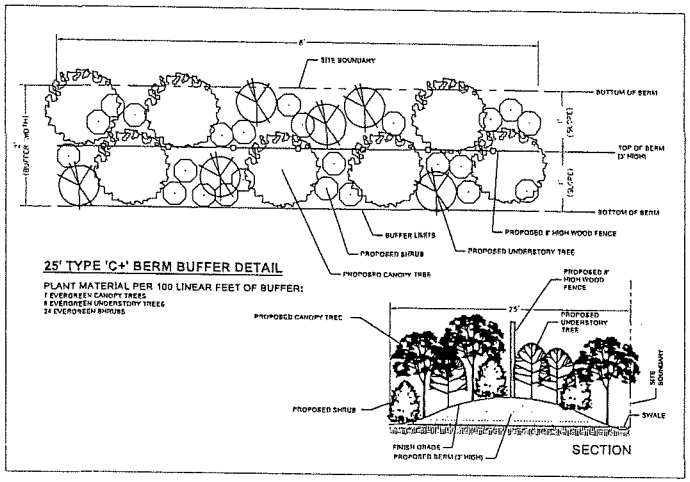
EXHIBIT 2





NOTES:

THE NORTHWESTERN CORNER OF THE PROPERTY (LOTS 10 & 20) WILL NEED SIGNIFICANT PLANTING. THERE ARE A FEW EXISTING TREES THAT CAN BE USED AS PART OF THE CREATED BUFFER.

PORTIONS OF THE EASTERN DIRT DRIVEWAY (LOTS 4A, 14A) WILL NEED SIGNIFICANT PLANTING WITH A +/-3' BERM (AND FENCE).

THE HEAVILY WOODED / SHADY AREAS (LOT 15A & A PORTION OF 18A) NEED TO BE THINNED TO ACCOMMODATE SHRUB PLANTINGS AND CREATE A DENSE BUFFER. A FIELD SAMPLE INDICATED THERE WERE AT LEAST 40 EXISTING TREES PER 100' LINEAR FEET. REMOVING HALF OF THESE TREES (20) WOULD PROVIDE ROOM FOR NEW SHRUB PLANTINGS, BUT PRESERVE ENOUGH TREES TO MEET BUFFER REQUIREMENTS.

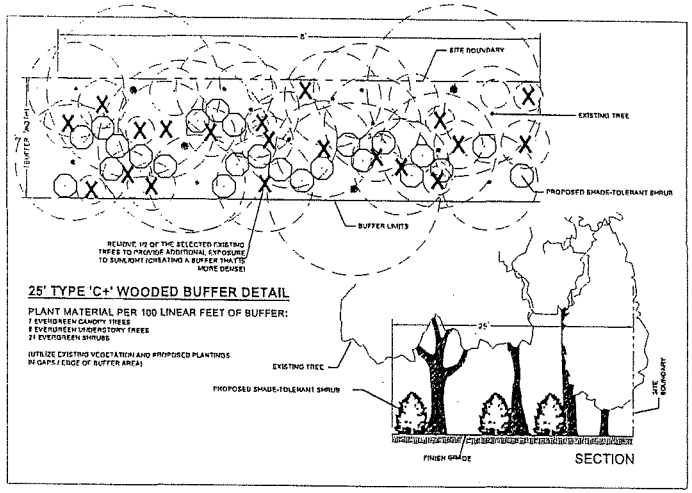
FOR THE REMAINING MAJORITY SUBJECT AREAS, THE BUFFER SHALL BE ACHIEVED WITH A COMBINATION OF EXISTING & PROPOSED VEGETATION. PLANT NEW VEGETATION AT THE EDGES OF THE 25' BUFFER AREA, WHERE THE BEST EXPOSURE TO SUNLIGHT WOULD BE. THE AVERAGE WIDTH OF THE EXISTING VEGETATION IS 15' LEAVING 10' FOR PROPOSED PLANTING.

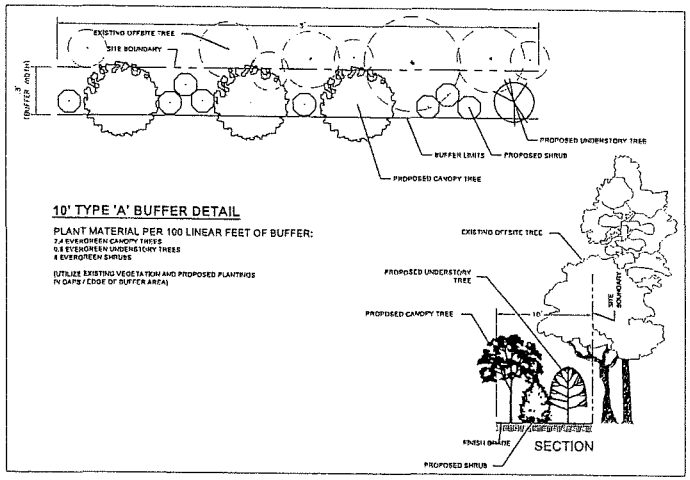
THE 10' TYPE 'A' BUFFER ONLY NEEDS SHRUB PLANTINGS ALONG THE EDGES TO MEET BUFFER REQUIREMENTS.

PROPOSED PLANT LIST (OR APPROVED EQUAL):

- LIVE OAK
- MAGNOLIA
- RED CEDAR
- OCALA ANISE
- FL LEUCOTHOE
- YAUPON
- VIBURNUM
- HOLLY
- PODOARPUS
- LOROPETALUM
- GARDENIA
- CABBAGE PALM
- FAKAHATCHEE GRASS

IT APPEARS THAT THE EXISTING BUFFER AREA VEGETATION IS PROVIDING AT LEAST 50% OPACITY. HOWEVER THIS WOULD LIKELY BE LOWER DURING THE WINTER AFTER DECIDUOUS SPECIES FOLIAGE HAS DROPPED. ASSUMING TYPICAL PLANT SIZES (8-10' HT. CANOPY TREES, 6-8' HT. UNDERSTORY TREES, 3-4' HT. SHRUBS) ARE INSTALLED, IT IS REALISTIC TO EXPECT APPROXIMATELY 75% OPACITY AT TIME OF PLANTING AND OVER 90% OPACITY WITHIN 5 YEARS.





PROPOSED BUFFER PLANTS:

PER 25' TYPE C+ BUFFER DETAIL (2,452 LINEAR FEET):

- 24.52 X 2 = 98 EVERGREEN CANOPY TREES
- 24.52 X 6 = 148 EVERGREEN UNDERSTORY TREES
- 24.52 X 24 = 589 EVERGREEN SHRUBS

PER 25' TYPE C+ WOODED BUFFER DETAIL (359 LINEAR FEET):

- 3.59 X 24 = 87 EVERGREEN SHRUBS

PER 25' TYPE C+ BERM BUFFER DETAIL (490 LINEAR FEET):

- 4.90 X 7 = 35 EVERGREEN CANOPY TREES
- 4.90 X 6 = 30 EVERGREEN UNDERSTORY TREES
- 4.90 X 24 = 118 EVERGREEN SHRUBS

PER 10' TYPE A+ BUFFER DETAIL (1,308 LINEAR FEET):

- 13.08 X 2.4 = 32 EVERGREEN CANOPY TREES
- 13.08 X 0.8 = 11 EVERGREEN UNDERSTORY TREES
- 13.08 X 8 = 104 EVERGREEN SHRUBS

BUFFER PLANTING SCHEDULE

QTY.	COMMON NAME	SIZE/REMARKS
EVERGREEN CANOPY TREES		
117	LIVE OAK MAGNOLIA	10-12' HT. X 5-6' SPR., 3" CAL., 45 GAL
EVERGREEN UNDERSTORY TREES		
189	HOLLY RED CEDAR	8' HT. X 3-4' SPR., 2" CAL., 30 GAL
EVERGREEN SHRUBS		
898	OCALA ANISE FL LEUCOTHOE YAUPON VIBURNUM PODOARPUS LOROPETALUM GARDENIA	30" HT. X 24"SPR., 7 GAL., 6' O.C.

COWLES LANDSCAPE ARCHITECTURE
www.cowlesLA.com / (850) 545-7035 / TALLAHASSEE, FL

URBAN CATALYST CONSULTANTS, INC.
2840 PABLO AVENUE
TALLAHASSEE, FLORIDA, 32308
PHONE: (850) 999-4241
WWW.UCCENG.COM
FL CA 00030572

DATE	BY	REVISIONS

BROOKSIDE VILLAGE
RESIDENTIAL SUBDIVISION

BUFFER DETAILS

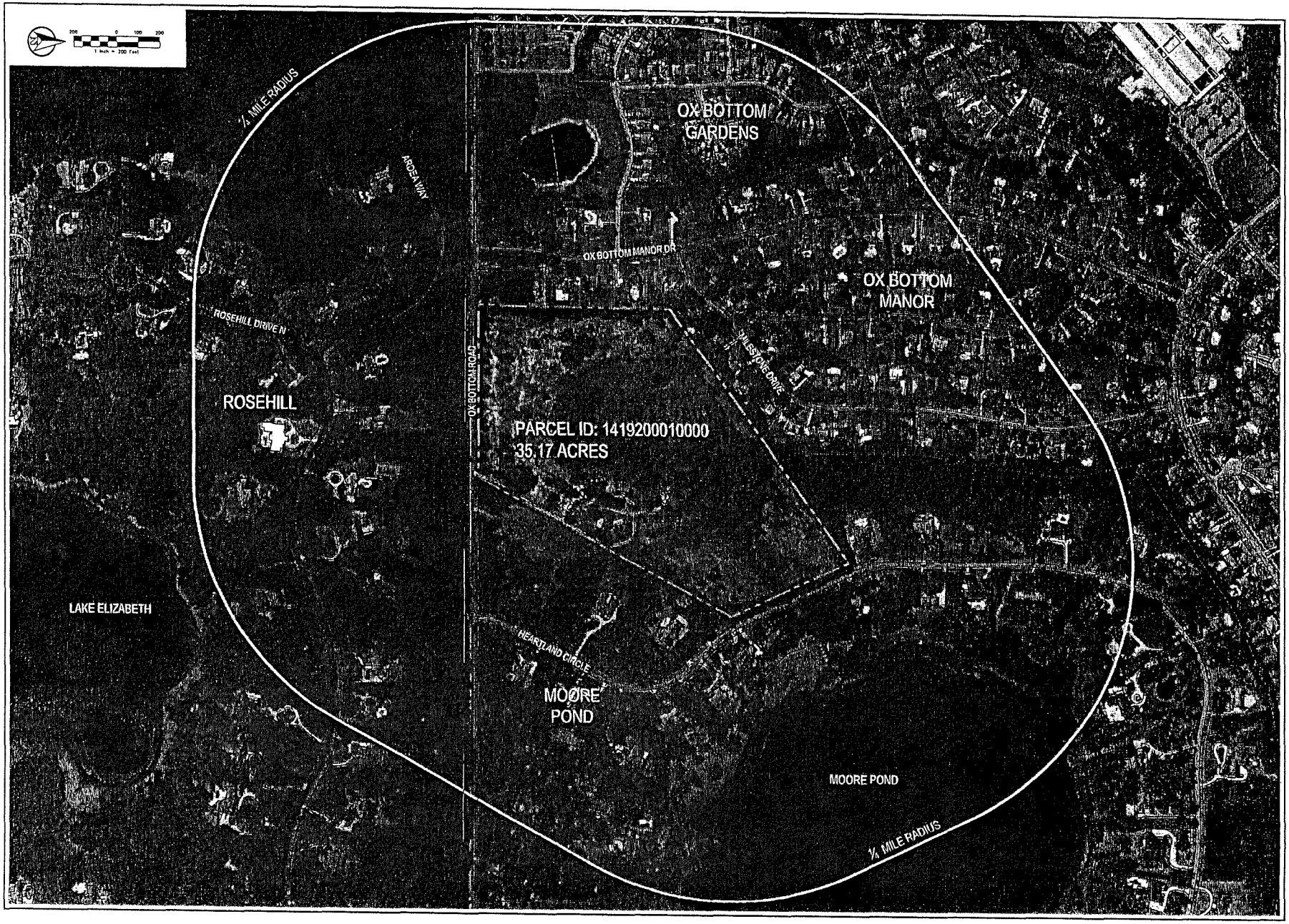
LEON COUNTY FLORIDA

SEAN K. MARSTON, P.E.
LICENSE NUMBER, 53987

DRAWN BY: W.E.C.
CHECKED BY: S.K.M.
DATE: 10/12/16
HORZ. SCALE:
VERT. SCALE:

SHEET C-133
PROJECT No. 15015.00

EXHIBIT 3



URBAN CATALYST CONSULTANTS, INC.
2860 PABLO AVENUE
TALLAHASSEE, FLORIDA, 32308
PHONE: (850) 999-4241
WWW.UCCENG.COM
FL CA 00030572

DATE	BY	REVISIONS

550 OX BOTTOM ROAD

GIS MAP

LEON COUNTY FLORIDA

SEAN K. WARSTOW, P.E.
LICENSE NUMBER, 55987

DRAWN BY: W.E.C.
CHECKED BY: S.K.M.
DATE: 08/01/16
HORZ. SCALE: 1"=200'
VERT. SCALE:

SHEET C-101
PROJECT No. 14001.00

TALLAHASSEE-LEON COUNTY 2030 COMPREHENSIVE PLAN

The Tallahassee-Leon County Comprehensive Plan was adopted on July 16, 1990. The plan horizon for the Tallahassee-Leon County Comprehensive Plan is 2030. The Comprehensive Plan is a dynamic document, amended annually. This volume contains amendments effective through August 27, 2017. As other amendments come into effect, this volume will be updated accordingly. For information concerning the amendment process, please contact the Tallahassee-Leon County Planning Department.

TALLAHASSEE - LEON COUNTY • 2030 COMPREHENSIVE PLAN •

TLCPD
Tallahassee–Leon County Planning Department

PLANNING DEPARTMENT

Location: Frenchtown Renaissance Center, 435 N. Macomb Street, Tallahassee FL 32301
Mail: City Hall, 300 S. Adams St., Tallahassee FL 32301
Telephone: 850-891-6400
Website: http://www.talgov.com/place/planning.aspx

EXHIBIT D
Witness Grey
Date 10/27/17

INTRODUCTION

The Tallahassee-Leon County Comprehensive Plan was adopted on July 16, 1990. The Comprehensive Plan contains three volumes. Volumes II and III contain the data and analysis on which the Goals, Objectives, and Policies within Volume I are based. Volume I provides guidance in evaluating individual development proposals within a defined growth management strategy. The Goals, Objectives and Policies within Volume I also provide the basis for the individual development regulation formulated to implement this Plan.

The plan horizon for the Tallahassee-Leon County Comprehensive Plan is 2030. The Comprehensive Plan is a dynamic document, amended annually. This volume contains effective amendments through January 22, 2016. As other amendments come into effect, this volume will be updated accordingly. Information concerning the amendment process is available at the Tallahassee-Leon County Planning Department. The Tallahassee-Leon County Planning Department is located at the Renaissance Center, 435 N. Macomb Street or can be reached by telephone at (850) 891-6400.

VISION STATEMENT AND IMPLEMENTATION

(REV. EFF. 7/26/06: REV. EFF. 1/7/10)

In the early 1820s, Florida government alternated business between St. Augustine and Pensacola. At that time, travel between the cities was hazardous and the journey long. In 1823, the site of Tallahassee was chosen as the seat of government for the Territory of Florida because of its central location and abundance of natural resources. It was noted then, "A more beautiful country can scarcely be imagined; it is high, rolling, and well watered." In the new capital, commerce expanded and a new school of higher learning was founded. From these historic roots, Tallahassee and Leon County is now the center of Florida's government and respected worldwide for its schools of higher education.

We are fortunate to have retained the natural beauty that inspired the sitting of Florida's state capital. The community relies upon the comprehensive plan to protect the natural resources and scenic beauty while encouraging the responsible, healthy growth of Tallahassee and Leon County. The comprehensive plan seeks to balance the management of growth with environmental protection but gives precedence to environmental protection.

Evolving land use patterns within the County have exhibited sprawl characteristics. Sprawl is, perhaps, the most inefficient pattern of land use. Costs associated with the provision of both capital and social infrastructure are higher than more compact patterns. This must be taken into consideration when local government is faced with limited fiscal resources and increasing demand for services.

Sprawl encourages degradation of the County's natural resources by prematurely committing vast areas to the impact of urbanization. Phased, orderly growth mitigates this situation by comprehensively addressing development impacts to our natural systems. Leap frog development associated with sprawl is piecemeal in nature and is detrimental to any type of comprehensive framework.

Another aspect of urban sprawl is the tendency toward strip commercial development, i.e., the commercialization along major streets which occurs as infill between sprawled developments. This strip development negatively affects traffic safety and flow, as well as creating aesthetic problems associated

with advertising signs. While many of the negative effects of strip development can be controlled to some extent by regulatory means, a more positive approach is to prevent its spread by means of land use policies.

The purpose of the comprehensive plan is to preserve, protect and enhance the quality of life for all citizens. The plan encourages and supports economically sound residential, educational, employment, cultural, recreational, commercial and industrial opportunities for the citizens. This is facilitated by systematically planning for growth, development and redevelopment.

The natural environment is one of the many criteria which, when combined, form the community's perceived quality of life. The natural environment is a major component in the quality of life equation for Leon County. As such, it must be protected. Development and the ancillary activities associated with it must be channeled into locations that protect the natural and aesthetic environment. Unwise land use decisions which ultimately require expensive environmental retrofitting, paid for by the general populace, must be eliminated. In order to achieve this, it is the intent of this Plan to include strong environmental objectives and policies within the Land Use Element and other applicable portions of the Plan.

The residential environment is also one of many criteria which form the community's perceived quality of life and must be protected. An economic base of stable public employment has fostered development of stable residential neighborhoods. Citizens identify with and value their neighborhoods in all parts of the community and at all income levels. Containing sprawl will necessarily increase density and intensity in the existing urban area. Unwise land use decisions and premature non-residential development in established residential areas can seriously and permanently alter the character of a neighborhood. Not only actual changes, but also the perception of a constant assault on a neighborhood undermines an otherwise desirable residential environment. Development and its ancillary activities should be channeled into locations that offer the greater opportunity for the higher density and mixture of uses that a policy of urban containment encourages. It is the intent of the plan to maintain the integrity of existing neighborhoods while encouraging new residential developments to incorporate a wider range of non-residential uses.

Essential for planning are objectives and policies that protect and enhance the natural environment, water resources, the canopy roads, and residential neighborhoods. To this end, regulatory tools such as concurrency management, urban service area designation, planned unit developments and special protection zones are used to foster the community's vision. An underlying premise is the linkage between land use and infrastructure. The plan is based on the principle that development should pay for itself and this vision is implemented, in part, through the accomplishment of several strategies described below.

Traditional values within Leon County prohibit the strict implementation of an urban containment strategy. Urban service area demarcations must be located to allow for some degree of large lot, single family subdivisions. In addition, some urban areas located away from the core, such as Chaires, Fort Braden, and Miccosukee, must be provided for. Overall, however, it is the intent of this comprehensive plan to concentrate development in the Tallahassee urban area plus provide for a minimum number of designated areas of urban development.

It is the responsibility of every citizen of Leon County to pay his or her fair share first to achieve and then to maintain the community wide adopted levels of service (LOS) for capital infrastructure and urban services. However, it is not a current resident's responsibility to pay for new developments' fair share

LAND USE
GOALS, OBJECTIVES AND POLICIES

Goal 1: [L] (EFF. 7/16/90)

The Comprehensive Plan shall protect and enhance the quality of life in this community by providing economically sound educational, employment, cultural, recreational, commercial, industrial and professional opportunities to its citizens while channeling inevitable growth into locations and activities that protect the natural and aesthetic environments and residential neighborhoods.

GROWTH MANAGEMENT/ URBAN SERVICES AREA
Objective 1.1: [L] (EFF.7/16/90; REV. EFF. 7/26/06; REV. EFF. 12/24/10)

Direct development to those areas which have in place, or have agreements to provide, the land and water resources, fiscal abilities, and the service capacity to accommodate growth in an environmentally acceptable manner. This shall be accomplished in part through the establishment and maintenance of an Urban Service Area (USA) concept. This Urban Service Area (USA) concept is based upon a desire to have Tallahassee and Leon County grow in a responsible manner, with infrastructure provided economically and efficiently, and surrounding forest and agricultural lands protected from unwarranted and premature conversion to urban land use. An urban service strategy provides for well-managed, orderly growth, which preserves natural resources and promotes fiscal responsibility. The location and size of the USA shall be depicted on the Future Land Use Map and is based upon the area necessary to accommodate 90% of new residential dwelling units within the County by the Plan Horizon; the ability to provide urban infrastructure; and, the presence of environmentally sensitive lands and water bodies, requiring protection from the impacts of urban development.

Policy 1.1.1: [L] (REV. EFF. 7/20/05)

In order to discourage urban sprawl, new development shall be concentrated in the urban service area plus in the Woodville Rural Community future land use category and the rural communities of Capitola, Chaires, Ft. Braden and Miccosukee, as designated on the future land use map.

Policy 1.1.2: [L] (REV. EFF. 12/10/91)

Improvement of capital infrastructure shall be provided within the designated urban service area and shall be phased over the life of the plan.

Policy 1.1.3: [L] (REV. EFF. 12/10/91; REV. EFF. 7/26/06)

Capital infrastructure designed to support urban density outside the Urban Service Area shall be prohibited except as described below. Capital infrastructure which is designed or intended to provide services to the population of the Urban Service Area may be located outside the Urban Service Area. This policy includes but is not limited to landfill, spray irrigation facilities, and inter-county transportation roadways.

Capital improvement projects or expenditures designed to support urban density outside of the Urban Service Area will not occur outside the designated Urban Service Area unless a demonstrated hardship can be shown to occur for existing

(a) In those future land use categories that encourage a mixing of land uses, the land development regulations shall contain provisions that facilitate multiple land uses within the same site, the same development, or the same structure.

(b) When appropriate, the land development regulations may provide for zoning districts that allow for two or more land use types, consistent with the intent of the future land use category.

(c) The land development regulations may also provide for zoning districts that further divide any of the allowed land use types into two or more subsets.

Policy 1.4.11: [L] (EFF. 9/19/91)

The land development regulations shall include standards and criteria such as minimum open space requirements (between 25% and 10% depending on the land use and existing vegetation), internal circulation and minimum setbacks and buffers for uncomplimentary land uses. These buffer requirements will contain buffer widths between land uses, required number of trees and shrubs per linear foot of buffer, opacity of the buffer, etc. Additional buffering requirements may be related to Planned Unit Developments (PUDs).

Policy 1.4.12: [L] (EFF. 9/19/91)

(a) The intent of Site Plan and PUD planning and design requirements shall be to encourage and require the development of urban living and work spaces that minimize impacts to the natural environment. Environmental impacts shall be minimized through the development and redevelopment of compact and efficient urban land use patterns that closely integrate living and work spaces while maintaining compatibility through specified performance design criteria. Neighborhood and inter-site compatibility shall be implemented through site planning and design criteria that require objectionable impacts of particular land use activities to be internally located within site or building designs, rather than relying exclusively on standard landscape and setback buffering methods to reduce perimeter oriented objectionable impacts.

(b) Objectionable impacts of service and delivery areas, refuse and recycling collection areas, as well as the outdoor storage and work areas generally associated with commercial and residential buildings shall be planned to minimize off-site impacts.

(c) Site Plan and PUD requirements shall minimize impacts to the natural environment resulting from urban sprawl by not only identifying and protecting environmentally sensitive lands, but just as importantly by limiting urban sprawl into less environmentally sensitive lands through the implementation of compact and efficient urban development and redevelopment.

Policy 1.4.13: [L] (REV. EFF. 3/14/07)

The intent of designating roads as nonresidential is to recognize existing nonresidential development patterns and to allow for planned mixed-use or nonresidential developments. As such, street access requirements contained in the Land Use Summary Charts are waived for those streets designated as nonresidential by clearly defining areas where existing development patterns will be allowed to continue. It also serves to protect residential and residential components such as elementary schools and

Goal 2: [L] (EFF. 7/16/90; REV. EFF. 7/26/06)

Provide for a high quality of life by planning for population growth, public and private development and redevelopment and the proper distribution, location and extent of land uses by type, density and intensity consistent with adequate levels of services and efficient use of facilities and the protection of natural resources and residential neighborhoods.

RESIDENTIAL LAND USE
Objective 2.1: [L] (REV. EFF. 7/20/05)

Enhance the livability of existing neighborhoods and in new neighborhoods provide for future mixed residential areas which will accommodate growth and provide a wide choice of housing types, densities and prices as well as commercial opportunities based on performance criteria. In furtherance of this, maintain a system of land development regulations and ordinances which will facilitate the implementation of the policies adopted in relation to residential land use. These shall include but not be limited to:

1) Setback requirements from natural waterbodies and wetlands
2) Buffering requirements
3) Open space requirements
4) Landscape requirements
5) Tree protection
6) Stormwater management requirements

Policy 2.1.1: [L] (REV. EFF. 6/28/95; REV. EFF. 7/26/06)

Protect existing residential areas from encroachment of incompatible uses that are destructive to the character and integrity of the residential environment. Comprehensive Plan provisions and Land Development Regulations to accomplish this shall include, but are not limited to:

a) Inclusion of a Residential Preservation category on the Future Land Use Map.

b) Limitations on future commercial intensities adjoining low density residential areas. Such limitations are to result in effective visual and sound buffering (either through vegetative buffering or other design techniques) between the commercial uses and the low density residential uses; and are to allow only those commercial activities which are compatible with low density residential development in terms of size and appearance.

c) Limitations on future higher density residential adjoining low density residential areas. Such limitations are to result in effective visual and sound buffering (either through vegetative buffering or other design techniques) between the higher density residential uses and the low density residential uses.

d) Limitations on future light industry adjoining low and medium density residential areas. Such limitations are to result in effective visual and sound buffering (either through vegetative buffering or other design techniques) between the light industrial uses and the low density residential uses.

e) Preclusion of future heavy industrial adjoining any residential area.

FUTURE LAND USE MAP CATEGORIES
Objective 2.2: [L] (REV. EFF. 7/26/06)

To coordinate future land uses with suitable topography and soil conditions, the protection of natural resources and with the availability of adequate infrastructure through the establishment of a Future Land Use Map depicting appropriate land use categories. In order to fulfill this intent, the Land Use Plan establishes policies and guidance for the mapping of Future Land Use Categories, which are depicted on the Future Land Use Map. These categories are designed to promote a variety of land use types and patterns to meet the needs of the community.

The Tallahassee-Leon County Comprehensive Plan shall promote appropriate location of land uses and regulation of development

density and intensity based upon: (1) protection of conservation and preservation features; (2) compatibility with adjacent existing and future residential land uses; (3) access to transportation facilities in keeping with their intended function; and (4) the availability of infrastructure.

The Plan shall also establish policies and guidance for the mapping of Future Land Use Categories, which are depicted on the Future Land Use Map. These categories are designed to promote a variety of land use types and patterns to meet the needs of the community and are shown on the following maps:

NOTES APPLICABLE TO URBAN AREA FUTURE LAND USE MAP (REV. EFF. 3/14/07)

Parcels 21-26-35-C-0010, 21-26-35-C-0020, 21-26-35-C-130 may be developed as an independent living facility for the elderly only if a Planned Unit Development is approved which includes Parcels 21-26-51-000-0040, 21-26-51-000-0050, and 21-26-51-000-120. Development intensity on the vacant parcels is limited to 45 units and 34,000 square feet and building height is limited to three stories. If the Planned Unit Development is not completed or approved, the vacant parcels shall only be developed as low-density residential development allowed under the R-1 or R-2 zoning districts.

Parcel 11-08-20-630-0000 shall only be developed with general office that may include a lending institution with a drive-through facility on the first floor. The total amount of development is limited to 30,000 square feet. The architecture and site design must be consistent with the adjacent Thomasville Road/I-10 Planned Unit Development. Site plans must be submitted to the Live Oak Plantation and Piedmont Neighborhood Associations, the 1300 Live Oak Plantation Property Owners Association, as well as the developers of the Thomasville Road/I-10 Planned Unit Development for comments prior to submitting the site plan to the City.

The area designated University Transition with hatching is subject to Transportation Element Objective 2.2, which may limit density to less than the maximum permitted by the category.

NOTES APPLICABLE TO LEON COUNTY FUTURE LAND USE MAP (REV. EFF. 6/19/07)

The allowable density is limited to 200 single-family residential dwelling units on parcels 15-17-20-224-0000 and 15-20-20-034-0000 combined and no non-residential development is permitted on these parcels. Also, for these parcels at least 50% of the entire combined acreage must be placed in permanent open space. The permanent protection of this open space shall be further defined through the PUD process.
(Parcels) 12-02-20-602-0000 and 12-11-20-202-0000 will be developed at a cumulative density no greater than 81 residential detached units.

Appropriately sized minor commercial activities and minor offices are permitted. Industrial, office and more intensive commercial land uses are prohibited due to lack of present infrastructure services or potential negative environmental impacts. Present or future agricultural, silviculture and forestry activities may be allowed.

Policy 2.2.3: [L]

RESIDENTIAL PRESERVATION (EFF. 7/16/90; REV. EFF. 7/26/06; REV. EFF. 4/10/09)

Characterized by existing homogeneous residential areas within the community which are predominantly accessible by local streets. The primary function is to protect existing stable and viable residential areas from incompatible land use intensities and density intrusions. Future development primarily will consist of infill due to the built out nature of the areas. Commercial, including office as well as any industrial land uses, are prohibited. Future arterial and/or expressways should be planned to minimize impacts within this category. Single family, townhouse and cluster housing may be permitted within a range of up to six units per acre. Consistency with surrounding residential type and density shall be a major determinant in granting development approval.

For Residential Preservation areas outside the Urban Service area the density of the residential preservation area shall be consistent with the underlying land use category.

The Residential Preservation category shall be based on the following general criteria. For inclusion, a residential area should meet most, but not necessarily all of these criteria.

1) Existing land use within the area is predominantly residential

2) Majority of traffic is local in nature

   a) Predominance of residential uses front on local street
   b) Relatively safe internal pedestrian mobility

3) Densities within the area generally of six units per acre or less

4) Existing residential type and density exhibits relatively homogeneous patterns

5) Assessment of stability of the residential area, including but not limited to:

   a) Degree of home ownership
   b) Existence of neighborhood organizations

In order to preserve existing stable and viable residential neighborhoods within the Residential Preservation land use category, development and redevelopment activities in and adjoining Residential Preservation areas shall be guided by the following principles:

a) The creation of transitional development area (TDA) for low density residential developments.

Higher density residential developments proposed for areas adjoining an established neighborhood within the residential preservation land use category shall provide a transitional development area along the shared property line in the higher density residential development. The development density in the transitional development area shall be the maximum density allowed in the Residential Preservation land use category. Development within the transitional development area shall be designed, sized and scaled to be compatible with the adjoining residential preservation area.

Transitional development areas shall be non-mapped areas and shall be approved at the time of site plan approval. The factors cited in paragraph (e) below shall be considered when determining the size of transitional development areas. The land

development regulations shall specify development thresholds for the implementation of transitional development areas.

b) Limitation on future commercial intensities adjoining low density residential preservation neighborhoods.

New or redeveloped commercial uses adjoining residential preservation designated areas shall mitigate potential impacts by providing a transitional development area between the commercial uses and residential preservation uses and only those commercial activities which are compatible with low density residential development in terms of size and appearance shall be allowed. The factors cited in paragraph (e) below shall be used when determining the compatibility, design techniques and the size of transitional development areas. The design and layout of adjoining commercial uses shall be oriented to place the section of the development with the least potential negative impacts next to the residential preservation area.

c) Limitations on existing light industry adjoining residential preservation neighborhoods.

New, expanding or redeveloped light industrial uses adjoining low density residential areas within the residential preservation land use category shall mitigate potential negative impacts by providing a transitional development area between the light industrial uses and the low and medium density residential uses. The factors cited in paragraph (e) below shall be considered when determining compatibility, design techniques and the size of the transitional development area.

The design and layout of adjoining light industrial uses shall be oriented to place the section of the development with the least potential negative impacts in the area next to the existing and/or future low density residential area in the residential preservation land use category. New light industrial land uses shall not be designated next to a residential preservation area.

d) Additional development requirements for allowed community facilities when adjoining low density residential areas, except for cemeteries or religious facilities to be used solely for religious functions. Such development requirements will also apply to ancillary facilities when proposed in conjunction with religious facilities, and are to result in effective visual and sound buffering (either through vegetative buffering or other design techniques) between the community facilities and the adjoining residential preservation area.

e) Land use compatibility with low density residential preservation neighborhoods

A number of factors shall be considered when determining a land use compatible with the residential preservation land use category. At a minimum, the following factors shall be considered to determine whether a proposed development is compatible with existing or proposed low density residential uses and with the intensity, density, and scale of surrounding development within residential preservation areas: proposed use(s); intensity; density; scale; building size, mass, bulk, height and orientation; lot coverage; lot size/ configuration; architecture; screening; buffers, including vegetative buffers; setbacks; signage; lighting; traffic circulation patterns; loading area locations; operating hours; noise; and odor. These factors shall also be used to determine the size of transitional development areas.

f) Limitations on Planned Unit Developments in the Residential Preservation land use category.

Planned Unit Developments proposed within the interior of a Residential Preservation designated recorded or unrecorded subdivisions shall be generally consistent with the density of the existing residential development in the recorded or unrecorded subdivision. Parcels abutting arterial roadways and/or major collectors may be permitted to achieve six dwelling units per acre.

The existing predominant development density patterns in Residential Preservation are listed in paragraph (g) below. Within 18 months of adoption, the PUD regulations shall be amended to include provisions addressing the preservation of established residential preservation designated areas. Said provisions shall address any proposed increase in density and the factors cited in paragraph (e) above.

g) Limitations on resubdivision of lots within established Residential Preservation designated areas.

To protect established single family neighborhoods from density intrusions, consistency within the recorded or unrecorded subdivision shall be the primary factor in granting approval for development applications. Consistency for the purposes of this paragraph shall mean that parcels proposed for residential development shall develop consistent with the lot size and density of the recorded or unrecorded subdivision.

1. Guidance on the resubdivision of lots in recorded and unrecorded single family subdivisions shall be provided in the Land Development Code.
2. Parcels proposed for residential development shall develop at densities generally consistent with the density of existing residential development in the recorded or unrecorded subdivision with the exception of parcels abutting arterial and/or major collector roadways which may be permitted up to six dwelling units per acre.

   There may be two distinct density patterns in the Residential Preservation land use category as shown below:

Existing land use character of the subdivision	Gross residential density
Homogenous, very low density single family detached units (City Only)	0-3.6 dwelling units per acre (generally consistent with density of the subdivision)
Low density single family detached and/or non-single family detached units (including but not limited to townhomes and duplexes)	0-6.0 dwelling units per acre (generally consistent with density of the subdivision)

This section shall not be construed as to restrict the development of building types allowed by the applicable zoning district.

Policy 2.2.4: [L]

VILLAGE MIXED USE (REV. EFF. 12/23/96; REV. EFF. 7/26/06; REV. EFF. 3/14/07)

To create traditional neighborhood developments with an emphasis on low to medium density residential land use, small to medium scale commercial shopping opportunities for area residents, schools and small to moderate scale churches, and recreational and leisure-oriented amenities for the enjoyment of area residents. Development in this category shall require compliance with traditional neighborhood development standards to be established in the Land Development Regulations. New development in this category requires the establishment of a true, mixed-use project, either through buildings that integrate a mixture of uses or series of buildings that result in a compatible mix of uses. Integration includes the establishment of pedestrian connections, shared public spaces, streetscapes that focus on people before automobiles and parking designs that minimize their visibility. Commercial development shall be of a walkable scale and intensity. Residential development shall include a mix of housing densities and housing types.

Traditional neighborhood development regulations shall include specific criteria to ensure that development in this category results in walkable, mixed-use neighborhoods that satisfy a

Brookside Village Permitting Summary

As part of the resubmittal of the Brookside Village residential subdivision application, the following provides a historical overview of the events leading to the current proposal before the County and demonstrates the application's compliance with the relevant requirements of section 10-7.505 of the Leon County Land Development Code. As demonstrated below, the applicant has affirmatively reached out to neighbors to understand their concerns, has substantially modified design features of the project to address those concerns and is now resubmitting the project for review.

Presubmittal Meetings:

Prior to submitting the original Development Plans to the County, the applicant reviewed these plans with the Homeowners Association Board of Moore Pond and with President of the Homeowners Association of Ox Bottom Manor. He also held a well-attended meeting at a local church in Ox Bottom to discuss the plan with all area Homeowners. As a result of these meetings, the Development Plans were revised to address as many of the concerns of the neighbors as possible.

December 2, 2015 ARM:

Urban Catalyst Consultants (UC^2) submitted the Final Design Plan Approval FDPA Track Permit application for a December 2, 2015 Application Review Meeting (ARM) with Leon County. The Project consisted of 64 lots. Sixty-two lots ranged in width from 52-ft to 70-ft. Two larger lots (Lots 100 and 200), located south of Heartland Circle, were 2.0 acres and 2.19 acres, respectively. Also 11.8 acres were set aside in a conservation area for environmentally sensitive areas, which included wetlands, water courses, severe and significant slopes, native forest and altered 100 year floodplain.

The vegetative buffers provided for the project were 25 ft. wide buffers along the 62 smaller lots and Lot 100. A 10 ft. buffer was provided for Lot 200. Note the County requirement for this project is 10' minimum buffer, which requires less plantings than the proposed 25' buffer.

The December 2, 2015 ARM included comments from several departments including Planning, Development Services, Environmental, Public Works, Public Infrastructure, County Health, Fire and Aquifer Protection. Public comments received at the meeting raised concerns that the proposed density of the project was not consistent with surrounding development and that stormwater from the project might run off on to Moore Pond homeowner property or the pond. Due to the staff and public comment received, the project was continued.

EXHIBIT E
Witness Grey
Date 10/26/17

Between the December 2, 2015 ARM meeting and the February 3, 2016 ARM meeting the following events occurred:

Meetings were held with both Leon County DSEM and Public works to go through the comments and revisions were made to the meet requirements.

A presubmittal meeting was held with NWFWMD to discuss the project and to discuss the potential improvements to the two existing ponds (impoundments). Several days after the presubmittal meeting an on-site meeting was held with the Water Management District to inspect the impoundments. The result of this meeting was the inclusion of existing water impoundment improvements which will provide additional temporary storage and water quality enhancements.

The developer and UC^2 met with Ron Mowrey (former Moore Pond HOA Board member) to discuss the resubmittal and organize a community meeting to discuss the current plans prior to the February 2nd ARM meeting. A public meeting was held the following week with the developer, UC^2, residents of Moore Pond, Ox Bottom and Rosehill. The purpose of the meeting was to discuss the redesigned stormwater system and the buffers provided for the development. There were changes to the buffers as a result of the meeting with the addition of privacy fencing in the northwestern corner of the project to avoid headlight conflicts.

February 3, 2016 ARM

Major changes were made to the project design to address the concerns of adjoining neighborhoods and resubmitted for a February 3, 2016 ARM review. The stormwater ponds were revised to include the retaining wall on the uphill side as opposed to the downhill side of the proposed ponds (which reduces the impacts in case of an emergency). The stormwater ponds were also redesigned to assure compliance with the county maintenance requirements with respect to access and maintenance. The exfiltration trenches were repositioned and extended. Large overflow spillways were added to Ponds 100 and 200 to control emergency discharge and promote sheet flow during pond discharge as a result of large rainfall events.

In addition, the control structures on the existing on-site ponds (impoundments) were redesigned to improve stormwater treatment and rate control. The height of the dam on Impoundment #1 was raised 3 ft. and was provided with an emergency spillway. By revising the dam height and the control structure, temporary storage was added within the onsite ravine which has the effect of reducing the peak stormwater discharge off-site.

The control structure in Impoundment #2 was proposed to be replaced with a concrete structure. The associated weirs were designed to allow for water quality treatment within the existing pond vegetation in the pond. Also an emergency spillway was added to the dam to control pond discharge during extreme events.

Additional water quality treatment swales were added to the back of lots 17-20, since these lots did not drain towards the proposed road and Pond 200.

The result of this redesign was a further reduction in the peak stormwater discharge from Brookside Village and an improvement to the quality of water leaving the site.

Additionally, to address concerns about the visual impact of the project, a 6' high wooden privacy fence was added along a portion of the Moore Pond subdivision boundary where there is a lack of existing vegetation (existing dirt drive).

Following the February 2, 2016 ARM meeting, a second continuance was issued by the County. The continuance focused on two main issues which were raised by staff and nearby residents: compatibility and stormwater.

The Planning Department requested additional time to assess land use compatibility considerations in concert with the County Development Support and Environmental Management staff.

County staff also requested an additional narrative on how the existing conditions input for the stormwater model was determined. Staff also requested additional analysis demonstrating that the stormwater ponds would not negatively impact the stages and volumes of Moore Pond.

In response to the County and neighbor concerns expressed as part of the February 3, 2016 ARM meeting, the following events occurred:

Several weeks after the ARM meeting the County Staff and the project team held a meeting to review the comments and the public response. The meeting resulted in the project team requesting an abeyance to allow for additional time to study the compatibility and additional stormwater investigations.

During the extended abeyance period the project team has held multiple meetings with the stakeholders and have altered the design to best accommodate the concerns relating to compatibility and stormwater management.

The project team has continued to have meetings with various groups of homeowners to address compatibility concerns. Lot sizes have been altered to provide larger lots adjacent to existing adjacent residences. The project buffers have been enhanced to provide a greater visual barrier between adjacent residential properties.

UC^2 has held multiple meetings with WSource, the Moore Pond Stormwater Consultant, and Leon County to review the methodologies of the stormwater system. The stormwater system has been revised to maintain consistency with County standards and to also address concerns identified by the Moore Pond Home Owners Association. Both the County and WSource have preliminarily approved the current stormwater design.

April 19, 2017 ARM

Since the Abeyance in late February, 2016, the Project Team further revised the development plans, as described below.

To address compatibility concerns, the lots adjacent to Moore Pond have been increased to provide four lots having a minimum width of 75 feet, five lots having a minimum width of 80 feet and the remaining three lots having over a 100' feet width. The lots adjacent to Ox Bottom Manor have been increased in width to provide a minimum of 70 ft. Lots less than 70' feet in width were shifted to the interior of the site, which ultimately resulted in a net reduction of 3 overall lots.

Below is a summary of the Lot changes that have occurred during the permitting process:

Lot Location	12/2/2015 ARM	2/03/16 ARM	Current Submittal
Moore Pond			
52'	3	4	0
62'	10	9	0
70+	2	2	12
Ox Bottom Road			
52'	2	3	4
62'	5	4	4
70'+	2	2	2
Ox Bottom Manor			
52'	3	3	0
62'	7	7	0
70'+	4	4	12
Brookside Interior			
52'	8	9	11
62'	11	10	8
70'+	5	5	6
Large 2 ac. Parcels	2	2	2
Total	64	64	61

As illustrated above, the lots adjacent to the Moore Pond and Ox Bottom Manor subdivisions have been altered to provide larger lots with a minimum width of 70'.

The redesigned project also reflects enhanced buffers. A Landscape Architect was retained to design enhanced buffers adjacent to the impacted neighborhoods. Those are now reflected as a Type C+ 25' buffer along sections of Moore Pond and Ox Bottom Manor. This buffer includes 7 evergreen canopy trees, 6 evergreen understory trees and 24 evergreen shrubs per 100 linear foot of buffer. While a buffer of this nature is not needed in a single family residential setting (and in fact not present with existing neighborhoods adjacent to Brookside), this is more vegetation than a Type C buffer and slightly less than a "Type D" buffer. A Type D buffer is the most intense buffer and is typically required between incompatible commercial uses and residential zoning.

Further, a new buffer section has been added to the eastern property boundary where the existing dirt drive is located. The new section will be a mounded 3' berm and also provide the Type C+ buffer plantings. An 8' tall privacy fence will be added to the center of the buffer to provide privacy to neighbors while the vegetative buffer matures.

An 8' tall privacy fence has been added to the portion of the Ox Bottom buffer where neighbors had expressed concern over headlight pollution into their off-site properties.

A 10 ft. buffer was added near Heartland Circle on either side of the conservation area. Unlike any surrounding development, this buffer provides an additional screen to the larger on-site lots and the Moore Pond neighboring lots.

A 25 ft. Type C+ buffer is also provided along Ox Bottom Road.

The Type C+ buffer is expected to achieve approximately 75% opacity at time of planting and over 90% opacity within five years.

The subdivision road has been redesigned to allow all of the lots to drain to the street and into the proposed stormwater ponds. This allows the elimination of the proposed water quality treatment swales that were required behind lots 15A, 16A and 18A (previously labeled lots 18-20)

The additional Geotechnical Investigations that were provided for the proposed on-site stormwater ponds were able to map the groundwater flow which occurs on-site. Currently the groundwater day lights at the bottom of the ravines and eventually drains to Moore Pond. The proposed improvements will not alter the existing groundwater flow, therefore the studies confirmed there will be no volume impacts to Moore Pond.

There was an issue raised from the Moore Pond HOA that during smaller storm events that the proposed on-site ponds would not discharge other than what seeps at the bottom of the ravine from the exfiltration trenches. The major concern was that Moore Pond would not receive stormwater runoff during these smaller storm events. To address this concern a small sand filter was added to Pond 200 which would allow Moore Pond to receive runoff from all storm events. The sand filter was designed to accommodate the closed basin volume through the exfiltration trenches and discharge the excess volume at a controlled rate.

A biological study was also performed to evaluate the impacts for the temporary storage within the ravine. The study indicated that since the main periods of increased storage is no more than 48 hours, there would be very limited impact to the ravine system.

The biologist report also recommended additional wetland plantings in Impoundment #2. This will benefit the final polishing treatment as water exits the site. In addition to the wetland plantings the existing dam will be raised by one-foot and an emergency spill way will be constructed at the existing dam height.

The Brookside stormwater system will reduce the peak runoff rate and provide for enhanced water quality currently leaving the site.

August 2, 2017 DRC Meeting

At the May 3 , 2017, ARM meeting the project received a recommendation to proceed to DRC from County Staff. The majority of the conditions involved the Environmental Management Permit submittal and the stormwater model. Since the May ARM meeting, the model has been revised to further evaluate conditions at Heartland Circle and changes to the soil assumptions previously utilized. The design of the stormwater facilities did not need to be changed and the additional modeling effort provided more evidence that the Stormwater Facilities located in the Brookside Village Project Area meet and exceed Leon County Stormwater Requirements.

An additional 10' buffer was added adjacent to Lots 7 and 8 Block H of the Ox Bottom Manor Subdivision, making the total buffer width in this area 20-ft. to address the concerns by neighboring property owners to reduce concerns of cars circling the cul-d-sac and cars going to Lot 2C.

A new School Impact Analysis was submitted in May for consideration by the Leon County School Board. The revised request included 30 homes to be constructed in the 1,000 – 2,000 SF range

and 31 homes to be constructed in the 2,000 – 3,500 SF range. Note these numbers only include heated living space. Porches, garages, and deck areas, even if heated, shall not be included in this minimum square footage requirement. The revised request was approved by the LCSB at the June 20, 2017 meeting.

Compliance with Section 10-7.505 of the Leon County Land Development Code

Sec. 10-7.505. - General principles of design relating to impacts on nearby streets and property owners[1].
Each development shall be designed to:

(1) Be as compatible as practical with nearby development and characteristics of the land.

Analysis[2]: Brookside Village is a detached single family development surrounded by detached single family development. The density is one-third of the permitted maximum density for Residential Preservation. Within one quarter mile of the site, the subdivisions of Ox Bottom Gardens, Ox Bottom Manor, Moore Pond, and Rosehill have a range of densities and lot sizes.

The Brookside Village site plan contains an enhanced ("Type C+") buffer between the lots that adjoin the Ox Bottom Manor and Moore Pond. This buffer exceeds the Type A buffer required by the land development code in terms of width and number of plants. Additionally, the Type C+ buffer has been designed to realistically expect approximately 75% opacity at the time of planting and over 90% opacity within 5 years.

There is no interconnection between Brookside Village and the adjoining subdivisions.

A Type C+ buffer is also included along Ox Bottom Road.

The Natural Features Inventory identified portions of the site that were compatible for development. Sensitive environmental areas of the site are placed within a conservation easement.

(2) Minimize adverse environmental impacts both on-site and off-site.

Analysis: A Natural Features Inventory identified the following:

Severe Slopes
Significant Slopes
Wetlands
Water Courses

---

[1] Only those criteria relevant to Brookside Village are included in this analysis.
[2] Neither the Comprehensive Plan nor the Land Development Code provide a definition of compatibility. The State's Community Planning Act, Ch. 163.3164 (9), Florida Statutes defines compatibility as "...a condition in which land uses or conditions can coexist in relative proximity to each other in a stable fashion over time such that no use or condition is unduly negatively impacted directly or indirectly by another use or condition."

Altered Floodplain
Native Forest

All of the environmentally sensitive features, except 50% of the Significant Slopes (as allowed by the Land Development Code), have been placed in a conservation easement. Additional flood storage and vegetative enhancements to the existing surface waters will allow for a higher quality of water leaving the site than that which occurs today.

(3) Provide boundary buffers between the proposed development and differing land uses on abutting property as required by article IV.

Analysis: Article IV, Sec. 10-4.348. addresses required buffers relating to uncomplimentary land uses and zones. The section states: *Landscape requirements for uncomplimentary land use buffer strips shall be applicable to all new development or redevelopment which creates the land use conflicts identified in the zoning and site plan review code, section 10-7.522, buffer zone standards.*

Both the proposed development and adjoining development are the same land use: Low density single-family residential. Section 10-7.522 of the Code requires a Type A buffer between these uses when the development is within the Residential Preservation zoning district. The proposed development contains a buffer that far exceeds the Type A requirement and in fact exceeds standards of a Type C buffer (see Landscape Plan).

(5) Provide fencing and vegetative screens in locations where potential health or safety hazards may arise, such as, but not limited to, waste storage or collection areas, stormwater ponds, sewage treatment facilities, and immobile exposed machinery.

Analysis: Stormwater retention is located within the existing natural area of the project. Fences ensure safety. Landscaping is provided along the fence to buffer the fence.

(6) Maintain roadside trees, which are important to the character of the county, through careful siting of buildings, parking lots and access points.

Analysis: The Type C+ buffer along Ox Bottom Road will be achieved with a combination of existing & proposed vegetation.

(8) Site buildings, parking lots, and other structures by taking into account the topography of the site and avoiding development in environmentally sensitive areas where feasible.

Analysis: All of the proposed development will occur on the uplands of the project site.

(10) Preserve open space and provide recreational opportunities including pedestrian and bike paths where appropriate to the type of development.

Analysis: Approximately a third of the parcel is contained within a conservation easement. The easement has some unique environmental features and a walking trail is proposed within.

(11) Provide in accordance with this article for the ongoing operation and maintenance of supporting infrastructure which will remain in private ownership.

Analysis: A Home Owners Association will be established for this project and will provide for the operation and maintenance of the open areas.

Summary

Since this project was initially submitted to the County there have been numerous meetings held between the project team, county staff and concerned citizens. Below is a summary of the major changes made to the plan during this process:

- The lot sizes adjacent to Moore Pond have been increased with a minimum lot size of 75 feet with a majority being 80 feet and larger. The lots adjacent to Ox Bottom have been increased to a minimum of 70 feet;

- There has been an overall reduction of 3 lots

- Buffers have been enhanced including 25 foot buffers around the smaller lots with enhanced plantings above the Type "C" buffer standards. There are four types of buffers included in the plan that range from 25' on the smaller lots to 10' for the two larger lots. Areas that currently have no vegetation will be supplemented with a berm and 8' privacy fencing. In areas with a potential for head light conflicts, an 8' privacy fence will be constructed. In areas with overgrown vegetation within the buffer, vegetation will be managed and replanted to ensure a long term thriving buffer establishment.

- Additional geotechnical investigations have been performed to more accurately design the two proposed stormwater ponds. These investigations provided information on the natural recovery and they mapped the groundwater flow to the ravine. The investigations indicated that the proposed ponds will not increase the volume coming to Moore Pond. The proposed ponds constructed for the development have been designed to provide adequate capacity for the increased storm water volume from the site and a small sand filter has been added to Pond 200 to allow for a controlled discharge during small rainfall events.

- The existing two impoundments will be improved as part of this development. Currently the impoundments have control structures that are failing and there are no emergency spillways controlling emergency overflows. The improvements will install new concrete control structures and provide for emergency spillways to control overflows. Improvements to the dam systems will provide for additional temporary storage during large rainfall reducing the potential for offsite impacts. In addition wetland plantings in the lower impoundment will provide for final polishing of the Brookside Village stormwater prior to discharge into Moore Pond.

BROOKSIDE VILLAGE
A PUBLIC SUBDIVISION
TYPE 'B' SITE AND DEVELOPMENT PLAN
FDPA TRACK PERMIT SUBMITTAL

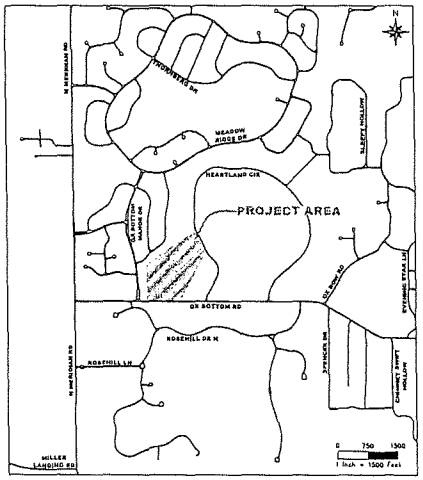
INDEX OF SHEETS

C-100	COVER
C-102-106	EXISTING CONDITIONS
C-107	DEMOLITION & EROSION CONTROL PLAN - PHASE 1
C-108	EROSION CONTROL PLAN - PHASE 2
C-109-111	PRELIMINARY PLAT
C-112.1	OVERALL SITE PLAN
C-112.2	SITE LAYOUT PLAN
C-113	SIGNAGE AND MARKINGS PLAN
C-114	TURNING MOVEMENT ANALYSIS
C-115	GRADING & DRAINAGE PLAN (EAST)
C-115.1	GRADING & DRAINAGE PLAN (WEST)
C-116	UTILITY PLAN
C-131	TREE REMOVAL PLAN
C-132	INTERIOR LANDSCAPE PLAN
C-133	BUFFER DETAILS

UTILITY PROVIDERS

STREET MAINTENANCE - LEON COUNTY
WATER SERVICE - CITY OF TALLAHASSEE
SEWER SERVICE - CITY OF TALLAHASSEE
ELECTRICAL SERVICE - CITY OF TALLAHASSEE
NATURAL GAS - CITY OF TALLAHASSEE

ZONING: RP - RESIDENTIAL PRESERVATION
TAX ID: 14-19-20-001-0000



LOCATION MAP

APRIL 19, 2017

LEON COUNTY, FLORIDA

TYPE B FDPA TRACK
SITE PLAN APPROVAL

Leon County Public Works Dept. — Date

Leon County Department of Development Support and Environmental Management — Date

Tallahassee-Leon County Planning Dept. — Date

OWNER / APPLICANT:
GOLDEN OAK LAND GROUP LLC
4708 CAPITAL CIRCLE NW
TALLAHASSEE, FL 32303

PREPARED BY:
URBAN CATALYST CONSULTANTS
2840 PABLO AVENUE
TALLAHASSEE, FL 32308
(850) 999-4241
www.ucceng.com

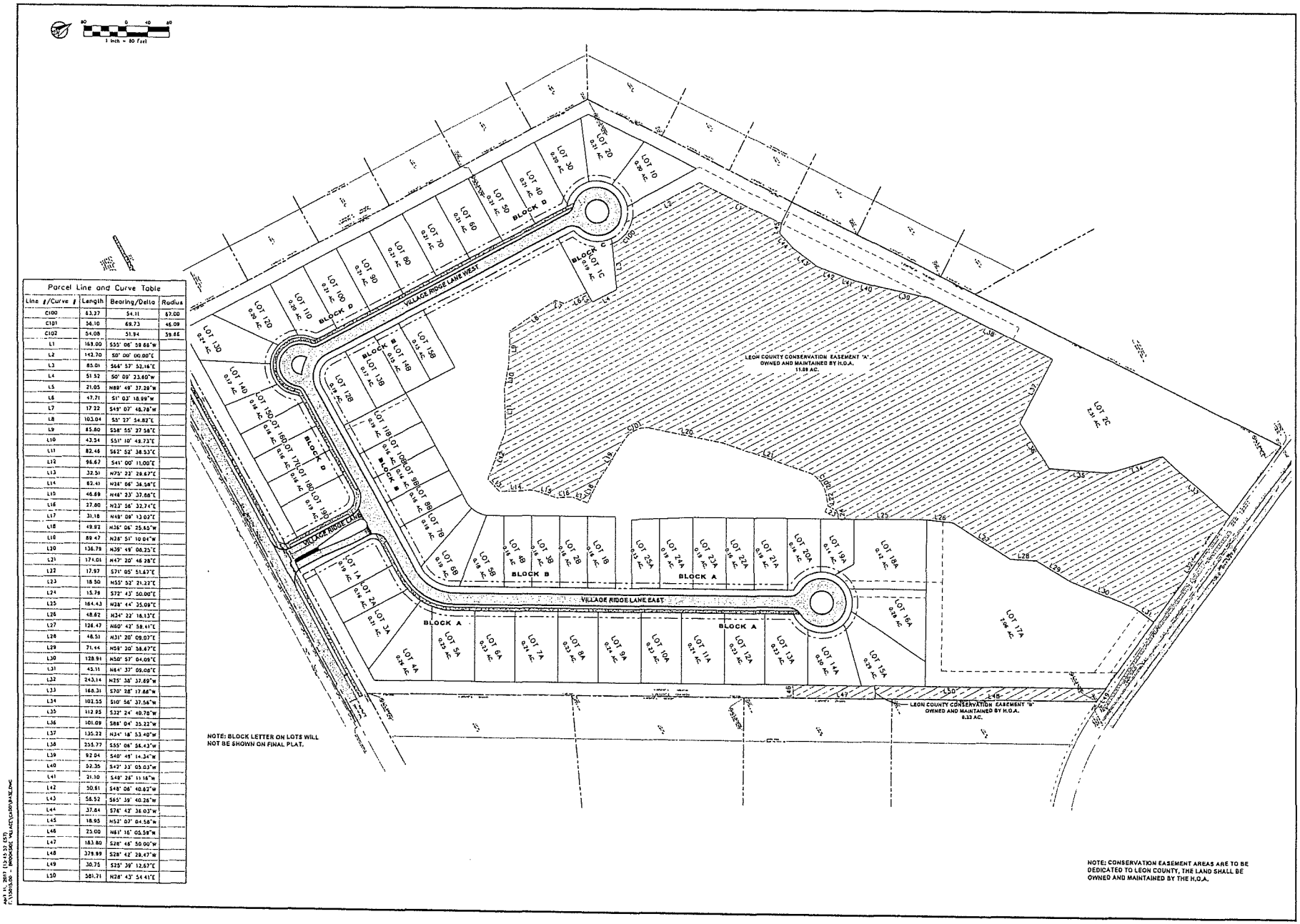
URBAN CATALYST CONSULTANTS, INC.
2840 PABLO AVENUE
TALLAHASSEE, FLORIDA, 32308
PHONE: (850) 999-4241
WWW.UCCENG.COM
FL CA 00030572

ENGINEER OF RECORD:

SEAN K. MARSTON, P.E.
FLORIDA LICENSE No. PE - 55987
CORPORATION CERTIFICATE OF AUTHORIZATION No. LB 30572

SEAN K MARSTON PROFESSIONAL ENGINEER — DATE OF SIGNATURE

EXHIBIT F
Witness Grey
Date 10/20/17



Parcel Line and Curve Table			
Line #/Curve #	Length	Bearing/Delta	Radius
C100	63.27	54.11	67.00
C101	56.10	69.73	46.09
C102	54.08	51.94	59.65
L1	163.00	S55° 06' 59.66"W	
L2	142.70	S0° 00' 00.00"E	
L3	85.01	S66° 57' 52.16"E	
L4	51.52	S0° 09' 23.60"W	
L5	21.05	N89° 49' 37.28"W	
L6	47.71	S1° 03' 18.99"W	
L7	17.22	S49° 07' 46.78"W	
L8	103.04	S3° 27' 54.82"E	
L9	85.80	S38° 55' 27.56"E	
L10	42.54	S51° 10' 49.73"E	
L11	82.46	S62° 52' 38.53"E	
L12	96.67	S41° 00' 11.00"E	
L13	32.51	N75° 23' 29.67"E	
L14	82.41	N36° 06' 36.56"E	
L15	46.69	N46° 23' 37.86"E	
L16	27.00	N23° 56' 32.74"E	
L17	31.18	N49° 09' 13.03"E	
L18	49.92	N36° 06' 25.65"W	
L19	89.47	N28° 51' 10.04"W	
L20	136.79	N39° 49' 06.25"E	
L21	174.01	N47° 20' 46.28"E	
L22	17.97	S71° 05' 51.67"E	
L23	18.50	N55° 53' 21.23"E	
L24	15.78	S72° 43' 50.00"E	
L25	164.43	N28° 44' 35.09"E	
L26	48.62	N34° 22' 16.13"E	
L27	126.47	N60° 42' 58.41"E	
L28	48.51	N31° 20' 09.07"E	
L29	71.44	N59° 20' 38.67"E	
L30	128.91	N50° 57' 04.09"E	
L31	42.11	N64° 37' 09.08"E	
L32	243.14	N25° 38' 37.69"W	
L33	168.31	S70° 28' 17.66"W	
L34	102.55	S10° 56' 37.56"W	
L35	112.95	S32° 24' 40.78"W	
L36	101.09	S88° 04' 35.22"W	
L37	135.22	N34° 18' 53.40"W	
L38	255.77	S55° 06' 56.43"W	
L39	92.04	S40° 45' 14.34"W	
L40	52.35	S42° 33' 05.03"W	
L41	21.10	S49° 26' 13.16"W	
L42	50.61	S48° 08' 40.62"W	
L43	56.52	S65° 39' 40.26"W	
L44	37.84	S76° 42' 36.03"W	
L45	18.95	N52° 07' 04.56"W	
L46	25.00	N61° 16' 05.58"W	
L47	183.80	S28° 46' 50.00"W	
L48	378.99	S28° 42' 29.47"W	
L49	30.75	S25° 39' 12.67"E	
L50	561.71	N28° 43' 54.41"E	

NOTE: BLOCK LETTER ON LOTS WILL NOT BE SHOWN ON FINAL PLAT.

NOTE: CONSERVATION EASEMENT AREAS ARE TO BE DEDICATED TO LEON COUNTY, THE LAND SHALL BE OWNED AND MAINTAINED BY THE H.O.A.

URBAN CATALYST CONSULTANTS, INC.
2840 PABLO AVENUE
TALLAHASSEE, FLORIDA, 32308
PHONE: (850) 999-4241
WWW.UCCENG.COM
FL CA 00030572

REVISIONS

BROOKSIDE VILLAGE RESIDENTIAL SUBDIVISION

PRELIMINARY PLAT (OVERALL)

LEON COUNTY

SEAN K. MARSTON, P.E.
LICENSE NUMBER: 55987

DRAWN BY: W.E.C.
CHECKED BY: S.K.M.
DATE: 04/19/17
HORZ. SCALE: 1"=80'
VERT. SCALE:

SHEET C-109
PROJECT No. 15015.00

Apr 11, 2017 (12:45:32 EST)
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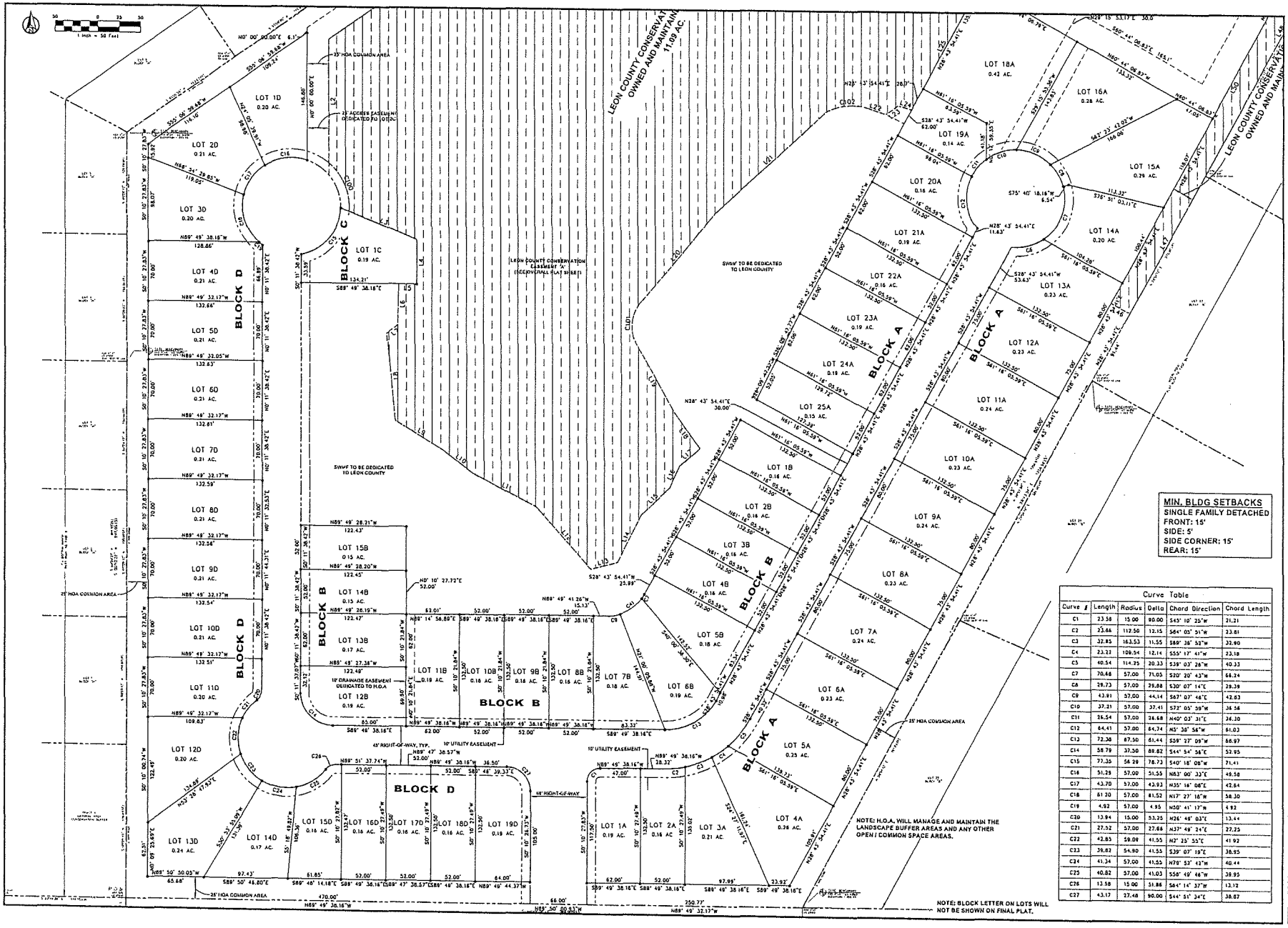


Curve Table

Curve #	Length	Radius	Delta	Chord Direction	Chord Length
C1	23.58	15.00	90.00	S45° 10' 25"W	21.21
C2	23.66	112.50	12.15	S64° 03' 51"W	23.61
C3	32.85	163.53	11.55	S69° 36' 52"W	32.80
C4	23.23	109.54	12.14	S55° 17' 41"W	23.18
C5	40.54	114.25	20.33	S39° 03' 26"W	40.33
C7	70.46	57.00	71.05	S20° 20' 43"W	66.24
C8	29.73	57.00	29.88	S30° 07' 14"E	29.39
C9	43.91	57.00	44.14	S67° 07' 46"E	42.83
C10	37.21	57.00	37.41	S72° 05' 59"W	36.56
C11	26.54	57.00	26.68	N40° 03' 31"E	26.30
C12	64.41	57.00	64.74	N5° 38' 56"W	61.03
C13	72.38	67.50	61.44	S59° 27' 09"W	68.97
C14	58.79	37.50	89.82	S44° 54' 56"E	52.95
C15	77.35	56.29	78.73	S40° 18' 08"W	71.41
C16	51.29	57.00	51.55	N83° 00' 33"E	49.58
C17	43.70	57.00	43.93	N35° 16' 08"E	42.64
C18	61.20	57.00	61.52	N17° 27' 16"W	58.30
C19	4.92	57.00	4.95	N50° 41' 17"W	4.92
C20	13.94	15.00	53.25	N26° 49' 03"E	13.44
C21	27.52	57.00	27.68	N37° 49' 24"E	27.25
C22	42.85	59.09	41.55	N3° 25' 53"E	41.92
C23	39.82	54.90	41.55	S39° 07' 19"E	38.95
C24	41.34	57.00	41.55	N78° 53' 43"W	40.44
C25	40.82	57.00	41.03	S58° 49' 46"W	39.95
C26	13.58	15.00	51.86	S84° 14' 37"W	13.12
C27	43.17	27.48	90.00	S44° 51' 34"E	38.87

URBAN CATALYST CONSULTANTS, INC.
2840 PARI AVENUE
TALLAHASSEE, FLORIDA 32308
PHONE: (850) 999-4241
WWW.UCCENG.COM
FL CA 00030572

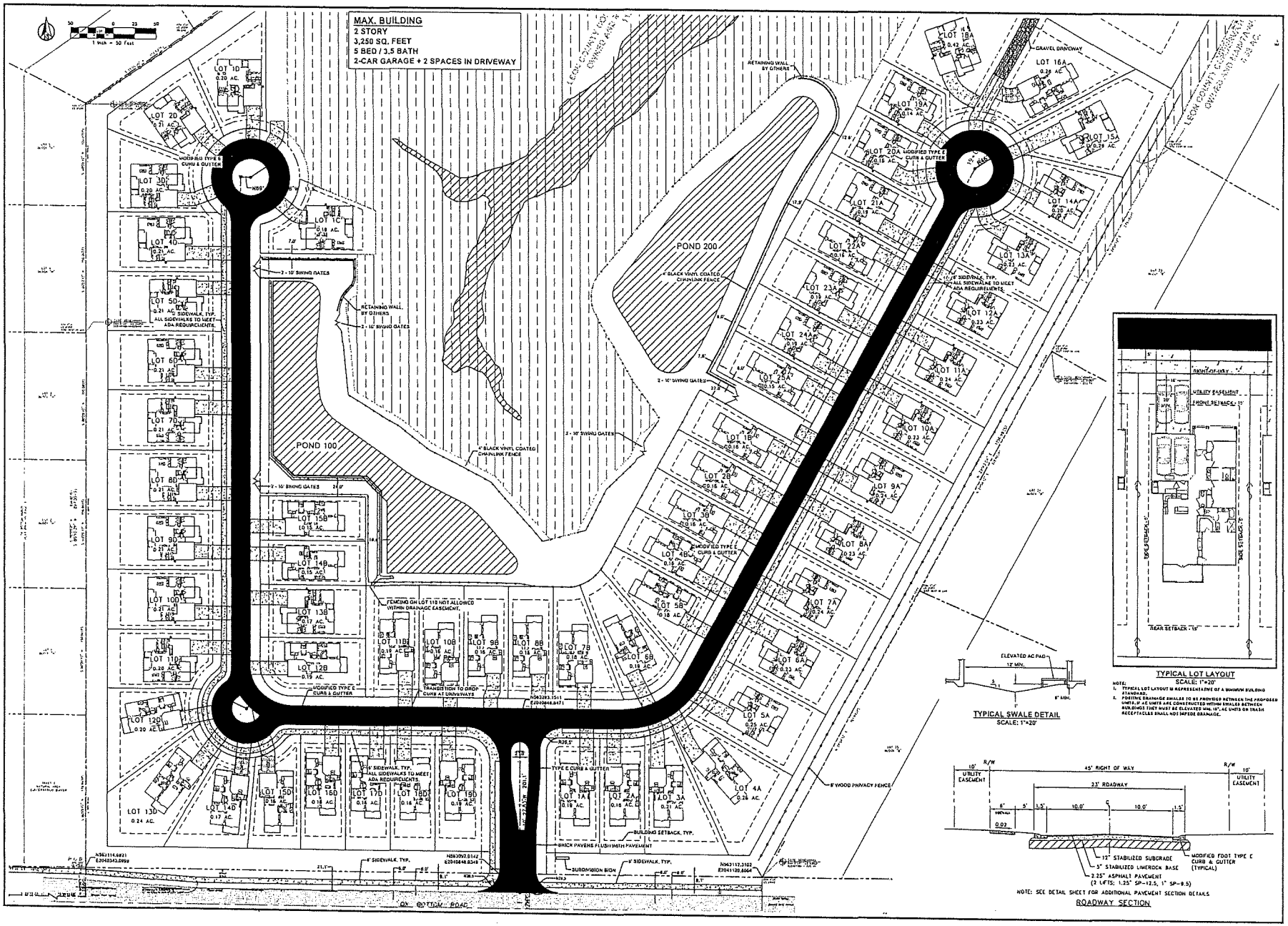
DATE	BY	REVISIONS

BROOKSIDE VILLAGE
RESIDENTIAL SUBDIVISION
PRELIMINARY PLAT
LEON COUNTY FLORIDA

SEAN K. MARSTON, P.E.
LICENSE NUMBER 53987

DRAWN BY: W.E.C.
CHECKED BY: S.K.M.
DATE: 04/19/17
HORZ. SCALE: 1"=50'
VERT. SCALE:

SHEET C-110
PROJECT No. 15015.00



URBAN CATALYST CONSULTANTS, INC.
2880 PABLO AVENUE
TALLAHASSEE, FLORIDA 32308
PHONE: (850) 999-4241
WWW.UCCENG.COM
FLCA 00030572

REVISIONS | DATE | BY

BROOKSIDE VILLAGE
RESIDENTIAL SUBDIVISION

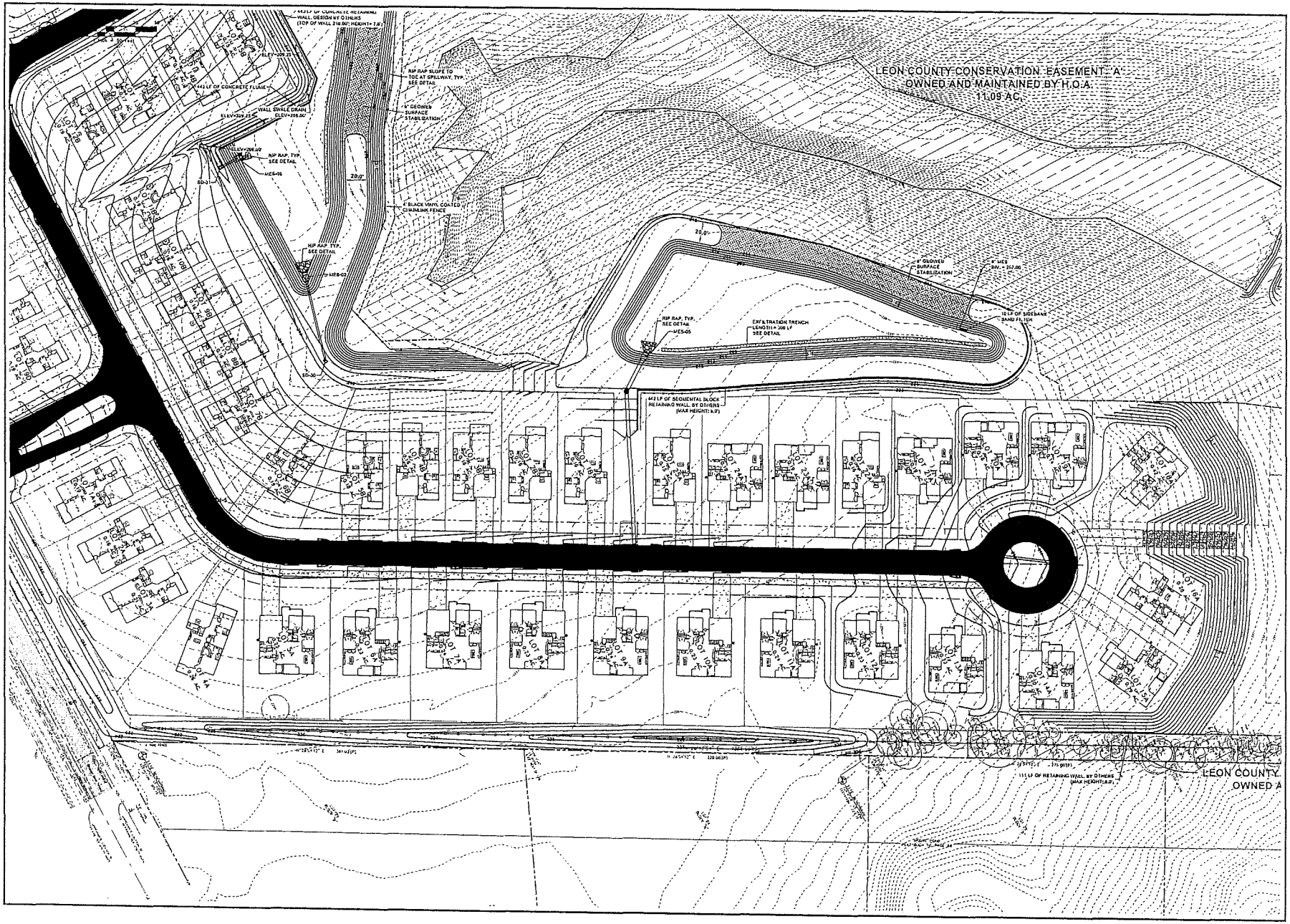
SITE LAYOUT PLAN

LEON COUNTY FLORIDA

SEAN K. MARSTON, P.E.
LICENSE NUMBER 55087

DRAWN BY: W.E.C.
CHECKED BY: S.K.M.
DATE: 04/19/17
HORZ. SCALE: 1"=50'
VERT. SCALE:

SHEET C-112.2
PROJECT No. 15015.00



URBAN CATALYST CONSULTANTS, INC.
2440 PABLO AVENUE
TALLAHASSEE, FLORIDA 32308
PHONE: (850) 999-4241
WWW.UCCENG.COM
FL CA 00030572

DATE	BY	REVISIONS

BROOKSIDE VILLAGE
RESIDENTIAL SUBDIVISION
SITE GRADING PLAN

LEON COUNTY FLORIDA

SEAN K. MARSTON, P.E.
LICENSE NUMBER: 53967

DRAWN BY:	W.C.C.
CHECKED BY:	S.K.M.
DATE:	04/19/17
HORZ. SCALE:	1"=50'
VERT. SCALE:	

SHEET C-115.1
PROJECT No. 15015.00

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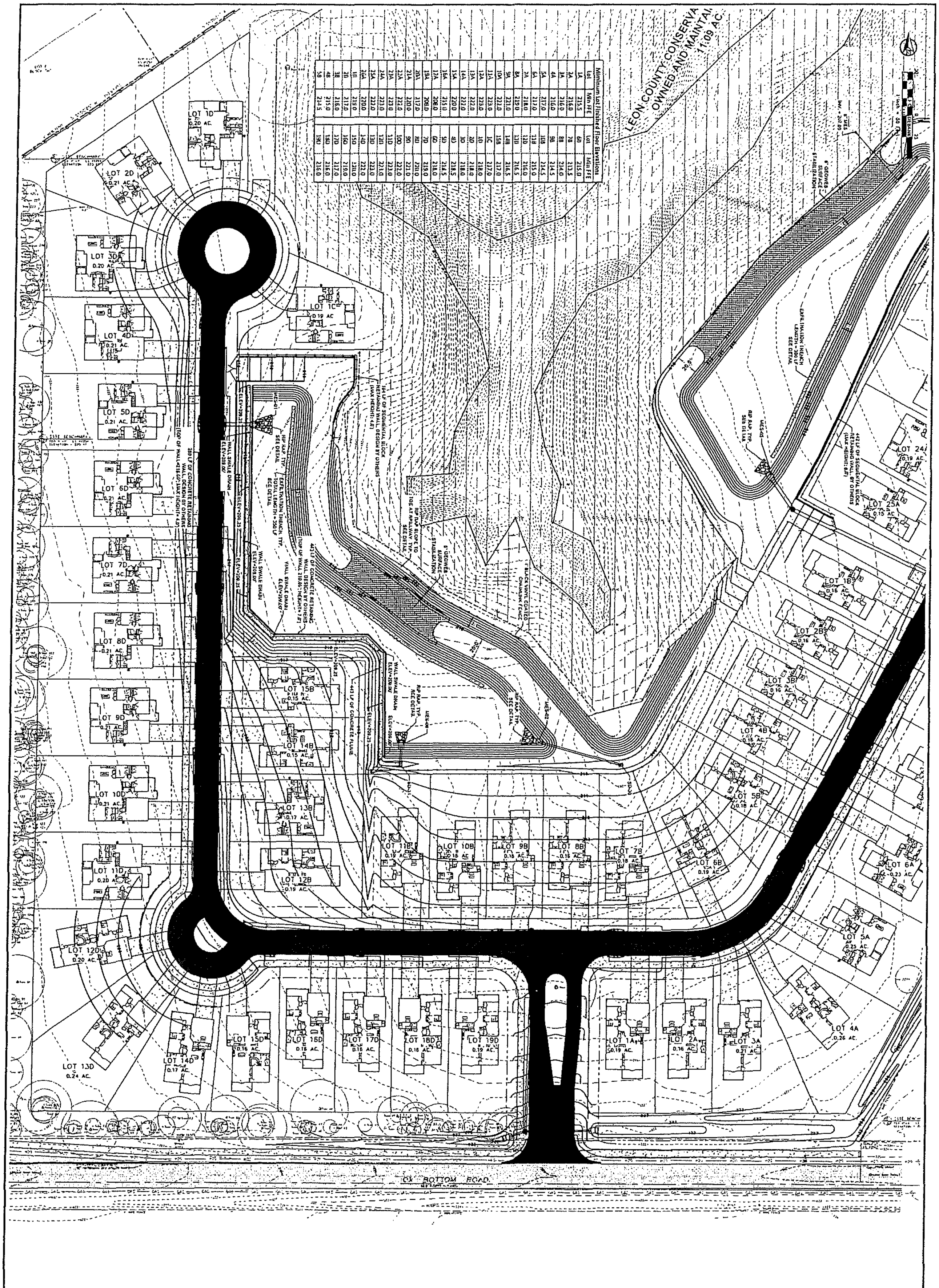

SEAN K. MARSTON, P.E.
LICENSE NUMBER: 55987

DRAWN BY: W.E.C.
CHECKED BY: S.K.M.
DATE: 04/19/17
HORZ. SCALE: 1"=50'
VERT. SCALE:

SHEET C-115
PROJECT No. 15015.00

BROOKSIDE VILLAGE
RESIDENTIAL SUBDIVISION

SITE GRADING PLAN

LEON COUNTY FLORIDA

DATE	BY	REVISIONS

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2840 PABLO AVENUE
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Sec. 10-2.103. - Consistency.

All development orders issued pursuant to this chapter shall be consistent with the adopted Comprehensive Plan, as amended.

(Ord. No. 07-20, § 2, 7-10-07)

EXHIBIT G
Witness Gray
Date 10/26/17

Sec. 10-2.301. - Development review committee.

(a) There is hereby established a development review committee (DRC) whose primary purpose is to provide professional, informed review of proposed development with respect to design, adequacy of public facilities, services and utilities and consistency with the Comprehensive Plan, this chapter, and other applicable land development regulations.

The DRC shall advise the Board of County Commissioners, the planning commission, the department of development support and environmental management director, or designee, and the county administrator or designee concerning applications for site and development plan approvals, platting, and other development approval, and shall prepare studies and make recommendations on such matters as are requested by the planning commission. The members of the DRC shall attend meetings of the planning commission and Board of County Commissioners, as required.

(b) The DRC shall be composed of the department directors or their respective designee of the following county departments:

(1) Tallahassee-Leon County Planning Department;

(2) Public works department; and

(3) Department of development support and environmental management.

The DRC may direct the application to other departments or agencies for review and comment based on the type and complexity of the development proposed as set forth in the written direction by the DRC.

(c) The DRC shall meet at least monthly to review and render written decisions on development proposals as prescribed in this chapter.

(d) The DRC shall adopt and publish bylaws consistent with this Code for implementing its meetings, except where in direct conflict with this Code, in which case the provisions of this Code shall prevail.

(Ord. No. 07-20, § 2, 7-10-07; Ord. No. 14-10, § 2, 6-10-14)

Sec. 10-7.103. - Authority.

(a) Fla. Const. art. VIII vested county governments with powers of self-government as provided by general and special law.

(b) The Local Government Comprehensive Planning and Land Development Regulation Act [F.S. § 163.3161 et seq.] requires each local government to adopt a local Comprehensive Plan, and the county has adopted the Comprehensive Plan, as amended, pursuant to these statutory provisions and other authority.

(c) The statutory provisions and the Comprehensive Plan require that land development regulations be adopted to implement the Comprehensive Plan and that no development of land shall take place which is inconsistent with the Comprehensive Plan.

(d) F.S. § 125.01 vests counties with the power to establish, coordinate, and enforce business regulations, building, housing, and related technical codes and regulations as are necessary for the protection of the public and to perform other acts not inconsistent with laws which are in the common interest of the people of the county and to exercise all powers and privileges not specifically prohibited by law.

(e) F.S. §§ 125.01, 336.02, and 336.08, provide that counties have the power and authority to establish new roads and locate and change the same.

(f) F.S. ch. 163 authorizes the Board of County Commissioners to adopt, prescribe and promulgate rules and regulations governing the filing of plats and development of subdivisions, in order to aid in the coordination of land development and to implement the local Comprehensive Plan.

(g) F.S. ch. 177, pt. I [§ 177.011 et seq.] authorizes the Board of County Commissioners to require, regulate, and control the platting of lands.

(h) It is in the public interest to ensure that adequate and necessary public facilities and services are properly installed whenever land is developed.

(i) It is in the public interest to establish procedures and minimum standards for the subdivision, development, and improvement of lands within the unincorporated area of the county.

(Ord. No. 07-20, § 2, 7-10-07)

Sec. 10-7.104. - Purposes.

The purposes of this article are to:

(1) Protect and provide for the public health, safety, and general welfare of the residents of the county.

(2) Establish procedures and standards for the subdivision of real property within the county.

(3) Establish procedures and standards for the siting and development of real property within the county.

(4) Ensure proper legal description, identification, documentation and recording of subdivisions.

(5) Ensure consistency with the Comprehensive Plan.

(6) Provide for coordination between review of development and subdivision proposals with Articles III and IV and other applicable county requirements.

(7) Provide for adequate light, air, and privacy, to secure safety from fire, flood, and other danger, and to prevent overcrowding of the land and undue congestion of population.

(8) Encourage the orderly and beneficial development of all unincorporated parts of the county.

(9) Protect and conserve the value of land, buildings, and improvements throughout the county.

(10) Guide public policy and private action in order to provide adequate and efficient transportation, water, sewerage, schools, parks, playgrounds, recreation and other public facilities and services.

(11) Establish reasonable standards of design and procedures for subdivisions and replats, in order to further the orderly layout and use of land, and to insure proper legal descriptions, monumenting and recording of subdivided land.

(12) Preserve the local natural and historical features and resources in order to protect the integrity, stability, and beauty of the community and the value of the land.

(13)

Provide that the citizens and taxpayers of the county will not have to bear the costs resulting from haphazard development or subdivision of land and the lack of mechanisms to require installation by the developer of adequate and necessary physical improvements and infrastructure.

(14) Provide a greater degree of assurance to the purchasers of land in a development or subdivision that necessary improvements of lasting quality have been or will be installed and maintained.

(Ord. No. 07-20, § 2, 7-10-07)

Sec. 10-7.105. - Interpretation.

In their interpretation and application, the requirements of this article shall be the minimum requirements for the promotion of the public health, safety and general welfare. Applicants are encouraged to design innovative plats or site and development plans which, while meeting the requirements of this article and other applicable ordinances, take into account the individual characteristics and location of a particular piece of land so as to reduce adverse visual, noise, environmental, and/or traffic impacts on nearby property owners.

(Ord. No. 07-20, § 2, 7-10-07)

Sec. 10-7.108. - Consistency with Comprehensive Plan.

(a) All proposed subdivisions or development shall be designed to be consistent with the adopted Comprehensive Plan, as amended.

(b) All proposed subdivisions or development shall be designed to comply with at least the county zoning, building regulations, concurrency, and environmental management ordinances, and such other applicable land development regulations, ordinances, and policies, for the area in which the proposed subdivisions or development shall be located.

(c) In accordance with this article and other applicable requirements of the local Comprehensive Plan and county ordinances, land, proposed subdivision or site and development plans shall be suitable for the characteristics of the underlying land. Sites where topographic features, flooding potential, drainage, soil type or other site specific features are likely to harm neighboring landowners, future users of the subject property, natural resources or public infrastructure demand, shall not be developed and/or subdivided, unless adequate methods of mitigation or correction of the harm area formulated by the developer and accepted by the county.

(d) Any applicant subdividing land shall record an approved final plat in accordance with the requirements of this chapter.

(e) The adequacy of necessary public or private facilities and services for traffic and pedestrian access and circulation, solid waste, waste water disposal, potable water supply, storm water management, parks and recreation and similar public facilities and services, shall be considered in the review of all subdivision or development site and development plan proposals to assure the concurrency requirements of the local Comprehensive Plan and county ordinances are met.

(f) Unless installation of a required improvement is waived pursuant to Division 6, no final plat or certified survey shall be recorded until a site and development plan, as required by this article, has been approved, the required infrastructure or development improvements which are applicable to the subject parcel or parcels are completed or an appropriate surety instrument, as approved in advance by the county attorney, is posted, in accordance with the requirements of this article, and the terms and conditions of any applicable development order have been fulfilled.

(g)

No parcel shall be approved for platting for any purpose unless it is suitable for a use permitted by article VI. No parcel shall be approved for development unless it is consistent with the local Comprehensive Plan and contains an adequate development site, both in size for the use intended and in its relationship to abutting land uses.

(Ord. No. 07-20, § 2, 7-10-07)

Sec. 10-7.505. - General principles of design relating to impacts on nearby streets and property owners.

Each development shall be designed to:

(1) Be as compatible as practical with nearby development and characteristics of the land.

(2) Minimize adverse environmental impacts both on-site and off-site.

(3) Provide boundary buffers between the proposed development and differing land uses on abutting property as required by article IV.

(4) Reduce any adverse environmental and visual impact of parking lots by buffer fences or retaining natural vegetation and trees, or providing landscaping along the edges and within the parking lot.

(5) Provide fencing and vegetative screens in locations where potential health or safety hazards may arise, such as, but not limited to, waste storage or collection areas, stormwater ponds, sewage treatment facilities, and immobile exposed machinery.

(6) Maintain roadside trees, which are important to the character of the county, through careful siting of buildings, parking lots and access points.

(7) In rural areas, control the height, location and intensity of lighting to maintain rural character and to prevent undue amounts of light shining beyond the development onto abutting properties.

(8) Site buildings, parking lots, and other structures by taking into account the topography of the site and avoiding development in environmentally sensitive areas where feasible.

(9) Take into account the local Comprehensive Plan's goals, objectives and policies regarding affordable housing.

(10) Preserve open space and provide recreational opportunities including pedestrian and bike paths where appropriate to the type of development.

(11) Provide in accordance with this article for the ongoing operation and maintenance of supporting infrastructure which will remain in private ownership.

(Ord. No. 07-20, § 2, 7-10-07)

Sec. 10-6.104. - Policy.

(a) It is the policy of the county to permit development of land that is consistent with and in conformance with the goals, objectives, and policies established in the Comprehensive Plan through the use of this article.

(b) The official zoning map districts shall be consistent with the land uses as depicted on the adopted future land use plan map of the Comprehensive Plan.

(c) No development of land shall be permitted unless in compliance with the concurrency requirements as established in Article III.

(d) This article shall complement and be coordinated with the enforcement of the provisions and standards contained in building and housing codes, the provisions of Articles IV and VII, and other related and applicable codes.

(e) The implementation and interpretation of this article shall be governed by the policies stated in the Comprehensive Plan.

(Ord. No. 07-20, § 2, 7-10-07)

Sec. 10-6.617. - Residential preservation.

(a) *Purpose and intent.* The residential preservation district is characterized by existing homogeneous residential areas within the community predominantly accessible by local streets. The primary function is to protect existing stable and viable residential areas from incompatible land uses and density intrusions. Commercial, retail, office, and industrial activities are prohibited. Certain nonresidential activities may be permitted, such as home occupations consistent with the applicable provisions of section 10-6.803; community services and facilities/institutional uses consistent with the applicable provisions of section 10-6.806; and churches, religious organizations, and houses of worship. Single-family, duplex residences, manufactured homes, and cluster housing may be permitted within a range of zero to six units per acre. Compatibility with surrounding residential type and density shall be a major factor in the authorization of development approval and in the determination of the permissible density.

(1) In residential preservation areas outside the urban service area, the density of the nonvested development in residential preservation areas shall be consistent with the underlying land use category.

(2) In residential preservation areas inside the urban services area, new residential development densities shall be consistent with those within the developed portions of the recorded or unrecorded subdivision in which they are located. Consistency for the purposes of this paragraph shall mean that proposed lots shall not be smaller than the smallest lot that was created by the original subdivision plat or any subsequent replat that may have occurred consistent with county land development regulations in effect at the time.

(3) When new residential development inside the urban services area is proposed for an area not located within a recorded or unrecorded subdivision, densities shall be permitted in the range of zero to six dwelling units per acre consistent with the availability of central water and sewer service to accommodate the proposed development. If central water and sewer service is not available, density shall be limited to a maximum of two dwelling units per acre consistent with all applicable provisions of the Environmental Management Act.

(4)

Notwithstanding the provisions of subsection 10-6.617(a)(2) above, existing lots in a recorded or unrecorded residential subdivision zoned residential preservation may be resubdivided up to a maximum density of six dwelling units per acre provided that the parent lot directly abuts an existing arterial or major collector roadway that was not constructed as part of the subdivision's roadway network. This provision shall not apply to lots whose current designated primary access is from a street internal to the recorded or unrecorded subdivision zoned residential preservation. Existing lots of record with no current frontage on a major collector or arterial roadway, as specified above, cannot be aggregated to benefit from the provision of this section.

The following factors shall be used to determine the maximum allowed number of lots per acre created pursuant to this subsection: a) the availability of water and sewer to accommodate the proposed development as cited in subsection 10-617(a)(3) above; b) compliance with applicable local and/or Florida Department of Transportation (FDOT) roadway connection standards c) the mitigation of any adverse impacts on the transportation network, and d) compliance with any other applicable provisions of the Land Development Code, including those pertaining to environmental protection. Acceptable mitigation for impacts to the transportation network include a common ingress/egress access point for all newly created lots, frontage roadways, or any other solution that mitigates the adverse impacts on the transportation network as determined by the director.

(5) Allowable development type shall be construed to mean the following:

a. Parcels proposed for residential which are located in a recorded or unrecorded subdivision shall develop consistent with the type of residential development pattern located inside the recorded or unrecorded subdivision.

b. Parcels proposed for residential which are located inside the urban service area and not in a recorded or unrecorded subdivision shall develop consistent with the type of residential development pattern located adjacent to the vacant parcel.

c.

Parcels proposed for residential development surrounded by a mix of conventional single-family homes and manufactured homes, shall be developed for conventional single-family homes.

d. Parcels proposed for residential development surrounded by a mix of single-family and duplex development shall be developed for single-family use, unless duplex residential development is the predominant type.

e. The placement of standard design manufactured homes and mobile homes shall be allowed in manufactured home parks, in subdivisions platted explicitly for allowing manufactured homes, or as a replacement unit for any lawfully existing manufactured home consistent with the provisions of article XII of this chapter.

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

(1) Low-density residential.

(2) Passive recreation.

(3) Active recreation.

(4) Community services.

(5) Light infrastructure.

(c) *List of permitted uses.* Some of the uses on these schedules are itemized according to the Standard Industrial Code (SIC). Those uses or activities permitted through special exception shall require review and approval by the Board of County Commissioners consistent with the provisions of section 10-6.611. Allowable uses, appropriate permit level and applicable development and locational standards in the residential preservation district are as follows:

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

Legend					
LR	=	Low-density residential	CS	=	Community services

PR	=	Passive recreation	LI	=	Light infrastructure
AR	=	Active recreation			

		Development and Locational Standards				
SIC Code	Name of Use	LR	PR	AR	CS	LI
	RESIDENTIAL					
	Dwelling, one-family	P				
	Dwelling, two-family	R				
	Dwelling, mobile home	P				
	Mobile home park	S				
	SERVICES					

	Elementary and secondary schools legally established and in existence as of July 1, 2015, including expansions to existing facilities				S	
	Religious organizations				S	
	PUBLIC ADMINISTRATION					
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			P		
	Field sports			P		

Placement of new mobile homes are limited to the following areas: existing mobile home parks; and platted mobile home subdivisions. New mobile homes shall also be allowed as replacements of lawfully existing mobile homes in other locations. New mobile home parks may be established as per the provisions set forth in section 10-6.807.

(d) *Development standards.* All proposed development shall meet the applicable buffer zone standards as outlined in section 10-7.522. For residential development in recorded or unrecorded subdivisions, the development standards including front, rear, side, and side corner yard setbacks for new residential development shall be consistent with the developed portions of the recorded or unrecorded subdivision in which it is located. For new residential development in residential preservation areas not located in recorded or unrecorded subdivisions, the applicable development standards including, but not limited to front, rear, side, and side corner yard setbacks shall be established at the time of subdivision and site and development plan review.

(Ord. No. 07-20, § 2, 7-10-07; Ord. No. 16-07 , § 4, 5-10-16; Ord. No. 17-01 , § 5, 1-24-17)

1 STATE OF FLORIDA

2 DIVISION OF ADMINISTRATIVE HEARINGS

3

4

5 MOORE POND HOMEOWNERS ASSOCIATION, INC., AND OX BOTTOM MANOR

6 COMMUNITY ASSOCIATION, INC.,

7 Petitioners,

8

9 vs. DOAH Case No. 17-5082

10

11 GOLDEN OAK LAND GROUP, LLC, AND LEON COUNTY, FLORIDA,

12 Respondents.

13 _____/

14

15 DEPOSITION OF: JAN NORSOPH, AICP

16 DATE: OCTOBER 23, 2017

17 TIME: 2:32 p.m. to 5:12 p.m.

18 PLACE: NABORS, GIBLIN & NICKERSON, P.A.
2502 ROCKY POINT DRIVE, SUITE 1060
19 TAMPA, FLORIDA 33607

20 REPORTED BY: KRISTEN M. DUER, NOTARY PUBLIC,
STATE OF FLORIDA

21

22

23

24

25

1 APPEARANCES:

2

3 On behalf of the Petitioners:
Anderson & Givens, P.A., by
4 JEREMY V. ANDERSON, ESQUIRE
JUSTIN J. GIVENS, ESQUIRE
5 PO Box 12613
Tallahassee, Florida 32317-2613
6 (850)892-6900
Janderson@andersongivens.com
7 Jgivens@andersongivens.com

8

9 On behalf of Respondent Leon County:
Nabors, Giblin & Nickerson, P.A., by
10 GREGORY T. STEWART, ESQUIRE
CARLY J. SCHRADER, ESQUIRE
11 1500 Mahan Drive, Suite 200
Tallahassee, Florida 32308
12 (850)224-4070
Gstewart@ngnlaw.com
13 Cschrader@ngnlaw.com

14

15 On behalf of Respondent Golden Oak Land Group, LLC:
16 Hopping, Green & Sams, by
ERIN J. TILTON, ESQUIRE
17 119 South Monroe Street, Suite 300
Tallahassee, Florida 32314
18 (850)425-2203
Erint@hgslaw.com
19

20

21 ALSO PRESENT:
Susan Poplin, via telephone
22

23

24

25

1 I N D E X

2 TESTIMONY OF JAN NORSOPH, AICP
3 Direct Examination
4 BY MS. TILTON.....PG 4
5 Cross-Examination
6 BY MR. STEWART.....PG 74
7 Re-direct Examination
8 BY MS. TILTON.....PG 94
9 CERTIFICATE OF OATH.....PG 102
10 CERTIFICATE OF REPORTER.....PG 103

11

12 E X H I B I T S

13 Exhibit No. 1 Notice.....PG 7
14 Exhibit No. 2 Resume.....PG 11
15 Exhibit No. 3 Contract for Services.....PG 18
16 Exhibit No. 4 Expert Testimony List.....PG 20
17 Exhibit No. 5 Petition.....PG 37
18 Exhibit No. 6 Draft Report.....PG 42
19 Exhibit No. 7 Work in Progress Draft Report...PG 42

20

21 S T I P U L A T I O N S

22 It is hereby stipulated and agreed by and between
23 counsel present for the respective parties, and the
24 deponent, that the reading and signing of the deposition are
25 hereby waived.

1 P R O C E E D I N G S
2 THE COURT REPORTER: Do you swear or affirm that
3 the testimony you are about to give will be the truth, the
4 whole truth, and nothing but the truth?
5 THE WITNESS: I do.
6 JAN NORSOPH, AICP,
7 having first been duly sworn, was examined and testified as
8 follows:
9 DIRECT EXAMINATION
10 BY MS. TILTON:
11 **Q. Good afternoon, Mr. Norsoph.**
12 A. Hello.
13 **Q. My name is Erin Tilton. I'm an attorney with**
14 **Hopping, Green & Sams out of Tallahassee, and I am**
15 **representing the Golden Oak Land Group, LLC with respect**
16 **to approval of the Brookside Village residential**
17 **subdivision. The Moore Pond Homeowner's Association and**
18 **Ox Bottom Manor Community Association have filed a**
19 **petition, as I'm sure you know --**
20 A. Yep.
21 **Q. -- challenging approval of that subdivision.**
22 **And you've been identified as a potential expert witness,**
23 **which is why you are sitting here today.**
24 A. Fun stuff.
25 **Q. Always a good time. If you could, please, state**

1 **your full name for the record.**
2 A. Sure. Jan Alan, A-l-a-n, Norsoph,
3 N-o-r-s-o-p-h.
4 **Q. And what is your current address?**
5 A. 6201 Bahama Shores Drive South, St. Petersburg,
6 Florida.
7 **Q. Thank you.**
8 **And where are you currently employed?**
9 A. I'm a part-time employee with the City of
10 Seminole, Florida.
11 **Q. Okay.**
12 A. In Pinellas County.
13 **Q. Okay. Have you had your deposition taken**
14 **before?**
15 A. Yes, I have.
16 **Q. Okay. Do you know about how many times?**
17 A. Probably anywhere between six and 12 times.
18 **Q. Okay. So a few?**
19 A. A few.
20 **Q. Do you recall what cases you were deposed in**
21 **previously?**
22 A. These cases were all eminent domain cases.
23 **Q. Okay.**
24 A. Some -- I can't tell you which was which in
25 terms of -- some were for the condemning authority, some

1 were private property owners.
2 **Q. Okay. So both sides?**
3 A. Both sides, yes.
4 **Q. Okay. Outside of eminent domain, have you been**
5 **deposed in any other cases?**
6 A. Not that I can recall.
7 **Q. And in those eminent domain cases, were you**
8 **serving as an expert witness?**
9 A. Yes.
10 **Q. Were you serving as a fact witness at all?**
11 A. I'm not quite sure what you mean by that. I was
12 the land planner expert witness --
13 **Q. Okay.**
14 A. -- for the client, whoever that was.
15 **Q. In each one of those cases?**
16 A. Correct.
17 **Q. Okay. All right. Just a few housekeeping**
18 **items.**
19 A. Sure.
20 **Q. Although, you've been through this before, I'm**
21 **sure you are familiar. I'm going to be asking you a**
22 **series of questions today. You are going to be answering**
23 **my questions under oath. If you do not understand any of**
24 **my questions, please let me know. If you don't ask for a**
25 **clarification, I will assume that you understood the**

1 question.
2 The court reporter is going to be transcribing
3 both my questions and your responses. So please refrain
4 from any kind of non-verbal responses, nodding of the
5 head, that sort of thing. If you have any questions at
6 any point, feel free to bring them to my attention. If
7 you need a break, I'll be more than happy to do that for
8 you. So just let me know.
9 A. Okay.
10 Q. And then just a few other housekeeping items.
11 For purposes of this deposition, when I refer to
12 petitioners, can we agree that I'm referring collectively
13 to the Moore Pond Homeowner's Association and the Ox
14 Bottom Manor Community Association?
15 A. Yes.
16 Q. Great.
17 A. Sorry.
18 Q. And when I refer to Brookside Village, can we
19 agree that I'm referring to the Brookside Village
20 residential subdivision located in Leon County, Florida?
21 A. Correct.
22 Q. Okay. Great. I will go ahead and mark this as
23 Exhibit 1.
24 (Deposition Exhibit No. 1, Notice, was marked for
25 purposes of identification.)

1 BY MS. TILTON:
2 **Q. Okay. Mr. Norsoph, do you recognize that**
3 **document?**
4 A. Yes, I do.
5 **Q. And what is it, for the record?**
6 A. It's a notice to -- for the deposition and the
7 list of things that you would like me to bring.
8 **Q. Okay. Did you review that document in preparing**
9 **for your deposition today?**
10 A. Yes, I did.
11 **Q. Okay. Specifically referring to pages 5 and 6**
12 **of that document, was it your understanding that you were**
13 **requested to bring certain documents with you today?**
14 A. Yes.
15 **Q. Okay. And what did you do to comply with that**
16 **request?**
17 A. Copies right there.
18 **Q. That's it? That's everything. All right. Let**
19 **me take a look real quick, if that's okay?**
20 A. Sure.
21 MR. STEWART: Jan, is that an extra set?
22 THE WITNESS: No. I was just told to bring one
23 set. So hopefully --
24 MS. TILTON: We can work that out later.
25 MR. GIVENS: By the way, Erin, there is, like,

1 four e-mails that we found this morning.
2 MS. TILTON: Okay.
3 MR. GIVENS: I could not print in our hotel. I
4 will send them to you. They are not important for
5 anything, but I will give them to you.
6 MS. TILTON: Okay. I appreciate that. Thank
7 you.
8 BY MS. TILTON:
9 **Q. Okay. I will look at these in detail when we**
10 **take a break. So in addition to gathering these**
11 **documents, what else did you do to prepare for your**
12 **deposition today?**
13 A. Just reviewed the documents just to
14 refamiliarize myself with it, because I started this back
15 in the beginning of September, went through a hurricane.
16 And so a little bit of a pause there for a while.
17 **Q. Sure.**
18 A. And then prepared one final -- not one final,
19 but one additional draft that I sent to Jeremy and Justin,
20 which there is a copy of it in there somewhere.
21 **Q. Okay. Other than what you've provided me this**
22 **morning -- or this afternoon, I guess, now --**
23 A. Exactly.
24 **Q. -- did you review anything else in preparation**
25 **for your deposition?**

1 A. No. Pretty much most of the documents, they are
2 there.
3 **Q. Okay. And other than the gentlemen sitting next**
4 **to you today, have you talked to anyone else about your**
5 **deposition?**
6 A. No.
7 **Q. Have you conducted any site visits of the**
8 **Brookside Village property?**
9 A. No, I have not.
10 **Q. Okay. Did you do anything else other than**
11 **reviewing those documents to prepare for today?**
12 A. No. That's about it. I mean, I did -- there is
13 a photograph in there of a Google aerial. So I looked at
14 Google to get a sense of what the neighborhood was like.
15 **Q. Got you. So a virtual site visit, so to speak?**
16 A. Visual site visit, yeah.
17 **Q. Okay. And what did you -- what were you looking**
18 **for --**
19 A. Just to -- I'm sorry.
20 **Q. What were you looking for when you pulled the**
21 **property up on Google?**
22 A. Just to get a sense of the character of the
23 neighborhood and how it was developed.
24 **Q. When you say "character of the neighborhood,"**
25 **what are you talking about?**

1 A. Well, basically, just as far as the aerial goes,
2 just looking at rooftops and getting a sense of what, you
3 know, the density was and the lot layouts, that kind of
4 thing.
5 **Q. Okay. And what -- which property specifically**
6 **were you looking at in that aerial?**
7 A. I was just looking at the neighborhood as a
8 whole --
9 **Q. Okay.**
10 A. -- as well as a more focused look at the
11 adjacent lots to Ox Bottom Manor and Moore Pond.
12 **Q. Okay. Is it fair to say you looked at Brookside**
13 **Village in relation to Ox Bottom Manor and also Moore**
14 **Pond?**
15 A. Correct.
16 **Q. Okay.**
17 MS. TILTON: I will make this Exhibit 2.
18 (Deposition Exhibit No. 2, Resume, was marked for
19 purposes of identification.)
20 BY MS. TILTON:
21 **Q. This is one of the documents you brought with**
22 **you this afternoon.**
23 **Do you recognize that document?**
24 A. Yes. This is a copy of my resume.
25 **Q. Okay. And is this the most updated and current**

1 **version of your resume?**
2 A. That's correct.
3 **Q. Is there anything missing from that version?**
4 A. Not that I'm aware of.
5 **Q. Okay. Can you just generally describe your**
6 **educational background?**
7 A. I have a bachelor of science degree in
8 geography. I have a master's degree in -- master of
9 science degree in planning from Florida State University.
10 Excuse me. That's my educational.
11 **Q. Okay.**
12 A. Unless you want to know my high school and
13 elementary school.
14 **Q. I think we are good. Thank you, though.**
15 A. Okay.
16 **Q. I think we covered your present employment. I**
17 **believe you said it was the City of Seminole?**
18 A. City of Seminole. Pinellas County.
19 **Q. Okay. When did you start working for the City**
20 **of Seminole?**
21 A. 2012. July of 2012.
22 **Q. And is that part time?**
23 A. Part time, correct.
24 **Q. Okay. What is your current job title?**
25 A. City planner.

1 **Q. Okay. And have you been in that position since**
2 **2012?**
3 A. Correct.
4 **Q. What types of responsibilities come with being a**
5 **city planner?**
6 A. Well, some of the initial responsibilities I
7 had, I totally assisted in rewriting the comprehensive
8 plan. We wrote their land development code, updated and
9 revised the commercial corridor urban design section of
10 the code. I do all the design reviews because we do have
11 an architectural review. So that's my responsibility, to
12 review all commercial development in terms of making sure
13 that they are designed in a way that I approve of. I also
14 do all the landscaping reviews as well.
15 **Q. Okay.**
16 A. And then assist the director in any other kinds
17 of assistance that he needs.
18 **Q. So it's fair to say you've been busy?**
19 A. Yes. In Seminole, strangely enough, yes.
20 **Q. Fair enough. Prior to your position with the**
21 **City of Seminole, where were you employed?**
22 A. I was a consultant. I was my own consultant for
23 about a year prior.
24 **Q. Okay.**
25 A. And then before that, I was a -- with a

1 consulting firm of Engelhardt, Hammer & Associates.
2 **Q. When you were self-employed, what type of**
3 **consulting did you work on?**
4 A. Eminent domain cases. I also was the planning
5 consultant for the Town of St. Leo and Pasco County --
6 **Q. Okay.**
7 A. -- which I had been -- actually, when I was
8 working for Engelhardt, Hammer, I was also the planning
9 consultant for them.
10 **Q. Okay. And in addition to eminent domain cases,**
11 **were there other types of consulting services you provided**
12 **when you were in private practice?**
13 A. No. Just eminent domain and the Town of St.
14 Leo. Those were the two, specifically.
15 **Q. Okay. So specifically eminent domain work?**
16 A. Yeah.
17 **Q. Okay.**
18 A. Well, I want to qualify that --
19 **Q. Sure.**
20 A. -- by saying, since I worked for the city, I've
21 done consulting for various neighborhood associations.
22 That's all in the -- in the resume. So I just wanted to
23 clarify that --
24 **Q. Sure.**
25 A. -- that we were just talking about, before I

1 worked for the City of Seminole.
2 **Q. Understood.**
3 A. So I just wanted to clarify that.
4 **Q. Okay. And then prior to your work with**
5 **Engelhardt, where were you employed?**
6 A. For a brief stint, self-employed --
7 **Q. Okay.**
8 A. -- as a consultant. And before that, I was with
9 the City of St. Petersburg for almost 20 years. I was a
10 manager.
11 **Q. Okay. So what was your official title with the**
12 **city?**
13 A. Manager of urban design and development.
14 **Q. Okay. And what types of responsibilities did**
15 **you have in that role?**
16 A. I did all the downtown redevelopment plans, all
17 the plans around -- if you are familiar with St.
18 Petersburg, the stadium, I did all the redevelopment
19 planning for the stadium. I did all the historic
20 preservation. I had a historic preservation effort, wrote
21 the historic preservation ordinance.
22 Also was involved with developing the
23 neighborhood planning program, which focused the city's
24 energies on upgrading the neighborhoods, and I did a
25 number of neighborhood plans. It also entailed doing and

1 creating what was called the neighborhood design review
2 ordinance, so that in neighborhoods that adopted
3 neighborhood plans, any development, whether it be brand
4 new development or additions, had to go through a design
5 review process through the staff. And I was the person
6 who did all that.
7 **Q. Okay. And then prior to the City of St. Pete,**
8 **is there any other professional experience you have?**
9 A. No. Not prior to the city, no.
10 **Q. Okay. Do you have any professional**
11 **certifications or licenses?**
12 A. The American Institute of Certified Planners.
13 **Q. Okay. And is that a -- sorry. I'm not as**
14 **familiar with that.**
15 A. Sure.
16 **Q. Is that a license or --**
17 A. No. It's not a license. It's just a very --
18 American Planning Association, you have a membership in
19 the broader planning --
20 **Q. Okay.**
21 A. -- membership. AICP is the step above where you
22 are required to have -- where you are required to meet
23 certain requirements to even become a member. And then
24 once you become a member, every two years, you have to
25 accumulate 32 hours in professional development. So it's

1 a very high level part of the planning association.
2 **Q. Okay. And are you in good standing, I guess,**
3 **with the AICP requirements?**
4 A. Yes, I am.
5 **Q. Okay. Have you published any articles on**
6 **planning?**
7 A. No.
8 **Q. Okay. So the Petitioners have proffered you as**
9 **an expert witness in this case.**
10 **Do you have a general understanding as to what**
11 **that means?**
12 A. Yes.
13 **Q. Okay. When were you retained in relation to**
14 **this case?**
15 A. September 1, I believe.
16 **Q. Okay.**
17 A. Whatever is on the contract, which you have a
18 copy of. I believe it was September 1.
19 **Q. Yes.**
20 A. It will be on probably the last page.
21 **Q. Good memory. Okay. And who retained you?**
22 A. Jeremy Anderson.
23 **Q. Okay. So Anderson Givens, specifically, the law**
24 **firm?**
25 A. The law firm, yes.

1 **Q. Okay. And what is your understanding as to the**
2 **scope of your engagement in this matter?**
3 A. I was to look at the proposal -- the Brookside
4 Village proposal and determine whether it was consistent
5 with the comprehensive plan in the land development code.
6 **Q. Okay. And who determined that scope of work?**
7 A. Mr. Anderson.
8 **Q. Okay.**
9 MS. TILTON: Let's go ahead and make this
10 Exhibit 3.
11 (Deposition Exhibit No. 3, Contract for Services,
12 was marked for purposes of identification.)
13 BY MS. TILTON:
14 **Q. I'm going to ask you a couple questions about**
15 **that. So I didn't want to do it without it in front of**
16 **you. That would be unfair.**
17 A. Sure.
18 **Q. So do you recognize that document?**
19 A. Yes, I do.
20 **Q. What is it?**
21 A. It's a contract for services.
22 **Q. Okay. Is that your -- is that the only contract**
23 **you have for services in regard to this matter?**
24 A. Correct.
25 **Q. Okay. And it hasn't been amended or updated**

1 **since that version?**
2 A. No. No. This is it.
3 **Q. Okay. How much time have you spent on this case**
4 **to date?**
5 A. Well, without looking at my invoices, it's
6 probably 40 hours, maybe more.
7 **Q. Ballpark is fine. And are you being paid in**
8 **connection with your work on this case?**
9 A. Am I being paid? I think so.
10 **Q. You think so.**
11 A. Yes.
12 **Q. Does your contract say you are going to be paid**
13 **for your work on this case?**
14 A. Yes.
15 **Q. Thank you.**
16 **And are you billing at an hourly rate?**
17 A. Yes.
18 **Q. What is your hourly rate?**
19 A. $100 an hour.
20 **Q. Okay. And is that your standard hourly rate?**
21 A. Yes, it is.
22 **Q. Okay. Do you consider yourself to be an expert**
23 **in planning?**
24 A. Yes, I do.
25 **Q. Okay. And what do you consider to be your**

1 **specific area of expertise?**
2 A. Land development regulations, urban design,
3 historic preservation, comprehensive planning, downtown
4 redevelopment.
5 **Q. Any other areas you consider to be an area of**
6 **expertise?**
7 A. Those are the key ones.
8 **Q. Okay. Have you been employed as an expert**
9 **witness prior to this case?**
10 A. Yes.
11 **Q. Okay. And I believe you brought a list of those**
12 **cases with you?**
13 A. Yes, I did.
14 MS. TILTON: Just to be fair, let's do that as
15 4.
16 (Deposition Exhibit No. 4, Expert Testimony List,
17 was marked for purposes of identification.)
18 BY MS. TILTON:
19 **Q. I want to test your memory.**
20 A. My wife tries to do that all the time.
21 **Q. I'll be nice. I promise.**
22 A. Okay.
23 **Q. And do you recognize that document?**
24 A. Yes, I do.
25 **Q. What is that?**

1 A. This is expert testimony cases in the last five
2 years.
3 **Q. Okay. Is that a list that you brought with you**
4 **today?**
5 A. Yes, I did.
6 **Q. Okay. Let's start with the first case on your**
7 **list.**
8 **Could you tell me the name of that case?**
9 A. Sorrento Ranches Homeowner's Association.
10 That's who I represented.
11 **Q. Okay.**
12 A. In regard to S&J Properties, which was a
13 company -- which was a developer trying to go through a
14 rezoning process. It was kind of an interesting rezoning
15 process, in that their original rezoning had stipulations
16 that they had to abide by. They wanted to remove all
17 those stipulations.
18 So the homeowner's association hired me to look
19 at that situation and provide them with a report and
20 analysis.
21 **Q. Okay. What specifically did you look at in that**
22 **case?**
23 A. I looked at prime -- the primary issue was
24 density and buffer.
25 **Q. Okay. Did you have your deposition taken in**

that case?

A. No, I did not.

Q. Okay. Did you testify at any hearing or at trial?

A. I testified at the city council -- City of Venice City Council.

Q. Okay. Is that --

A. In --

Q. What year?

A. Oh, that was 2016. I'm sorry.

Q. Okay. So that's recent.

A. Excuse me.

Q. And what about the next case you have on your list?

A. That was the Silver Oaks Homeowner's Association. That's who I represented. And they were concerned about a Taylor Morrison project. This is down in Sarasota County. This was in 2015.

Q. Okay. And what, specifically, did you do as far as work on that case?

A. I did a compatibility analysis of the proposed development compared to the adjacent Silver Oaks homeowners, not too dissimilar to this situation here. And I did an analysis of the general neighborhood character of both Silver Oaks as well as the entire Palmer

1 Ranch area that surrounded around it. It's part of Palmer
2 Ranch.
3 **Q. Okay. And in that case, were you dealing with**
4 **two residential developments?**
5 A. Well, I represented the homeowner's
6 association --
7 **Q. Correct.**
8 A. -- which was Silver Oaks. And then Taylor
9 Morrison was the private developer.
10 **Q. Okay. But as far as doing a compatibility**
11 **study, you were comparing residential to residential?**
12 A. Correct.
13 **Q. Okay. What did you ultimately conclude in that**
14 **case?**
15 A. Well, I concluded that the proposed development
16 was not compatible.
17 **Q. What was the basis for that finding?**
18 A. I did an analysis of the character of the homes
19 immediately adjacent to the project both in terms of, you
20 know, lot area and density.
21 **Q. Okay. And what specifically about the lot area**
22 **and density made those developments incompatible?**
23 A. The development was a much higher density
24 adjacent to kind of a medium density residential. Not too
25 dissimilar to the Ox Bottom Manor homes.

1 **Q. Do you recall what order magnitude different --**
2 **or difference we are talking about?**
3 A. I honestly don't recall.
4 **Q. Okay. Do you recall in that case whether the --**
5 **whether the zoning designations were the same for those**
6 **two residential neighborhoods?**
7 A. No. They were asking for a rezoning.
8 **Q. Okay. So they were looking to move to something**
9 **different?**
10 A. Uh-huh. Correct. Yeah.
11 **Q. Okay. Do you recall -- I know I'm asking**
12 **specific details now. Do you recall what the -- what the**
13 **rezoning entailed as far as what designation they were**
14 **asking to be put in?**
15 A. No. I honestly don't remember.
16 **Q. Okay. Fair enough. What about the next case on**
17 **your list?**
18 A. Madeira Bay Condo Association. That's who I
19 represented. This is a Madeira Beach, Pinellas County.
20 **Q. Okay.**
21 A. The property right across the street from the
22 condo association, they wanted to build a 73-room hotel.
23 The big issue here really wasn't -- well, it was a
24 rezoning to a PD -- excuse me -- but the big issue here
25 was height and bulk issues and, again, the compatibility

1 of that development to the surrounding neighborhood.
2 **Q. Okay. So in that case -- and you may have just**
3 **said this, and I just want to make sure I understand. You**
4 **were comparing a hotel development to surrounding**
5 **residential; is that correct?**
6 A. Yeah. It's a -- if you ever been to Madeira
7 Beach, it's kind of a mixed bag. In this particular
8 place, there is a lot of -- this particular location,
9 there is a lot of one and two-story type homes, some of
10 which people lived in, some of which people rented out.
11 But that was kind of the character of that particular area
12 along Gulf Boulevard on the gulf side of Madeira Beach.
13 This was going to be like an eight-story high
14 rise hotel. So -- but the big issue here wasn't so
15 much -- density really wasn't the issue, per se. It's the
16 height and bulk of the project.
17 **Q. Okay. And I think you have one more on your**
18 **list?**
19 A. Two more.
20 **Q. Two more.**
21 A. Okay. Forest Lakes Condominium Association. I
22 represented them. Again, this was in Sarasota County.
23 Essentially, what it was is a developer -- it was a
24 golf -- this condo was adjacent to a golf course that's
25 been -- was abandoned for, like, ten or 12 years. And the

1 developer came in and wanted to develop the golf course.
2 This was not so much a density issue, because it
3 was -- I was representing a condo association. They were
4 three-story building condos next to this big open golf
5 course. So the issue there was buffering and the
6 proximity of adjacent townhomes -- that were going to be
7 townhomes.
8 **Q. Okay.**
9 A. So that was the issue there.
10 **Q. And what specifically did you look at with**
11 **regard to buffering in that case?**
12 A. We did a visual simulation study where we showed
13 the existing condominiums and then the proposed two-story
14 townhomes to show how close they were going to be to the
15 condominiums and how the buffer that was being proposed
16 was not really much of a significant buffer.
17 So we tried to get them to do a bigger buffer,
18 which, ultimately, the Board of County Commission, I
19 think, did grant a little bit bigger buffer, but it wasn't
20 a whole lot bigger. Thirty feet. Yeah, I think they were
21 originally talking about ten feet, and the commission
22 approved a 30-foot buffer.
23 **Q. Okay. Do you recall anything else about the**
24 **specific type of buffer, you know, what kind of**
25 **capacity --**

1 A. It was density --
2 **Q. Dense?**
3 A. Yeah. I can't remember the capacity. It was
4 pretty high, though. I want to say, like, 75, plus a
5 six-foot fence.
6 **Q. Okay. And in that case, did the Board of County**
7 **Commissioners approve the development based on --**
8 A. Yes.
9 **Q. -- the increased buffer?**
10 A. Yeah.
11 **Q. Do you recall whether there was any kind of**
12 **challenge to compatibility after the Board of County**
13 **Commissioners' decision?**
14 A. Not that I'm aware of. I wasn't involved in it.
15 **Q. Do you have an opinion as to whether increasing**
16 **the buffer size made those developments compatible?**
17 A. In this particular case, I don't think the
18 buffer was sufficient enough.
19 **Q. Okay. Could additional changes have been made**
20 **to that buffer to make it sufficient?**
21 MR. GIVENS: Objection. Calls for speculation.
22 BY MS. TILTON:
23 **Q. You can answer.**
24 A. I would be speculating.
25 MR. GIVENS: Sorry.

1 THE WITNESS: I want to make it clear that I
2 would be speculating.
3 BY MS. TILTON:
4 **Q. Understood. You're an expert, so I think you**
5 **are allowed to --**
6 A. Yeah. I think we felt, given the tightness of
7 how the townhouses were laid out, we were looking -- well,
8 the neighbor -- the condo association wanted a 110-foot
9 buffer, which I told them was not realistic. But we were
10 looking more, like, a 50-foot buffer.
11 **Q. Okay.**
12 A. Now, one thing that the County Commission did
13 do, as part of their approval, they required that the
14 buildings -- the townhouses could not be any closer than
15 40 feet to the property line. So there was a big yard
16 setback that was required. So that helped a little bit.
17 **Q. So in that case, was it your -- well, in the**
18 **hypothetical that I'm now giving you, would you -- would**
19 **it be your opinion that that buffer, the 50-foot buffer**
20 **that you said you recommended, in addition to setbacks,**
21 **would have remedied the compatibility issues?**
22 A. In that case, yes. But you got to remember,
23 these are all different situations.
24 **Q. Understood.**
25 A. We are dealing with a condo versus a townhouse

1 as opposed to single family. Single family --
2 **Q. Understood. You have one more case on that**
3 **list?**
4 A. Yes. This next one, we represented Barbara
5 Nally. She was a homeowner who lived on Anna Maria
6 Island. And I testified before the Anna Maria Island
7 Planning Commission, as well as the city council, related
8 to a number of issues. She was right next door to the
9 Sandbar Restaurant, and they were going through various
10 expansions and parking variances and some other things.
11 So there was multiple meetings related to that.
12 **Q. Okay. So in that case, we are talking about a**
13 **residential development -- or residential property next to**
14 **a commercial space?**
15 A. Yeah. Well, what it -- it was a strange
16 situation. Because it is a residential property, but it
17 was zoned commercial.
18 **Q. Interesting.**
19 A. Yes. Very interesting.
20 **Q. Okay.**
21 A. But it was a commercial, yeah, situation.
22 **Q. Okay.**
23 A. Not really similar.
24 **Q. And I should have asked you this as we went**
25 **through these. I apologize. Can we just walk through**

1 these cases real quick? I think I did it with the first
2 one. But for the second case that you got on your list
3 there --
4 A. Silver Oaks.
5 Q. -- Silver Oaks, what, I guess, judicial body
6 were you in front of in that case? Was it a --
7 A. Board of County Commissioners.
8 Q. That was the Board of County Commissioners.
9 Did you have a deposition taken in that case?
10 A. No.
11 Q. Okay. And you did testify in front of the Board
12 of --
13 A. I did testify.
14 Q. The third case on your list?
15 A. Uh-huh.
16 Q. What's the name of that one again? Sorry.
17 A. Madeira Bay Condo Association.
18 Q. Okay. And who were you in front of in that
19 case?
20 A. Planning Commission.
21 Q. Okay. Did you have your deposition taken in
22 that case?
23 A. No.
24 Q. No. And you did testify in front of the
25 Planning Commission.

1 A. Correct.
2 **Q. And the fourth one?**
3 A. Forest Lakes. No deposition.
4 **Q. Okay.**
5 A. None of them, I had depositions.
6 **Q. Okay. What was the -- who were you in front of**
7 **in the fourth case?**
8 A. I was in front of the -- yeah -- Planning
9 Commission -- Sarasota Planning Commission and the Board
10 of County Commission. Both.
11 **Q. What about in the fifth case, who were you in**
12 **front of with that one?**
13 A. Barbara Nally was in front of the Anna Maria
14 Island Planning Commission and City Council, but there was
15 no deposition or anything like that.
16 **Q. Okay. Have you ever been, to your knowledge,**
17 **qualified as an expert witness by a court?**
18 A. Yes.
19 **Q. By which court?**
20 A. Well, this would be related to the eminent
21 domain cases.
22 **Q. Sure.**
23 A. So you are going back a long time. Hillsborough
24 County, Pinellas County, Hardee County.
25 **Q. And these are Circuit Courts?**

1 A. Correct. Well, no, these are -- yeah, Circuit
2 Courts. I'm sorry. Yeah.
3 **Q. Okay.**
4 A. And there is probably a few others, but I just
5 can't recall right now. Oh, Pasco County would have been
6 another one.
7 **Q. And those were all in the area of eminent**
8 **domain?**
9 A. All in the area of eminent domain, correct.
10 **Q. Okay. To your knowledge, have you ever been**
11 **disqualified as an expert witness?**
12 A. No.
13 **Q. Do you know whether you've ever had a portion of**
14 **your opinion excluded by a court?**
15 A. Yes. But that was a federal case regarding a
16 billboard. And it really wasn't disqualified, but what
17 happened, our attorney failed to do some kind of notice.
18 So the judge said I couldn't finish my testimony.
19 Actually, it was -- I actually did testify, but then when
20 he found out there was some lack of communication in
21 notice, that's when it got --
22 **Q. Okay. So it was a procedural issue?**
23 A. Procedural issue.
24 **Q. Not a substantive one?**
25 A. That's correct.

1 **Q. Okay. Do you have any planning experience**
2 **specific to Leon County?**
3 A. No.
4 **Q. What about the City of Tallahassee?**
5 A. No.
6 **Q. Sir, are you familiar with the Brookside Village**
7 **residential subdivision?**
8 A. Yes.
9 **Q. Okay. And how did you become familiar with that**
10 **development?**
11 A. I reviewed the site plan that was submitted as
12 part of the DRC review process.
13 **Q. Did you review any other materials with**
14 **regard --**
15 A. Ms. Grey's -- Wendy Grey's report.
16 **Q. Okay. Anything else?**
17 A. The county staff report. And I reviewed some of
18 the neighborhood comments from the -- both neighborhoods
19 from Ox Bottom Manor and from Moore Pond.
20 **Q. Okay.**
21 A. And there was another document. I can't
22 remember. It was done by some individual. It was a
23 pretty long document about -- mostly, it was focused all
24 on Moore Pond. And I can't remember the title of it, but
25 it was part of the package that was online with the

1 county.
2 **Q. Potentially a storm water report?**
3 A. No. No. It was --
4 THE WITNESS: Do you remember the name of that
5 report?
6 MR. ANDERSON: (Indicating.)
7 THE WITNESS: Okay. It was done by an
8 individual. It wasn't done by -- well, it was done by --
9 MR. ANDERSON: A consulting group that --
10 THE WITNESS: A consulting group, that's right.
11 MR. ANDERSON: It was just an opinion-related
12 study of adjacent owners.
13 BY MS. TILTON:
14 **Q. Okay.**
15 A. Actually, I know where it is, actually.
16 **Q. If you can locate it, that would be great.**
17 A. Yeah. Well, I don't have it. I just looked at
18 it, but I do --
19 **Q. Sure.**
20 A. Let's see.
21 MR. GIVENS: This is going to be quite an
22 interesting view if that storm hits us.
23 MS. TILTON: It's actually been really
24 distracting because these birds keep flying right at me.
25 MR. GIVENS: Yeah. I'm watching them.

1 THE WITNESS: Just like the movie, right? Here
2 it is. He's got it, and I don't. Oh, Downs & St. Germain
3 Research.
4 BY MS. TILTON:
5 **Q. Okay.**
6 A. June 27. I just looked at it and borrowed a
7 picture from it. But other than that, that's all I did.
8 **Q. Okay. So other than -- I think I've got the**
9 **site plan, Wendy Grey's report, county staff report,**
10 **neighbor comments and the Downs & St. Germain study or**
11 **report.**
12 **Was there anything else you looked at?**
13 A. Well, reviewed the comprehensive plan and the
14 land development code. That goes without saying, but I'll
15 mention it.
16 **Q. Sure. And are you aware that Leon County has**
17 **issued a preliminary decision of conditional approval for**
18 **Brookside Village?**
19 A. Yes.
20 **Q. Okay. Have you reviewed the county's**
21 **preliminary decision?**
22 A. Yeah. That's part of the county staff report.
23 **Q. Okay. And are you aware that the Petitioners**
24 **have challenged that decision of approval?**
25 A. Yes.

1 **Q. Okay. Have you reviewed the appeal and petition**
2 **that was filed by the Petitioners?**
3 A. Yes.
4 **Q. Okay. Were you involved in preparing that**
5 **petition?**
6 A. Okay. Are we talking about the notice to appeal
7 or the actual petition itself?
8 **Q. The petition itself.**
9 A. Yes.
10 **Q. Okay. What role did you play in preparing that**
11 **petition?**
12 A. I prepared a staff report that I sent to Jeremy
13 and Justin, which you have a copy of, September 10.
14 **Q. Were you asked to review drafts of the petition**
15 **at any point?**
16 A. Not the -- well, I had some correspondence with
17 Jeremy about specific --
18 **Q. Sure.**
19 A. -- text that he wrote and wanted me to comment
20 on it. And I provided him some additional information as
21 part of that back and forth --
22 **Q. Okay.**
23 A. -- while preparing for the hurricane.
24 **Q. Understood. The timing of this has been quite**
25 **interesting. Okay.**

1 (Deposition Exhibit No. 5, Petition, was marked for
2 purposes of identification.)
3 BY MS. TILTON:
4 **Q. Okay. Do you recognize that document?**
5 A. Yes, I do.
6 **Q. And what is it?**
7 A. That's the petition filed by Anderson & Givens
8 related to the DRC approval of the Brookside Village.
9 **Q. Okay. And do you have a general understanding**
10 **of what the basis for this appeal is?**
11 A. In general, it was based on the fact that the
12 density adjacent to Ox Bottom Manor and the density
13 adjacent to Moore Pond were not compatible with those
14 neighborhoods and was not consistent with the
15 comprehensive plan and the land development code.
16 **Q. Okay. And is it your understanding that the**
17 **development was not consistent with the comprehensive plan**
18 **because it was not compatible, or that's the argument**
19 **that's being made?**
20 A. Yes.
21 **Q. Okay. Were there other bases for inconsistency**
22 **with the comprehensive plan?**
23 A. Well, I think procedurally, there was some
24 issues in terms of the county staff based on the
25 requirements of the comprehensive plan, land development

1 code, did not do a compatibility study.
2 **Q. Okay. All right. Let's take a look at the**
3 **petition. Let's skip to the substance, if you don't mind,**
4 **which really starts on page 5. I'll give you a second to**
5 **review, I believe, the first argument with regard to --**
6 **looks like goal 1, policy 1.4.12 and objective 2.1 of the**
7 **comprehensive plan.**
8 A. Oh, you are on page 6?
9 **Q. Yeah. Page 5 onto page 6. Just let me know**
10 **when you've had a moment to review that.**
11 A. Stop at objective 2.1 or you want me to keep on
12 going?
13 **Q. You can stop there. I think on page 7 starts a**
14 **separate argument, if you will.**
15 A. Okay.
16 **Q. What is your understanding as to the argument**
17 **that's being made with regard to goal 1, policy 1.4.12 and**
18 **objective 2.1?**
19 A. Well, the objective there is to ensure that
20 there is compatibility through the site planning process,
21 to address a compatibility issue in general. And then it
22 talks about the kinds of things that get looked at,
23 setbacks, buffering, open space, landscaping.
24 **Q. Okay. And, I guess, what is the argument being**
25 **made specifically for this development with regard to**

1 **those policies?**
2 A. Well, it specifically says "Maintaining
3 compatibility through specified performance design.
4 Neighborhood and inter-site compatibility shall be
5 implemented" -- "shall be implemented through the site
6 planning and design process."
7 So we are still pretty much talking about
8 compatibility. And that gets extended beyond to include
9 lot sizes and density.
10 **Q. Okay. And do you agree with the petition with**
11 **regards to goal 1, policy 1.4.12 and objective 2.1?**
12 A. Do I agree with what? I'm sorry.
13 **Q. The argument that's being made.**
14 A. Oh, yes. Okay. I'm sorry.
15 **Q. Okay. And did you provide any input**
16 **specifically as to that argument?**
17 A. Yes, I did.
18 **Q. Okay. What input did you provide?**
19 A. The September 10 planning report.
20 **Q. Okay. Okay. So there may be a way to shortcut**
21 **this a little bit. Rather than walking through the**
22 **petition and kind of taking this argument by argument in**
23 **the petition, is everything that you contributed to this**
24 **petition and that you would anticipate testifying about at**
25 **this -- at the hearing on the 9th, is that all in your**

1 **expert report?**
2 A. That's in the September report that was used for
3 them to prepare this.
4 **Q. Okay.**
5 A. Then we have got the current one, which is
6 October 22.
7 **Q. Okay.**
8 A. But, yes, all the arguments are in both reports.
9 **Q. Okay. Is there anything outside of those**
10 **reports that you would anticipate -- that you would**
11 **anticipate testifying to at hearing?**
12 A. Well, the only thing that would be in addition
13 to -- I'm still working on exhibits.
14 **Q. Okay.**
15 A. And my reports are, as it says right on the
16 cover, a work in progress. So as things -- when you
17 review things, sometimes additional stuff comes to mind
18 and I will make some adjustments or updates to the report.
19 **Q. Okay.**
20 A. But at this point in time, I can't tell you
21 anything more specific than that.
22 **Q. Okay. Let me take a look at your report first,**
23 **and we may come back to the petition. Let's do it that**
24 **way.**
25 MR. STEWART: You want to take a break?

1 MS. TILTON: Yeah, if we could, just so I can
2 take a moment to review this, if that's okay.
3 THE WITNESS: Sure.
4 MR. STEWART: Before we go off the record, just
5 for clarification, you had talked about a September 10
6 report --
7 MS. TILTON: Right.
8 MR. STEWART: -- and then an October 22 report?
9 THE WITNESS: Correct.
10 MR. STEWART: Is -- I'm showing you something we
11 were provided.
12 THE WITNESS: Yeah. That's the September 10
13 report. That was given to Jeremy to assist him in
14 preparing this (indicating).
15 MR. STEWART: Okay. So there is another report?
16 We didn't get the 22nd --
17 MR. ANDERSON: Yeah, you did.
18 MS. TILTON: Oh, it's in here?
19 THE WITNESS: Yeah. It's in there. You will
20 see that there is a divider page called "work product."
21 MS. TILTON: Draft work product or --
22 THE WITNESS: Yeah. Draft --
23 MS. TILTON: Draft work product? Okay. Got it.
24 THE WITNESS: Yeah. It should be in there. If
25 it's not, let me know.

1 MS. TILTON: Okay.
2 MR. STEWART: I can make some copies.
3 MS. TILTON: Yep. Why don't we do that?
4 Thank you.
5 MR. STEWART: How many do we need? Do you all
6 have --
7 THE WITNESS: We don't need any.
8 (Recess had.)
9 MS. TILTON: Let's go back on the record.
10 BY MS. TILTON:
11 **Q. Okay. Mr. Norsoph, before we took a break, we**
12 **were referencing your draft report dated September 10,**
13 **2017. And you've also given us an updated report dated**
14 **October 22, 2017.**
15 **What I want to do now is just let's mark both of**
16 **those --**
17 A. Six.
18 **Q. -- 6 and 7.**
19 (Deposition Exhibit No. 6, Draft Report, was marked
20 for purposes of identification.)
21 (Deposition Exhibit No. 7, Work in Progress Draft
22 Report, was marked for purposes of identification.)
23 BY MS. TILTON:
24 **Q. Do you need a moment to review those or --**
25 A. It would probably be just as easy for you to ask

1 me some questions.

2 **Q. Let's do that. Okay. So my first question is,**

3 **between September 10th of 2017 and October 22nd of 2017,**

4 **what's different between these two reports?**

5 A. The October 22 is a much more detailed

6 compatibility analysis --

7 **Q. Okay.**

8 A. -- with some -- I believe some additional

9 exhibits. Yeah. There is one more additional exhibit.

10 **Q. Okay. Which exhibit --**

11 A. Exhibit -- yeah. Just exhibit -- give me a

12 second here. Exhibit -- well, Exhibit B in this report

13 now is Exhibit C in the new report. In Exhibit B is a new

14 exhibit.

15 **Q. And that's the exhibit that says "Exhibit B**

16 **compatibility analysis?"**

17 A. Correct.

18 **Q. That's new?**

19 A. That's new, correct.

20 **Q. Okay.**

21 A. And then Exhibit C is the same as what it was in

22 the September 10.

23 **Q. It's the former Exhibit B?**

24 A. Former, Right.

25 **Q. Okay.**

1 A. Yeah.
2 **Q. You said you did a more in-depth compatibility**
3 **analysis.**
4 **What specifically did you go in more depth on?**
5 A. The whole section on analysis of compatibility.
6 It was a much further in-depth report than was the
7 September 10 report.
8 **Q. Okay. Was there any specific reason why you**
9 **went more in depth with this report?**
10 A. I had more time.
11 **Q. Fair enough.**
12 A. I was under the gun with the petition deadline,
13 plus the hurricane.
14 **Q. Okay.**
15 A. So, you know, I really didn't have a lot of time
16 to do a thorough report.
17 **Q. Sure. Did any of your opinions change?**
18 A. No. No opinions changed.
19 **Q. Okay.**
20 A. Just more supportive documentation of mine.
21 **Q. Okay. All right. Well, let's dive right into**
22 **the October 22 version, then.**
23 A. So we are not going to use this (indicating)?
24 **Q. We may. Just put it to the side for now,**
25 **though.**

1 A. Okay.
2 **Q. Okay. Just give me a big picture. What**
3 **opinions specifically were you asked to form for this**
4 **case?**
5 A. I was asked to form an opinion on the
6 compatibility of the Brookside Village development --
7 **Q. Specific --**
8 A. -- related to density and lot sizes. And I
9 included, which I felt was an integral part of that whole
10 analysis, some commentary on lot coverage and building
11 setbacks.
12 **Q. The lot coverage and building setbacks was not**
13 **something you were specifically asked to look at?**
14 A. Well, that's correct. But I felt it was an
15 integral part of the density and lot size analysis.
16 **Q. Understood. When you say "compatibility of the**
17 **Brookside Village project," what are you comparing it to?**
18 **Compatible with what, specifically?**
19 A. The adjacent Ox Bottom Manor subdivision and the
20 adjacent Moore Pond subdivision. Specifically as required
21 by the comp plan and land development code, you are
22 supposed to look at the adjacent lots. And that's what I
23 did.
24 **Q. Okay. Are those the only two developments that**
25 **you looked at as far as compatibility with Brookside?**

1 A. You mean the two neighborhoods?
2 **Q. Yes.**
3 A. Yeah. Because those were the only neighborhoods
4 impacted by the development.
5 **Q. Okay. So you didn't look at anything else in**
6 **the, you know, surrounding area?**
7 A. Well, I looked at the characteristics of the
8 neighborhood because Ms. Grey did this quarter-mile
9 radius.
10 **Q. Correct.**
11 A. So I felt that it was important for me to
12 understand the character of the neighborhood. And so I
13 did look at the general character of the neighborhood as a
14 whole within that quarter-mile radius.
15 **Q. So when you say "neighborhood," you are talking**
16 **about the quarter-mile radius?**
17 A. That's correct.
18 **Q. Okay. And was there any specific reason that**
19 **you chose not to use a quarter mile for the purposes of**
20 **your opinion?**
21 A. Well, I didn't do anything larger than a quarter
22 mile. But my focus was on what the comp plan and land
23 development code required. And that's the compatibility
24 with the adjacent lots.
25 **Q. Okay. And in general -- I guess, let's -- if**

1 **you could just help walk me through your opinion?**
2 A. Sure. Not a problem.
3 **Q. And, I guess, that probably starts mostly with**
4 **analysis of compatibility?**
5 A. Yeah. Page 6, yes.
6 **Q. Page 6. Okay. You start by saying "There are**
7 **two significant factors that form the basis of this**
8 **analysis."**
9 **What are those two significant factors?**
10 A. Well, first is the comprehensive plan and zoning
11 designation. It's called residential preservation. And,
12 obviously, the key word here is "preservation." Clearly,
13 the intent of that land use category and the zoning
14 category -- they are almost identical -- to preserve the
15 existing character of the neighborhood.
16 The second was the land development code,
17 Section 10-6.617, paren 5, which dealt with parcels
18 proposed for residential, which are located inside the
19 urban service area and not in a recorded or unrecorded
20 subdivision shall develop consistent with the type of
21 residential development pattern located adjacent to the
22 vacant parcel.
23 So clearly, that, in my mind, there is no doubt
24 that that's what the compatible -- the focus of the
25 compatibility analysis is required to be.

1 **Q. Okay. And when you say "required to be," you**
2 **mean required to be focused on the adjacent properties?**
3 A. Correct. Correct.
4 **Q. Okay. Okay. And then you go on to say that**
5 **"The terms compatibility and consistency are used**
6 **throughout the comprehensive plan in LDC," but there is no**
7 **definition of compatibility in either.**
8 **So tell me, how did you decide what to use for**
9 **your definition of compatibility as you went through the**
10 **study?**
11 A. Well, I first started out with the statute --
12 Florida statute says about compatibility. But I felt you
13 really needed to go just beyond that.
14 **Q. Okay.**
15 A. And I looked at different references --
16 reference sources, so to speak, to kind of formulate what
17 compatibility would be.
18 **Q. Okay. And what sources did you look at?**
19 A. There is planning documents as well as some
20 documents from other communities, as well as
21 Tallahassee -- Leon County prepared an actual document
22 regarding compatibility.
23 **Q. Okay. And I see you looking at the pile of**
24 **documents you brought today.**
25 **Do you want to go through those and actually**

1 **pull out what you used?**
2 A. Well, I will go from mine, unless you --
3 **Q. Oh, okay.**
4 A. Well, unless you want to look at it, too. So it
5 doesn't make it -- it will be under research.
6 **Q. Okay.**
7 A. So that contains a number of documents that are
8 really more of reference type documents that I've used
9 before. Some of which I used before, some are new. What
10 is neighborhood compatibility? This was from a
11 definition, City of Rancho Palos Verdes in California.
12 **Q. I'm not sure I'm at the same place you are.**
13 **Hold on.**
14 A. Yeah. It's not in any order.
15 **Q. Oh, okay. They are not in the same order?**
16 A. No.
17 **Q. Okay. Got you. Okay. So let me make sure I'm**
18 **understanding you correctly. You cross-referenced this**
19 **document entitled --**
20 SECRETARY (VIA TELEPHONE): Carly and Greg?
21 MR. STEWART: Yeah. Okay. Thanks.
22 Susan? Susan?
23 MS. TILTON: We can go off the record for a
24 second.
25 (Discussion had off the record.)

1 BY MS. TILTON:
2 **Q. Okay. So this document you brought with you**
3 **today entitled "What is neighborhood compatibility," could**
4 **you go back for the record and explain where this document**
5 **came from?**
6 A. This came from the City of Rancho Palos Verdes.
7 **Q. Okay. And so you cross-referenced this document**
8 **from the City of Rancho Palos Verdes in California to come**
9 **up with your definition of compatibility?**
10 A. Well, this -- I mean, all of these documents.
11 **Q. Sure. But this is one of the documents you**
12 **used?**
13 A. Collectively, this is one of the documents.
14 That's right.
15 **Q. Okay. Which other documents did you use in**
16 **coming up with your compatibility definition?**
17 A. Urban design guidelines for the Gain Street,
18 which was prepared by the Tallahassee, Leon County
19 Planning Department.
20 **Q. Okay. And --**
21 A. Again, it talks about compatibility, how you fit
22 development in the neighborhood, how you, you know,
23 analyze the characteristics of a neighborhood. Basically,
24 these documents kind of do both, talk about compatibility
25 as well as how you analyze the characteristics of a

1 neighborhood in order to determine if there is
2 compatibility.
3 **Q. Okay.**
4 A. The next one is Neighborhood Compatibility
5 Guidelines, City of Modesto.
6 **Q. Okay.**
7 A. Again, the same, you know. Mind you, just
8 repeated. It's the same kind of thing, finding
9 compatibility. How do you analyze the development
10 patterns of a neighborhood and determine -- as that is the
11 base for determining how a new development would be --
12 **Q. Okay.**
13 A. -- measured in terms of compatibility.
14 **Q. Okay.**
15 A. Planning Advisory Service, Number 521/522, is
16 the planner's dictionary guide, so to speak, Dictionary of
17 Planning Terms. And there is a definition here of
18 compatibility, community character.
19 **Q. Okay.**
20 A. These are just all reference sources.
21 **Q. Yep.**
22 A. The City of -- City of Nashville, Tennessee
23 Community Character Manual. Again, the same kinds of
24 things.
25 **Q. Okay.**

1 A. This -- this one here (indicating) is more
2 focused -- it's focused on the same issues, as far as how
3 you define neighborhood development patterns, how you
4 define compatibility, but it's under the guise of this
5 form-based code --
6 **Q. Okay.**
7 A. -- movement, so to speak.
8 **Q. Okay. Understood.**
9 A. So, again, just from that. And then the last
10 one -- oh, two more. Okay. The next one is Santa
11 Barbara, California. Again, the same concept. They
12 actually had more specificity as in terms of how you
13 measure compatibility. They talk about requiring
14 compatibility in terms of the ten closest properties to a
15 development. So they get a little more specific.
16 **Q. Okay.**
17 A. City Environmental Quality Review Technical
18 Manual, City of New York. Again, the same kinds of things
19 that I just referenced before.
20 **Q. Okay.**
21 A. And as I said, these are reference documents
22 that I used to help, you know, refresh my mind and --
23 **Q. Sure.**
24 A. -- look at other professionals, how they have --
25 professional documents, how they have addressed these

1 issues.
2 The next one is zoning practice. American
3 Planning Association. Practice community character.
4 Again, the same kinds of things. How you define
5 neighborhood development patterns, how you evaluate
6 compatibility.
7 Florida Land Development Regulations, this was
8 an online thing a long time ago. Consistency with the
9 comprehensive plan. Again, it talks about -- more focused
10 on compatibility.
11 Another Florida Land Development Regulations
12 document that talks about, what is compatibility.
13 **Q. Let me ask you a quick question about that.**
14 A. Sure.
15 **Q. Florida Land Development Regulations, this**
16 **publication in particular, do you know where this comes**
17 **from or what the organization --**
18 A. This is on the web.
19 **Q. Do you know what organization publishes this?**
20 A. I just found it on the web. I think -- I don't
21 know. That's a good question.
22 **Q. Okay.**
23 A. I honestly don't know.
24 **Q. Okay.**
25 A. And then that's it. This is just, for whatever

1 reason, an extra copy of this.
2 **Q. Okay.**
3 A. Santa Barbara one. Two copies were made for
4 some reason.
5 **Q. Okay.**
6 A. And then -- and then there was one other -- it's
7 actually a court case. Can I have your -- for some
8 reason, I don't have it. This is under "research" as
9 well. This is --
10 **Q. Okay.**
11 A. If you want to take a look at that.
12 **Q. Okay. This is a case --**
13 A. That's a court case in Florida that dealt with
14 defining compatibility.
15 **Q. Okay. For the record, the case is Machado v.**
16 **Musgrove?**
17 A. And I believe that's all the reference documents
18 that I kind of used to just provide supporting
19 documentation.
20 **Q. Okay. So let me make sure I understand what**
21 **you've been saying so far. It sounds like you started**
22 **with the statutory definition from Chapter 163 and then**
23 **used these source materials to sort of expand upon that**
24 **definition? Would that be accurate?**
25 A. Yeah, it is.

1 **Q. Okay. And can you describe to me how these**
2 **source documents you just referenced expanded that**
3 **definition? What kind of insight did they give you?**
4 A. Well, they gave me insights as to how you go
5 about defining neighborhood characteristics in terms of
6 density, lot size, building coverage, and that you look at
7 the prevalent patterns of a neighborhood. And then you
8 determine how a new proposed development would be
9 compatible with that pattern.
10 And some provide not necessarily definitive
11 criteria, so to speak. I mean, compatibility is used
12 quite a bit, but nobody really has come up with a precise
13 term. But it's just based on professional understanding
14 of what would be a compatible type development in terms of
15 close relationships to what the existing pattern is as
16 opposed to something that's just really out of context
17 altogether.
18 **Q. And the neighborhood characteristics that you**
19 **talked about, lot cover, I think was one that comes to**
20 **mind, are those not defined in the land development code?**
21 A. Well, lot coverage is. I'm talking about the
22 term "compatibility." I mean, lot coverage.
23 **Q. Correct. I'm sorry. Maybe I misunderstood you.**
24 **It sounded like you said -- or my understanding of what**
25 **you said was that you used these source materials to**

1 **expound upon what neighborhood characteristics are or what**
2 **they mean?**
3 A. Correct.
4 **Q. So my question to you is, are those not defined**
5 **in the land development code?**
6 A. The land development code for the zoning
7 district defines lot coverage.
8 **Q. Okay. So why look to source materials outside**
9 **of that definition to explain that?**
10 A. Because the zoning code defines lot coverage
11 based on the zoning. It doesn't define the character of a
12 neighborhood. The character of a neighborhood would not
13 necessarily be the same in terms of lot coverage, for
14 example, as what the zoning code would require.
15 **Q. Okay. So are you saying that the character of**
16 **the neighborhood can be different and perhaps, you know,**
17 **more stringent in some cases than the -- what's required**
18 **by the land development code for the zoning district?**
19 A. Correct.
20 **Q. Okay. You say in your report that utilizing the**
21 **statutory definition for compatibility would be**
22 **inconsistent with Policy 2.2.3.**
23 **Can you explain that a little bit?**
24 A. Yeah. Excuse me. Yeah. 2.2.3 actually
25 provides some expansion as to what entails measurements

1 for compatibility. It says "At a minimum, the following
2 factors should be considered to determine whether a
3 proposed development is compatible with existing or
4 proposed low density residential uses and with the
5 intensity, density, and scale of surrounding development
6 within residential preservation ares: Proposed uses,
7 intensity, density, scale, building size, mass, bulk,
8 height and orientation, lot coverage, lot size, buffers,
9 noise -- I'm not going to read everything.
10 **Q. Sure.**
11 A. Those are more definitive than the actual state
12 statute as far as it describes what entails determining
13 compatibility.
14 **Q. Okay. I'm not sure how -- explain to me how**
15 **using that definition would be inconsistent with the**
16 **policy, if you would.**
17 A. Well, for the reasons I just said. The way
18 Policy 2.2.3 defines these specific types of factors that
19 you would use in determining -- the state statute really
20 is pretty general. It doesn't really give you definitive
21 factors that you would address in determining
22 compatibility, whereas this section of the land
23 development code does.
24 **Q. Okay. Would you just describe generally for me**
25 **what you did to conduct your compatibility analysis?**

1 A. Okay. Well, the first thing I did was look at
2 the comprehensive plan, look at the land development code
3 regulations, identified what would be the relevant
4 sections of each to conduct an analysis.
5 Then I looked at the specific characteristics of
6 the neighborhoods in general based on the quarter-mile
7 radius that Wendy Grey had in her report and looked at,
8 you know, lot sizes and used her information related to
9 setbacks and building coverage.
10 And then I analyzed -- the most critical part
11 was, what is the impact on the immediate adjacent parcels
12 within Ox Bottom Manor within Moore Pond. And then I did
13 that analysis in terms of the lot sizes, the density
14 related to those and then -- then I created some exhibits
15 which are in here to illustrate that fact. That's Exhibit
16 C -- B and C.
17 **Q. So, I guess, let's take these one by one. I**
18 **think the first one that comes up in your report for**
19 **neighborhood development characteristics is density.**
20 **Would you just walk me through --**
21 A. Which page are you on now?
22 **Q. It doesn't have page numbers.**
23 A. It does at the bottom.
24 MR. STEWART: It's light.
25 THE WITNESS: For whatever reason, it didn't

1 print out very well. I looked at the --
2 BY MS. TILTON:
3 **Q. I actually really don't have page numbers. I**
4 **promise.**
5 MR. STEWART: Page 8.
6 MS. TILTON: Eight. Thank you.
7 I promise, I'm not crazy. Well, I already
8 started writing on this one. So --
9 MR. STEWART: That's all right.
10 MS. TILTON: Thanks, Greg.
11 BY MS. TILTON:
12 **Q. So page 8, it looks like the first**
13 **characteristic you looked at was density?**
14 A. Correct.
15 **Q. Walk me through your analysis, if you will, as**
16 **to compatibility of Brookside Village with the surrounding**
17 **development as far as density goes.**
18 A. What do you mean by "surrounding development?"
19 I mean, are you talking about the neighborhood in general
20 within the quarter-mile radius or the immediate
21 adjacent --
22 **Q. What did you look at in your compatibility**
23 **analysis?**
24 A. Well, I did a preliminary look at just the
25 neighborhood in general, based on Wendy Grey's table 1,

1 and determined that she took an average density. But in
2 looking at the significant difference in range of
3 densities within the neighborhoods, I felt that -- that
4 the -- Brookside Village was not compatible density-wise
5 in general with those neighborhoods, in general.
6 But more specifically, looking at the lots
7 adjacent to Brookside, the density was significantly
8 higher. In terms of the Brookside Village development,
9 adjacent to Ox Bottom Manor and Moore Pond, are 4.82
10 dwelling units per acre and 4.18 units -- dwelling units
11 per acre, respectfully.
12 When the adjacent Ox Bottom Manor lots are only
13 at a density of 1.43 and the Moore Pond is .3 -- so you
14 are talking about densities three -- over three times the
15 dense -- three to 14 times the density of the adjacent
16 neighborhoods. In my opinion, that's not compatible.
17 **Q. Okay. So when you say, in your opinion that's**
18 **not compatible, is it -- seems like -- is compatibility**
19 **subjective?**
20 A. It is subjective.
21 **Q. Okay. And other than the fact that Brookside**
22 **Village is a higher density, is there anything else that**
23 **makes this incompatible, in your mind?**
24 A. Well, the fact that it's supposed to be based on
25 comp plan policies and the land development code

1 consistent with the development -- neighborhood character.
2 The neighborhood characters 1.4 units an acre on the
3 adjacent lots and .3 development units -- dwelling units
4 on Moore Pond. Those are the characteristics of those
5 subdivisions. And it's clear in the comprehensive plan
6 and the land development code that you are supposed to be
7 consistent with the character.
8 **Q. What would a compatible density look like for**
9 **Brookside Village?**
10 MR. GIVENS: Objection. Calls for speculation.
11 BY MS. TILTON:
12 **Q. You can answer.**
13 A. Oh, I know. Just so it's clear that it's
14 speculation. Well, I think the lots would need to be more
15 in tune with Ox Bottom Manor. The -- I'm sorry. Did you
16 say density or lot sizes?
17 **Q. Let's stick with density for right now.**
18 A. Okay. Yeah. Yeah. It would need to be more in
19 line with -- well, let me back up. The Brooks -- the
20 density shown in here for Brookside Village is based on
21 the entire development, including the environmental. So
22 that's a little misstatement of what the actual density of
23 Brookside Village is.
24 **Q. Okay.**
25 A. The density should be based on the actual siting

1 of the lots. And the lots are concentrated along Ox
2 Bottom Manor and Ox -- Ox Bottom Road and Moore Pond.
3 So -- so that's really the density that needs to be looked
4 at, not the whole --
5 **Q. Explain that to me, if you will. When you**
6 **say -- strike that.**
7 **How would you have determined density for**
8 **Brookside Village?**
9 A. Based on the actual development -- the actual
10 developed lot area on the site.
11 **Q. Okay. Do you know whether the numbers that**
12 **you've used in your study for Moore Pond and Ox Bottom**
13 **Manor, which I believe you said came from Wendy Grey's**
14 **report, do you know whether or not those include areas**
15 **outside of the actual platted lots?**
16 A. No, I don't. I don't have the detailed
17 information that she used to determine that density.
18 **Q. Okay. So back to my previous question. I think**
19 **I -- I'm not sure that you answered it yet.**
20 **What would a compatible density look like for**
21 **Brookside Village?**
22 A. Probably in the range of --
23 MR. GIVENS: Object. Again, speculation. Go
24 ahead and answer.
25 THE WITNESS: Yeah. Along Ox Bottom Manor,

1 probably two units an acre. Along Moore Pond, probably
2 one unit per acre.
3 BY MS. TILTON:
4 **Q. Are Ox Bottom Manor and Moore Pond compatible**
5 **with one another based on density?**
6 A. No. They were side by side. No.
7 **Q. What about Ox Bottom Gardens with either Moore**
8 **Pond or Ox Bottom Manor, based on density?**
9 A. Ox Bottom Gardens, no.
10 **Q. Okay. We can take a look at lot size.**
11 **Can you just walk me through your opinion with**
12 **regard to compatibility for lot size?**
13 A. Yeah. Again, the lot sizes are not compatible.
14 The range of lot sizes in Ox Bottom Manor adjacent to
15 Brookside Village range between .62 and .86 acres. The
16 range of lots -- the abutting Brookside Village lots range
17 between .2 and .21. So the Brookside lots are, like,
18 three times -- over three times smaller than the Ox Bottom
19 Manor lots.
20 The range of lot sizes in Moore Pond adjacent to
21 Brookside range between 3.2 and 3.49 acres compared to the
22 abutting range of lots in Brookside Village, which range
23 from .2 to .29 acres. So, again, there is a significant
24 difference there. I mean, those lots are way smaller
25 than -- than the Moore Pond lots by quite a bit.

1 **Q. So, I guess, same question as before. What --**
2 **what would a compatible lot size look like?**
3 A. I think a compatible lot size adjacent to Ox
4 Bottom Manor, probably somewhere in the range of --
5 MR. GIVENS: Object to speculation again. Go
6 ahead and answer.
7 THE WITNESS: Somewhere between .7 and .75.
8 Because the range of Brookside Village -- excuse me -- the
9 range of Ox Bottom is between .62 and .86.
10 BY MS. TILTON:
11 **Q. Same question as before. Are Ox Bottom Manor**
12 **and Moore Pond incompatible with one another based on lot**
13 **size?**
14 A. Well, if you are asking me if Ox Bottom Manor
15 was adjacent to Moore Pond, then I would say yes.
16 **Q. Okay. What about Ox Bottom Gardens, with either**
17 **Moore Pond or Ox Bottom Manor?**
18 A. Ox Bottom Gardens, in my opinion, is not
19 compatible. They are almost similar in size to Brookside
20 Village. Ox Bottom Gardens, I'm talking about.
21 **Q. Let's take a look at lot coverage.**
22 A. Well, that, I just -- commentary on what Wendy
23 Grey had said in her report.
24 **Q. Okay.**
25 A. I felt that given the significant difference in

1 ranges between Moore Pond's 5 percent lot coverage and
2 Brookside's 24 percent lot coverage, I just felt that
3 that's a significant range in that, I don't see how you
4 can make a determination that the Brookside Village would
5 be compatible with either of those neighborhoods, given
6 the significant difference in the average lot coverage.
7 **Q. Okay. What would -- in your mind, what would a**
8 **compatible lot coverage look like?**
9 A. Well, that one is a little harder to say because
10 it would depend upon what the lot size would be.
11 **Q. Sure.**
12 A. But I think it would be similar. Well, I really
13 can't comment because really, it would depend on the lot
14 size.
15 MR. GIVENS: Object. Calls for a legal
16 conclusion.
17 THE WITNESS: Not understanding the size of the
18 lot, you would have to really do a little study to
19 determine what would be appropriate lot coverage.
20 BY MS. TILTON:
21 **Q. Okay. So if I'm understanding you correctly,**
22 **lot coverage and lot size have to be looked at together?**
23 **Is that what you are saying?**
24 A. Yes.
25 **Q. Okay. Did you factor in setbacks to your**

1 **compatibility analysis?**
2 A. Again, just commented on the fact that -- well,
3 two things, actually. One, in Ms. Grey's report, she
4 actually admits there is a potential issue of
5 compatibility related to the visual impact of the smaller
6 lot sizes and, subsequently, higher building mass in
7 Brookside Village where it joins Moore Pond and Ox Bottom
8 Manor.
9 The applicant is proposing a five-foot side yard
10 setback. That really creates what, in my mind, would be
11 almost like a wall effect adjacent to those neighborhoods,
12 because the buildings would be so close together in
13 combination with the smaller lot size and in combination
14 with the building coverage or the lot coverage.
15 **Q. Sure. But did you factor in -- I guess, that**
16 **really didn't answer my question.**
17 **Did you factor in any of the rear setbacks or**
18 **anything like that into your compatibility --**
19 A. No. The side yard, obviously, has the greatest
20 visual impact.
21 **Q. Okay. And what about buffering, did you factor**
22 **buffering into your compatibility analysis at all?**
23 A. Again, I just addressed the fact that in
24 comprehensive plan Policy 1.4.12, neighborhood and
25 inter-site compatibility shall be implemented through the

1 site planning and design criteria that require
2 objectionable impacts of particular land use activities to
3 be internally located within the site or building designs
4 rather than relying exclusively on standard landscape and
5 setback buffering methods to reduce perimeter oriented
6 objectionable impacts.
7 The developer's proposing 25 feet. I made a
8 note in here that the buffer between Ox Bottom Gardens and
9 Ox Bottom Manor was a 75-foot buffer. Ox Bottom Gardens
10 is similar lot characteristics to Brookside Village. And
11 so, apparently, somebody at that point determined that a
12 75-foot wide buffer was something that was needed to
13 buffer those two different types of development.
14 **Q. Do you know whether that 75-foot buffer was a**
15 **condition of approval for that subdivision?**
16 A. That, I don't know.
17 **Q. Okay. What types of objectionable impacts are**
18 **you talking about in reference to that comp plan Policy**
19 **1.4.12?**
20 A. Which page are you looking at?
21 **Q. Ten.**
22 A. Okay. Could you read that back to me again?
23 Are you --
24 **Q. Yes. You had cited comprehensive plan Policy**
25 **1.4.12.**

1 A. Okay.
2 **Q. And my question was, that policy references**
3 **objectionable impacts.**
4 **What objectionable impacts do you see from this**
5 **development?**
6 A. Well, the combination of the density and the lot
7 size and the small setbacks between the buildings.
8 **Q. And those are impacts?**
9 A. Yes. Those relate to compatibility.
10 **Q. Okay. I'm following you. But is there an**
11 **impact on the surrounding development from those**
12 **compatibility issues?**
13 MR. GIVENS: Objection. Calls for a conclusion.
14 THE WITNESS: If the idea in the comprehensive
15 plan and the land development code is to ensure
16 compatibility with the adjacent lots, then the
17 objectionable -- then it's -- if it's incompatible, then
18 it's objectionable.
19 BY MS. TILTON:
20 **Q. So simply because, for instance, the, you know,**
21 **densities are different, that's enough to be incompatible?**
22 **You don't, then, also need some sort of additional**
23 **negative impacts on the surrounding development?**
24 MR. GIVENS: Objection. Calls for a legal
25 conclusion.

1 THE WITNESS: Well, the fact that something is
2 not compatible is going to have objectionable impacts on
3 the adjacent property.
4 BY MS. TILTON:
5 **Q. I guess that's my question. What types of**
6 **objectionable impacts would that have?**
7 A. Well, you have a higher density next to a lower
8 density. You are deviating from the characteristics of
9 the neighborhood. They bought a house with a large lot,
10 large open space around the building, and right behind
11 them is something that's much more dense.
12 **Q. So I guess my question is, what's the harm from**
13 **that?**
14 MR. GIVENS: Objection. Speculation.
15 THE WITNESS: Yeah. I would be speculating. I
16 mean, from a planning perspective, it's objectionable.
17 There could be real estate implications, noise
18 implications.
19 BY MS. TILTON:
20 **Q. Okay. Did you look at any specific impacts when**
21 **you were doing your compatibility study, such as real**
22 **estate or noise or the ones you just referenced?**
23 A. No. No. No, I didn't.
24 **Q. So you don't know whether or not any of those**
25 **specific impacts you just mentioned, real estate and**

1 **noise, would result from this development?**
2 A. That's correct.
3 **Q. And when you said -- sorry. When you said "real**
4 **estate impacts," what are you referring to?**
5 A. Well, the value of the home.
6 **Q. Okay.**
7 A. And the desirability to be in that neighborhood.
8 **Q. Other than what we have already talked about,**
9 **are there any other factors you looked at in your**
10 **compatibility analysis?**
11 A. The only thing that I looked at, but it -- it's
12 consideration -- is part of -- probably addressing a
13 little bit of what you said before -- is looking through
14 the comments of the neighborhood associations that they
15 sent to the DRC. I mean, people that live there have
16 legitimate concerns that need to be at least recognized.
17 **Q. Sure. Did you factor those comments into your**
18 **compatibility analysis?**
19 A. No. That's just something that addresses the
20 objectionable nature of -- of increased density and tight
21 setbacks which create a wall effect that has, at least in
22 the minds of the neighborhoods, residents who own homes
23 there, have negative impacts.
24 **Q. Do you know whether -- we talked about**
25 **earlier -- I asked you, you know, what would be a**

1 **compatible density --**
2 A. Uh-huh.
3 **Q. -- for example. And I think you gave me**
4 **different numbers for Ox Bottom and for Moore Pond.**
5 **Would there be objectionable impacts if the**
6 **project were reduced to the density that you noted**
7 **earlier?**
8 MR. GIVENS: Objection. Calls for speculation.
9 THE WITNESS: Well, from my standpoint -- I
10 can't speak for the neighborhoods, as far as what they
11 would consider. I think it becomes more compatible. Is
12 it 100 percent compatible? No. Because if it would be
13 100 percent compatible, it would match exactly the lot --
14 the adjacent lot sizes.
15 BY MS. TILTON:
16 **Q. So are you saying to be truly compatible, the**
17 **developments need to be equivalent?**
18 A. Correct.
19 **Q. Other than what we have already talked about,**
20 **walking through your report, is there anything else that**
21 **you anticipate offering an opinion about at hearing in**
22 **this case?**
23 A. Other than what's in here that might be further
24 expanded, and I indicated there might be some additional
25 exhibits that would be -- which you have copies of those

1 draft exhibits that might be in this report.
2 **Q. Okay. Do you --**
3 A. But beyond that -- I'm sorry.
4 **Q. No. Go ahead. You can finish.**
5 A. Finish your question.
6 **Q. I was going to say, do you currently have any**
7 **plans to expand the work that's in your report?**
8 A. It's a work in progress. That's all I can say.
9 You know, as I think -- as I read through the reports,
10 things come to mind that maybe I should expand this or
11 that. But the conclusions will be the same. My
12 conclusions won't change.
13 **Q. Okay.**
14 MR. GIVENS: Obviously, you will get a copy when
15 we do.
16 MS. TILTON: Thank you. I appreciate that.
17 BY MS. TILTON:
18 **Q. And other than the source documents that we went**
19 **through for the definition of compatibility, was there**
20 **anything else you used in putting your report together**
21 **that we haven't already talked about?**
22 A. Everything is in there. And I think we
23 covered -- excuse me. Went down the wrong way. Yeah, we
24 covered everything. So everything is to date. You have
25 everything that I've used.

1 Q. Okay. In doing this compatibility analysis -- I
2 know we talked right at the very beginning of your
3 deposition about some other compatibility analyses that
4 you did in the past.
5 In conducting the one that you did for this
6 development, for Brookside Village, did you do everything
7 that you normally would do in conducting a compatibility
8 analysis?
9 A. Yes, I did.
10 Q. I think it's safe to say from reviewing your
11 report that you have seen the report that Wendy Grey did
12 for this same project?
13 A. Yes.
14 Q. Aside from what you noted in your report, is
15 there anything else that you disagree with from her
16 report? And I can actually give it to you if that would
17 be helpful.
18 A. I think I addressed those areas that I had a
19 disagreement with her on. The density, lot size, lot
20 coverage.
21 Q. Okay. Outside of what's in your report, there
22 was nothing else that you found objectionable about her
23 report?
24 A. Just a difference of opinion.
25 Q. Okay. But there was nothing else that's --

1 **other than what's in your report?**
2 A. Correct. My report describes the methodology
3 that I used, which is different than what she did.
4 **Q. I think I'm probably close to done. I want to**
5 **review some stuff.**
6 THE WITNESS: Are you guys next?
7 MR. STEWART: You done?
8 MS. TILTON: Uh-huh.
9 CROSS-EXAMINATION
10 BY MR. STEWART:
11 **Q. Just a few follow up.**
12 **Mr. Norsoph, let me ask you, if you would look**
13 **at -- it's Policy 1.4.12, which I think is on page 3 of**
14 **your report.**
15 A. Which report are you looking at?
16 **Q. I've got your most recent one.**
17 A. Okay.
18 **Q. I'm just going to work off that one.**
19 A. Yeah. That's fine. Sure.
20 **Q. I'm looking at the language here. And in**
21 **subsection A, you highlighted a section, which states**
22 **"Neighborhood and inter-site compatibility shall be**
23 **implemented through site planning and design criteria that**
24 **require objectionable impacts of particular land use**
25 **activities to be internally located within site and**

1 building designs rather than relying exclusively on
2 standard landscape and setback buffering methods to reduce
3 perimeter oriented objectionable impacts."
4 Did I read that correctly?
5 A. That's correct.
6 Q. All right. Now, you talked a little bit
7 about -- am I correctly characterizing your testimony that
8 you believe lot size and density is a particular land use
9 activity that is covered by that language?
10 A. Yes.
11 Q. What other land use activities is this
12 particular provision addressing?
13 A. I would assume it might -- and I'm assuming, it
14 might cover rezoning comp plan map changes.
15 Q. Well, it's talking about particular land use
16 activities. So isn't that -- isn't it telling you that
17 it's dealing with how that particular land is used?
18 A. Sure.
19 Q. And is it the type of land use that's being
20 considered here?
21 A. I'm not sure I follow your question.
22 Q. Well, if they had a utility shed of some kind,
23 would that be a particular land use that might be subject
24 to this provision?
25 MR. GIVENS: Objection. Calls for a legal

1 conclusion.
2 THE WITNESS: It could be. But I -- I think
3 it's more in the broader context of buildings and site
4 design, just like it says here, as opposed to accessory
5 structures.
6 BY MR. STEWART:
7 **Q. But the language, particular land use**
8 **activities, that has no significance to you in your**
9 **analysis?**
10 A. Land use activities include developments. So
11 I'm not really following.
12 **Q. Well, I'm -- I'm just saying, is that -- when it**
13 **says "land use activities," what do you take that to mean?**
14 A. I take that to mean the full range of land uses,
15 residential, commercial, industrial, public, semi-public.
16 They develop how those land uses are developed.
17 **Q. Okay. So the uses in your analysis -- the uses**
18 **themselves are not as important as how they are used under**
19 **this provision?**
20 A. No. The uses are important.
21 **Q. Okay. So -- so could that section, in your**
22 **expert opinion, be referencing actual physical use of the**
23 **land as opposed to development criteria --**
24 MR. GIVENS: Objection. Legal conclusion.
25 BY MR. STEWART:

1 **Q. -- such as density or --**
2 A. Well, land use --
3 **Q. -- lot size?**
4 A. Well, land use activities -- it says "to be
5 internally located within the site." Site includes lot
6 coverage, lot size. Lot size, obviously, translates into
7 density.
8 **Q. Could site also mean the development itself?**
9 A. Sure. The development itself, yeah.
10 **Q. But -- but in your expert opinion, you are**
11 **interpreting this to mean that the individual components**
12 **of the development, such as the actual lot size and how**
13 **many units are within the development -- is what this is**
14 **going to?**
15 A. Well, it covers the range of land use as being
16 residential, commercial.
17 **Q. And so if there was a particular type of**
18 **commercial use that's within a development, this is**
19 **telling you that that should be in the middle, or at least**
20 **segregated from the other uses, does it not?**
21 A. Well, it's saying you need to look at
22 compatibility issues as to how that particular use is
23 cited on the property.
24 **Q. Okay. Good. All right. Now, the -- I had a**
25 **question concerning your resume. And you indicated that**

1 **you are a part-time employee with the City of Seminole**
2 **currently?**
3 A. Correct.
4 **Q. And when you say "part time," how is that -- is**
5 **that 20 hours, 40 hours?**
6 A. Yeah. Twenty hours, Monday through Thursday,
7 8:00 to 1:00. Twenty hours.
8 **Q. Do you have any other employment other than your**
9 **part-time work with the City of Seminole?**
10 A. Just my consultant work.
11 **Q. Okay. Now, in your resume, it -- it indicates,**
12 **at least the version that was on the draft I received,**
13 **that your January 2011 to present -- that you provide**
14 **consultant services to St. Petersburg, Florida.**
15 **Is that still ongoing? Let me just show you**
16 **what I'm looking at.**
17 A. Yeah. Okay. So point out what you are looking
18 at.
19 **Q. At the bottom under --**
20 A. Oh. Well, there is not planning services to the
21 City of St. Petersburg. That's -- I'm a planning
22 consultant living in St. Petersburg.
23 **Q. Oh, okay.**
24 A. I'm sorry.
25 **Q. My mistake.**

1 A. You threw me off. I was saying, I haven't
2 worked for the city in 20 years. Yeah, that's what it
3 means. That's mine.
4 **Q. Thank you for clearing that up.**
5 A. My location.
6 **Q. Okay. Now, when you talked to Ms. Tilton**
7 **about -- let me have you go to -- this will be page 7 of**
8 **your report. It's the very first full paragraph at the**
9 **top that begins with the reference to Florida Statute**
10 **163.3164, paren 9.**
11 **Do you see that paragraph?**
12 A. Yes. Uh-huh.
13 **Q. I was -- I had a question concerning your**
14 **testimony.**
15 **Is it your testimony here today that the land**
16 **development regulations of Leon County can be inconsistent**
17 **with state law?**
18 MR. GIVENS: Objection. Calls for legal
19 conclusion.
20 THE WITNESS: No. That's not what that's
21 saying.
22 BY MR. STEWART:
23 **Q. Are you saying that they are inconsistent with**
24 **state law?**
25 MR. GIVENS: Objection. Calls for a legal

1 conclusion.
2 THE WITNESS: Oh, I see what you are saying.
3 Yeah.
4 BY MR. STEWART:
5 **Q. I thought your testimony was that it was**
6 **inconsistent?**
7 A. Yes. Uh-huh. Yeah.
8 **Q. Well, you tell me what your testimony is.**
9 A. Right. Right. I guess a better way to phrase
10 that is the fact that Policy 2.23 expands the definition
11 of compatibility beyond what the state statute does. So I
12 would omit that that's probably -- verbiage wise -- is not
13 the right way to word that.
14 **Q. Well, let me go back to what you testified**
15 **before.**
16 **Is the land development regulation of Leon**
17 **County, that is cited in this paragraph, inconsistent with**
18 **Florida statutes?**
19 A. No, it's not.
20 **Q. Okay. Can they be read together?**
21 A. They can be read together.
22 **Q. Don't they have to be read together?**
23 A. Well, I would read them together.
24 **Q. Yeah. And in the Florida statutes, it utilizes**
25 **the term "unduly negatively impacted directly or**

1 **indirectly by another use or condition." Reading the last**
2 **part. Does it not?**
3 A. Yes.
4 **Q. So do you agree that in evaluating the adverse**
5 **impacts from a development that the standard is unduly**
6 **negatively impacted directly or indirectly by another use**
7 **or condition?**
8 MR. GIVENS: Objection. Calls for a legal
9 conclusion.
10 MR. STEWART: I'm sorry. He's a planning
11 expert.
12 BY MR. STEWART:
13 **Q. Are you not familiar with Florida statutes?**
14 A. Sure.
15 **Q. You deal with those all the time in your job, I**
16 **assume?**
17 MR. GIVENS: First of all, he will answer the
18 question. But I'm just -- you know, when you are asking
19 him to interpret statutes and comparing one statute to
20 another, I think that's shifting into a legal conclusion.
21 MR. STEWART: Well, I haven't said anything,
22 but -- because Erin was doing it. But the appropriate
23 objection is objection to form, because you are basically
24 telling the witness what to say. And he's repeatedly
25 said, when you would raise an objection by speculation --

1 he would say, Well, I can't do it. So you are
2 telegraphing answers to him. And the appropriate way
3 under the rules is just to object to the form of the
4 question.
5 MR. GIVENS: I deny that I'm trying to coach the
6 witness or telegraph him in any kind of answers
7 whatsoever. And I also think that he's answered every
8 question truthfully and honestly.
9 BY MR. STEWART:
10 **Q. Then let me go -- so going back, then.**
11 **Is the provisions of Florida statute that**
12 **require that there must be an unduly negatively impacted,**
13 **isn't that -- doesn't that have to be applied in**
14 **evaluating compatibility?**
15 A. That's true. But in the case of Leon County,
16 they go beyond that definition.
17 **Q. They require more impacts?**
18 A. They require more impacts. They specify what
19 you have to look at in terms of compatibility. So from my
20 opinion, there is nothing that would preclude Leon County
21 from being more specific in defining compatibility.
22 **Q. Okay. So the minimum standard in your analysis**
23 **is that it must be not just impact, but it must unduly**
24 **impact? And, in fact, Leon County requires a greater**
25 **impact, does it not?**

1 A. Correct.
2 **Q. Thank you.**
3 **Now, on -- let me see if I can find this. I**
4 **apologize. Let me ask you if you would turn to page 5.**
5 **And in particular, I want to ask you a couple of questions**
6 **about Section 10-6.617, residential preservation.**
7 A. Uh-huh.
8 **Q. You indicated you reviewed the comprehensive**
9 **plan of Leon County?**
10 A. These pertinent sections, yes.
11 **Q. Not --**
12 A. Not the entire --
13 **Q. Not the entire --**
14 A. No.
15 **Q. Were you provided particular sections to look**
16 **at?**
17 A. No. I went through the comp plan and identified
18 those sections that I thought were relevant to this case.
19 **Q. And the same for the land development code or**
20 **land development regulations?**
21 A. Correct. Uh-huh.
22 **Q. Now, at the bottom, the last paragraph of**
23 **subparagraph A of section 10-6.617 says "Single family,**
24 **duplex residences, manufactured homes and clustered**
25 **housing may be permitted within a range of zero to six**

1 units per acre. Compatibility with surrounding
2 residential type and density shall be a major factor in
3 the authorization of development approval in" -- "and in
4 the determination of permissible density."
5 Did I read that portion correctly?
6 A. Yes.
7 Q. All right. Now, this particular property that
8 we are talking, this development, is it within the
9 residential preservation area?
10 A. Correct.
11 Q. And does the density that is being proposed here
12 as part of the site plan within zero to six units per
13 acre?
14 A. Yes.
15 Q. And how do you reconcile the numerical brackets
16 for which a reservation -- residential preservation
17 development may be developed within zero to six with --
18 with your conclusion here today that it is not compatible?
19 A. Well, first of all, you said it correctly.
20 Permissible density. So I've never seen a comp plan where
21 a community establishes a density range and says the
22 developer can develop at six units an acre, we are going
23 to approve it.
24 That's -- that's not a -- I've never seen
25 anybody just say, you know, six units an acre, you come

1 in, automatic approval. You have permissible density that
2 ties back into the whole series of comp plan and land
3 development code of regulations that address
4 compatibility.
5 So there is no guarantee to any person that they
6 can develop at six units an acre. I mean, unless you are
7 telling me that Leon County -- somebody comes in six units
8 an acre, they are automatically going to get approval.
9 **Q. Well -- but my question is that -- doesn't this**
10 **provision of the land development regulations specifically**
11 **tell you that the range of density that would be**
12 **acceptable within a residential preservation is the zero**
13 **through six --**
14 A. No. That's not a correct statement.
15 **Q. Well, how do you interpret that?**
16 A. That's the density range that's permissible.
17 But that's not necessarily the density range that would be
18 allowed in every single development proposal.
19 **Q. And what factors would determine whether you are**
20 **at .1 acres -- units per acre as opposed to six?**
21 A. Exactly what's said in the comp plan, land
22 development code. Compatibility.
23 **Q. Well, what would you say how this would be**
24 **applied? As a planner for Leon County, when the**
25 **development comes in, isn't this telling you that you look**

1 **at a variety of factors in determining what is the density**
2 **you are going to apply?**
3 A. Sure. And you look at the characteristics of
4 the neighborhood.
5 **Q. Okay. Anything else?**
6 A. You look at exactly what the comp plan says.
7 **Q. What particular provision of the comp plan are**
8 **you referring to, that you would look to, in determining**
9 **whether it should be at zero or .1 to six units per acre?**
10 A. Let's go on the same page, page 5. Go down to
11 number 5.
12 **Q. Okay.**
13 A. Parcels proposed for residential, which are
14 located inside the urban service area and not in a
15 recorded or unrecorded subdivision shall develop
16 consistent with the type of residential development
17 pattern located adjacent to the vacant parcel.
18 That's pretty clear to me that, as a planner,
19 you look at the characteristics of those adjacent lots --
20 density, lot size, setbacks. I didn't address building
21 mass, building height. But those would be all the factors
22 you would look at and make a determination that it either
23 fits or doesn't fit.
24 So if a determination is made that you want to
25 develop at six units an acre, well, you can't because it's

1 not compatible. The developer doesn't develop at six
2 units an acre. He develops at something less.
3 **Q. The -- what is the purpose under the**
4 **comprehensive plan and land development regulation of the**
5 **residential preservation land use category? What is the**
6 **county trying to accomplish by that category?**
7 A. Characterized by existing homogenous residential
8 areas within the community, the primary function is to
9 protect existing stable and viable residential areas from
10 incompatible land use intensities and density intrusions.
11 So you go back to this whole issue of
12 consistency. That's what you use to evaluate what you
13 would allow a developer to do on his vacant piece of
14 parcel. So --
15 **Q. If --**
16 A. I'm sorry. Go ahead. Ask the question.
17 **Q. If Moore Pond was the initial development in**
18 **that area, would any development that came after that with**
19 **a greater density of the Moore Pond be incompatible?**
20 A. It depends on what density you develop the
21 parcel at.
22 **Q. Well, what -- how can that be the answer? How**
23 **could that be the analysis if your position is that the --**
24 **the existing neighborhoods -- you established the**
25 **compatibility based upon the density of the existing**

1 **neighborhoods.**
2 **Isn't that your testimony?**
3 A. If you look at the characteristics of the
4 existing, yes.
5 **Q. So if Moore Pond was first at -- in any density**
6 **that is sought to be built adjacent to Moore Pond would**
7 **have to be driven by what was already there?**
8 A. That would be a primary factor.
9 **Q. So the county could deviate from that?**
10 A. Sure.
11 **Q. And what would be the factors that would**
12 **deviate?**
13 A. Council could, based on their legislative rule,
14 decide that, for whatever reason, they are going to allow
15 a different type of density.
16 **Q. In terms of residential preservation and the**
17 **one -- zero to six units per acre, as part of your**
18 **analysis, did you evaluate how the county has applied that**
19 **provision in the past?**
20 A. No, I did not.
21 **Q. Did you make any effort to do that?**
22 A. No, I have not.
23 **Q. Now, I was curious, in terms of the alternative**
24 **density calculations that you prepared, based upon those**
25 **that are actual lots in development as opposed to the**

1 **development as a whole -- do you recall that testimony?**
2 A. Would Erin have asked me --
3 **Q. Yes.**
4 A. Yeah.
5 **Q. Now -- so I want to make sure I understand what**
6 **you did. But is it that you just took the amount of**
7 **acreage that was immediately adjacent to either Moore Pond**
8 **or Ox Bottom Manor or Ox Bottom Road and did not include**
9 **any of the other areas?**
10 A. Well, I looked at -- well, based on what is
11 required, looked at -- the key focus here is the adjacent
12 lots.
13 **Q. Okay.**
14 A. And that's what I looked at.
15 **Q. So anything that was not immediately adjacent to**
16 **Moore Pond, Ox Bottom Manor and Ox Bottom Road, you did**
17 **not consider in these alternative density calculations?**
18 A. I'm not sure what you mean by "alternative
19 density calculations."
20 **Q. Well, as opposed to the development as a whole.**
21 **I believe that Ms. Grey utilized --**
22 A. Well, yeah. As I indicated before, I looked at
23 the lot sizes within a quarter-mile radius.
24 **Q. Okay. Well, that's not exactly what I asked.**
25 **But did you -- Ms. Grey had determined, I**

1 **believe, that the density at Brookside was 1.73 dwelling**
2 **units per acre. And that's on page 8 of your report; is**
3 **that correct?**
4 A. Right. Correct.
5 **Q. And then performed a similar analysis for Ox**
6 **Bottom Gardens at 2.13, Ox Bottom Manor at 1.1 and Moore**
7 **Pond at .323 dwelling units per acre, did she not?**
8 A. Yes, she did.
9 **Q. And you applied a different way to arrive at the**
10 **density per acre, did you not?**
11 A. No. Not for the -- not for her chart.
12 **Q. I know not for her, but for your analysis?**
13 A. For the adjacent parcels, yes.
14 **Q. Okay. And what did you come up with and where**
15 **is that reflected in your report?**
16 A. That's in the --
17 **Q. Is that on page 9?**
18 A. It's on page 8.
19 **Q. Okay.**
20 A. Both the next -- where it says "based on the LDC
21 definition of development compatibilities be analyzed
22 based on the actual siting and development."
23 Then I talk about, based on the site plan,
24 "These residential lots are sited on 16.63 acres, which
25 equates to a density of 3.67 dwelling units per acre.

1 This represents a density of almost 14 times the density
2 of Moore Pond and three-and-a-half times the density of Ox
3 Bottom Manor."
4 Then the next sentence goes on -- the next
5 paragraph goes on to talk about the Brookside Village lots
6 that are adjacent to Ox Bottom Manor and Moore Pond.
7 **Q. Now, you reference the LDC -- or LDR definition**
8 **of development, as performing this analysis based upon**
9 **that definition?**
10 A. Uh-huh.
11 **Q. Is that the sole basis that you performed this**
12 **alternative density analysis?**
13 A. It's the basis of the first paragraph, based on
14 the definition. The overall density.
15 **Q. Right.**
16 A. Then I looked at what, again, is required by the
17 comp plan, the adjacent density. So I calculated the lot
18 sizes of those lots, whatever it was -- seven lots.
19 Divided that out. And did the same with the Brookside.
20 So --
21 **Q. And do you -- can you give me the particular**
22 **provision of the comprehensive plan that you believe**
23 **requires this -- the analysis to be made in this manner?**
24 A. Well, the more specificity is in the land
25 development code.

1 **Q. Okay. Either provision, which provision are you**
2 **relying on for that type of density calculation?**
3 A. You've got Section 10.2 -- 10-2.301, Development
4 Review Committee. Under number 5, Allowable development
5 type shall be construed to mean the following: Parcels
6 proposed for residential which are located inside the
7 urban service area and not in a recorded or unrecorded
8 subdivision shall develop consistent with the type of
9 residential development pattern located adjacent to the
10 vacant parcel.
11 Then in 10-6.617, under paren 5B, it says
12 "Parcels" -- it says the same thing, really -- "proposed
13 which are located inside the urban service area and not in
14 a recorded or unrecorded subdivision shall develop
15 consistent with the type of residential development
16 pattern located adjacent to the vacant parcel."
17 **Q. Where does that say that you should calculate**
18 **density based upon that adjacent parcel?**
19 A. "Shall develop consistent." So density is part
20 of any kind of a development.
21 **Q. Okay. Now -- so -- and let me -- give me the**
22 **second one, 10-6. -- I want to make sure I got that one**
23 **down correctly, which one you are relying on.**
24 A. 10-6.6175 --
25 **Q. B?**

1 A. -- B.
2 **Q. All right. Thank you.**
3 **Now, in terms of jurisdictions that calculate**
4 **density only based upon the actual developed property as**
5 **opposed to the entire development, are you familiar with**
6 **other jurisdictions that calculate it that way?**
7 A. No. Density is calculated. In some cases,
8 either on a gross acreage or a net acreage, subtracting
9 out the environment --
10 **Q. How does the Town of Seminole do it?**
11 A. We do it on a gross.
12 **Q. And how about the town of St. Pete?**
13 A. That's a gross.
14 **Q. Can you give me one that does it on a net?**
15 A. The county. Pinellas County does it.
16 **Q. Pinellas County. Are you sure of that?**
17 A. Yeah. Actually, I take that back. The city --
18 because it's in Pinellas County, it has to be consistent
19 with the county plans. So, yeah.
20 **Q. So the Town of Seminole?**
21 A. Seminole and St. Petersburg.
22 **Q. And that is not based upon its comp plan or its**
23 **land development --**
24 A. The county's --
25 **Q. -- code, but the county's --**

1 A. Yeah. And the county adopted this countywide
2 plan. Everybody has to be consistent with the countywide
3 plan.
4 **Q. Okay. Looking at Section 10-6.6175B -- and**
5 **let's include 5 in that -- isn't that talking about**
6 **development types?**
7 A. Yes.
8 **Q. Okay. If I may have a moment? I'm close to**
9 **being done.**
10 **Thank you, Mr. Norsoph. I have nothing further.**
11 MS. TILTON: Can I just ask --
12 THE WITNESS: Can we take a break?
13 MS. TILTON: We can absolutely take a break.
14 THE WITNESS: Is there going to be more
15 questions or is this, like, it?
16 MS. TILTON: If you would allow me to do a quick
17 follow up.
18 MR. ANDERSON: Can we take a little five-minute
19 break?
20 (Recess had.)
21 RE-DIRECT EXAMINATION
22 BY MS. TILTON:
23 **Q. Okay. Mr. Norsoph, I have just a few quick**
24 **follow-up questions. If you could pull out your September**
25 **10th report, the draft report that you provided to us.**

1 **And if I could get you to go to page 9 of that report.**
2 A. Yeah.
3 **Q. And what are -- what do you see on page 9?**
4 A. Well --
5 MR. ANDERSON: That was the one that's missing
6 the page.
7 MS. TILTON: Oh, okay.
8 BY MS. TILTON:
9 **Q. Okay. I think the one we marked should have the**
10 **last page.**
11 A. Okay.
12 **Q. Okay. And what is on page 9 of your report?**
13 A. It talks about recommendations related to lot
14 increase alternative and buffer increase alternative.
15 **Q. Okay. And are these recommendations for the**
16 **special magistrate for the hearing we have coming up on**
17 **the 9th?**
18 A. These were initial thoughts about what might be
19 recommended --
20 **Q. As far as conditions of approval?**
21 A. -- back then. Yeah. If that's what you are
22 asking.
23 **Q. Okay. Why was this removed from the final**
24 **report? I'm sorry. Let me rephrase it.**
25 **Why was it removed from the version of your**

1 **report dated October 22?**
2 A. Because the attorneys wanted to have this
3 discussion with the neighborhood association.
4 **Q. Okay.**
5 A. This was not done in discussion with the
6 neighborhood association. It was just some of my
7 preliminary thoughts at that time.
8 **Q. Okay. And these are your -- you came up with**
9 **these alternatives?**
10 A. Yeah.
11 **Q. Okay.**
12 A. Yes.
13 **Q. And in your opinion, did these alternatives make**
14 **the project -- the Brookside Village project compatible**
15 **with the surrounding development?**
16 A. It made them more compatible.
17 **Q. Okay. I'm not sure I understand what you are**
18 **saying. A project is either compatible or it's not,**
19 **correct?**
20 A. You have to recognize that in this particular
21 case, the site does have some constraints. I mean, there
22 is a balancing between what you might allow for
23 development and achieving compatibility.
24 So achieving compatibility would mean every lot
25 abutting Moore Pond would have to be two acre lots. Every

1 lot abutting Ox Bottom Manor would have to be almost
2 three-quarter acre lots.
3 This is an attempt to better achieve
4 compatibility. But 100 percent compatibility, no. It
5 doesn't achieve 100 percent. But you have to balance that
6 in terms of site constraints related to Brookside Village
7 or any other development. So it's a balance.
8 **Q. Okay.**
9 MS. TILTON: I'm good.
10 MR. STEWART: I'm good.
11 MS. SCHRADER: No questions.
12 MR. ANDERSON: We will be real quick.
13 CROSS-EXAMINATION
14 BY MR. ANDERSON:
15 **Q. All right. Jan, I believe you testified**
16 **previously that this is proposed developments in the**
17 **residential preservation district and with a zero to six**
18 **units per acre allowable density; is that correct?**
19 A. That's correct.
20 **Q. So is a development entitled to the highest**
21 **density as a developer or an applicant entitled to the**
22 **highest density in all instances?**
23 A. No. They are not entitled to it.
24 **Q. So in your expert capacity, when you go through**
25 **your analysis, you look at the -- what do you look at when**

1 **you are determining the allowable density for a**
2 **development parcel?**
3 A. Well, I look at whatever the comprehensive plan
4 discusses in terms of compatibility and the same with the
5 land development code, as to what they determine to be
6 compatible-type development. And that's what you would
7 use. And there are factors defined in the comp plan and
8 the land development code that you would look at to
9 determine what is the suitable or compatible type of
10 development that would be allowed.
11 **Q. Is it fair to say that developments frequently**
12 **don't get the highest density based upon the compatibility**
13 **requirements?**
14 A. I would say, in general, that's the case.
15 **Q. Okay. All right. Let's take density out of the**
16 **equation.**
17 **Is this -- without even considering density, is**
18 **this project compatible with the adjacent Petitioners'**
19 **properties?**
20 A. In my opinion, it is not compatible.
21 **Q. Okay. What factors do you use to come to that**
22 **conclusion?**
23 A. Well, I looked at the adjacent lots, which is
24 what was required in the land development code, and what
25 range of lot sizes are in Ox Bottom Manor adjacent to

1 Brookside Village lots. Did the same for the Brookside
2 Village lots adjacent to Moore Pond, and found that they
3 were distinctly incompatible in terms of the differential
4 in the lot sizes.
5 **Q. Okay. Specifically, did you look at -- and this**
6 **is the comprehensive plan -- 2.2.3? I believe it's either**
7 **subparagraph E or F, I believe.**
8 A. E.
9 **Q. E. And then it lists a number of factors.**
10 **Did you look at those factors?**
11 A. I looked at some of them, but not all of them.
12 **Q. Okay. All right. You looked at those factors**
13 **of compatibility. In the land development code, Section**
14 **10-6.617, it states that "Compatibility with surrounding**
15 **residential type and density shall be a major factor in**
16 **the authorization of development approval and in the**
17 **determination of the permissible density."**
18 **Is it fair to say that you looked at the**
19 **compatibility requirements in the previously cited land**
20 **development -- excuse me -- Policy 2.3 -- 2.2.3E, and you**
21 **read those together?**
22 A. Oh, okay. I see what you are saying. Yeah, you
23 would look at those together.
24 **Q. All right. I believe you -- in your draft**
25 **report, September, I believe, 10, you discussed a**

1 **buffering recommendation?**
2 A. Right.
3 **Q. And I believe you just -- did you just testify**
4 **that it would not -- would that eliminate the incapability**
5 **simply by increasing the buffer?**
6 A. I don't think so. In fact, there is a provision
7 in the land development code that talks -- I think it's
8 the land development code -- that talks about the fact
9 that buffering would not necessarily be the -- here it is.
10 Oh, it's in the comp plan, Policy 1.4.12, "Neighborhood
11 and inter-site compatibility shall be implemented through
12 the site planning and design criteria that requires
13 objectionable impacts of particular land use activities to
14 be internally located within site or building designs.
15 Rather than relying exclusively on standard landscape and
16 setback buffering requirements" -- "buffering methods to
17 reduce perimeter oriented objectionable impacts."
18 **Q. Okay. All right. I think that's it.**
19 A. Okay.
20 MR. STEWART: Okay.
21 MS. TILTON: Off the record.
22 THE COURT REPORTER: Before I do go off the
23 record, would you like to order the transcript at this
24 time?
25 MS. TILTON: Yes. Can you expedite it, too,

please?

THE COURT REPORTER: Sure.

MR. STEWART: We will order a copy if they will order. So we will order a copy, too.

But just let us know what you are going to do and then what time frame. Go ahead and reach out to us also and make sure.

MS. TILTON: Okay.

MR. GIVENS: We will order.

THE COURT REPORTER: Okay. And read or waive?

MR. STEWART: You have a right to read this deposition. You can't change your testimony, but to see that the court reporter has taken it down correctly.

THE WITNESS: You will just give me a copy or do I need to get a separate copy?

MR. STEWART: You don't have to order it. You have a right to get with her and read it at her office.

MR. ANDERSON: Do you want to go read or do you want to waive it?

THE WITNESS: No. I'll waive it.

(Deposition concluded at 5:12 p.m.)

1 CERTIFICATE OF OATH

2

3 STATE OF FLORIDA
COUNTY OF HILLSBOROUGH

4

5 I, KRISTEN M. DUER, Shorthand Reporter and

6 Notary Public, State of Florida, certify that JAN NORSOPH,

7 AICP, personally appeared before me on the 23rd of October,

8 2017 and was duly sworn.

9 WITNESS my hand and official seal this 1st

10 day of November, 2017.

11

12

13

14

15 Kristen Duer
KRISTEN M. DUER, Notary Public

16 State of Florida, My Commission:
FF143981, Expires: July 21, 2018

17

18

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1 CERTIFICATE OF REPORTER

2 STATE OF FLORIDA

3 COUNTY OF HILLSBOROUGH

4 I, KRISTEN M. DUER, Shorthand Reporter and Notary
5 Public, State of Florida, certify that I was authorized to
6 and did stenographically report the deposition of JAN
7 NORSOPH, AICP; that a review of the transcript was not
8 requested; and the foregoing transcript, page 4 through page
9 101, is a true and accurate record of my stenographic notes.
10 I further certify that I am not a relative,
11 employee, attorney, or counsel of any of the parties, nor am
12 I a relative or employee of any of the parties' attorney or
13 counsel connected with the action, nor am I financially
14 interested in the action.
15 Dated this 1st day of November, 2017.
16
17
18
19 Kristen Duer
20 KRISTEN M. DUER, Notary Public
State of Florida, My Commission:
21 FF143981, Expires: July 21, 2018
22
23
24
25

Exhibits

102417_J. Norsoph_ Exhibit 01 3:13 7:23,24

102417_J. Norsoph_ Exhibit 02 3:14 11:17,18

102417_J. Norsoph_ Exhibit 03 3:15 18:10,11

102417_J. Norsoph_ Exhibit 04 3:16 20:16

102417_J. Norsoph_ Exhibit 05 3:17 37:1

102417_J. Norsoph_ Exhibit 06 3:18 42:19

102417_J. Norsoph_ Exhibit 07 3:19 42:21

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STATE OF FLORIDA
DIVISION OF ADMINISTRATIVE HEARINGS

Moore Pond Homeowners Association, Inc., and Ox Bottom Manor Community Association, Inc.,

Petitioners, **DOAH Case No. 17-5082**

vs.

Golden Oak Land Group, LLC, and Leon County, Florida

Respondents.
_____/

AMENDED NOTICE OF TAKING DEPOSITION DUCES TECUM

PLEASE TAKE NOTICE that pursuant to Fla. R. Civ. P. 1.310 the attorneys for Respondent Golden Oak Land Group, LLC ("Golden Oak") will take, by oral examination, the following deposition:

Name	Date & Time	Location
Jan Norsoph	October 23-24, 2017 2:30 p.m.	Nabors Giblin & Nickerson 2502 Rocky Point Drive Suite 1060 Tampa, Florida 33607

Said deposition will be taken upon oral examination before an officer authorized by law to administer oaths at the location specified above. The deposition will be taken for all purposes permitted under the Florida Rules of Civil Procedure including, but not limited to as discovery, for use at trial, or for such other purposes as are permitted by law.

Pursuant to Florida Rules of Civil Procedure 1.310(b), deponent is required to produce at the time and place described above the documents described on attached Exhibit "A".

PLEASE GOVERN YOURSELVES ACCORDINGLY.

HOPPING GREEN & SAMS

/s/ Gary K. Hunter, Jr.
Gary K. Hunter, Jr. (Fla. Bar No. 949779)
Erin J. Tilton (Fla. Bar No. 104729)
119 South Monroe Street, Suite 300
Tallahassee, Florida 32301
Telephone: (850) 222-7500
Facsimile: (850) 224-8551
garyh@hgslaw.com
erint@hgslaw.com

Attorneys for Respondent
Golden Oak Land Group, LLC

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing was filed electronically with the State of Florida Division of Administrative Hearings and served electronically to Jeremy V. Anderson at janderson@andersongivens.com; Justin J. Givens at jgivens@andersongivens.com; Gregory T. Stewart at gstewart@ngnlaw.com; Carly J. Schrader at cschrader@ngnlaw.com; Kerry A. Parsons at kparsons@ngnlaw.com; and Jessica Icerman at icermanJ@LeonCountyFL.gov, this 6th day of October, 2017.

/s/ *Gary K. Hunter, Jr.*
Attorney

Exhibit "A"

DUCES TECUM

DEFINITIONS

1. As used herein, "Petitioners" "you," "your," or "yours," refers collectively to the Moore Pond Homeowners Association, Inc. and the Ox Bottom Manor Community Association, Inc., and their respective current or former employees, agents, directors, officers, consultants, contractors, experts, or representatives.

2. As used herein, "Moore Pond HOA" refers to the Moore Pond Homeowners Association, Inc. and its current or former employees, agents, directors, officers, consultants, contractors, experts, or representatives.

3. As used herein, "Ox Bottom Manor" refers to the Ox Bottom Manor Community Association, Inc. and its current or former employees, agents, directors, officers, consultants, contractors, experts, or representatives.

4. As used herein, "Leon County" or "County" refers to Leon County, Florida and its current or former employees, agents, directors, officers, consultants, contractors, experts, or representatives.

5. As used herein, "Golden Oak" refers to Golden Oak Land Group, LLC and its current or former employees, agents, directors, officers, consultants, contractors, experts, or representatives.

6. As used herein, "Respondents" refers collectively to Leon County and Golden Oak Land Group, LLC and their respective current or former employees, agents, directors, officers, consultants, contractors, experts, or representatives.

7. As used herein, "Brookside Village" refers to the Brookside Village Residential Subdivision.

8. As used herein, "Petition" refers to the Appeal and Petition for Quasi-Judicial Hearing Before a Special Master Challenging the Written Preliminary Decision of the DRC Approving Brookside Village Residential Subdivision – ID #LSP150035, filed by Petitioners on September 15, 2017.

PLEASE PRODUCE THE FOLLOWING:

1. A copy of your most current resume or curriculum vitae.

2. A list of cases in which you have testified as an expert witness over the past five (5) years.

3. All documents mentioning or containing your scope, terms, and rates of services, scope of services, or retention as an expert in the above-styled lawsuit, including but not limited to retainer agreements.

4. All documents containing the opinions and/or conclusions that you will testify to at hearing in the above-styled lawsuit.

5. All documents you relied on to support the opinions and/or conclusions that you will testify to at hearing in the above-styled lawsuit.

6. All summaries, memoranda, and notes you have prepared in conjunction with your review of any document or information related to the above-styled lawsuit.

7. Any and all materials, including but not limited to, books, texts, treatises, articles, monographs, standards, policies, procedures, and rules or regulations that you consulted or reviewed as a result of your involvement in or in the formation of your opinions in the above-styled lawsuit.

8. Any and all billing records regarding work you performed in connection with the above-styled lawsuit.

9. Any and all drafts of any reports you prepared in connection with the above-styled lawsuit.

10. Your entire file for your expert retention and expert opinions in the above-style lawsuit.

JAN ALAN NORSOPH, AICP

(727) 867-0556
jnorsoph2@gmail.com

SUMMARY OF QUALIFICATIONS

Award winning professional with 40 years of extensive and diverse planning expertise, including 24+ years of management experience; development and administration of land development regulations, historic preservation, urban design, community redevelopment, and neighborhood planning; administration of site plan/subdivision development reviews; preparation of comprehensive plans, and skills in building public participation and consensus. This includes local government experience with many different public entities, both as a planning consultant, a City of St. Petersburg Manager, and currently as a part-time city planner for the City of Seminole.

ACCOMPLISHMENTS

Awards of Excellence (*) or Merit received by the Florida Chapter American Planning Association (FCAPA) and/or the Suncoast Section (SS) and other professional associations in recognition of professional and innovative achievements:

- MacDill AFB General Plan, Honorable Mention Future of the Region Award, Tampa Bay Regional Planning Council, and Award of Distinction, Florida Planning & Zoning Association.
- Design Guidelines Manual for the National Register/Local Historic District, City of Tarpon Springs, Florida (SS/FCAPA).
- St. Petersburg's Guidelines for Historic Properties (SS/FCAPA).
- St. Petersburg Round Lake Neighborhood Plan (SS*/FCAPA).
- St. Petersburg North Shore Neighborhood Plan (SS*/FCAPA*).
- St. Petersburg Neighborhood Design Review Ordinance and Manual (SS).
- Recognition by the Governor for the Best Large City Comprehensive Plan in Florida.
- St. Petersburg Core Area Parking Study (SS).
- St. Petersburg Bayboro Harbor Redevelopment Plan (SS*/FCAPA*).
- St. Petersburg Historic Preservation Program (SS/FCAPA).
- St. Petersburg Downtown Urban Design Plan and Intown Market Strategy (SS*).
- St. Petersburg Intown Redevelopment Plan (FCAPA).

PROFESSIONAL EXPERIENCE

Planning Consultant, St. Petersburg, Florida (January 2011 - Present) providing planning services related to:

- Comprehensive planning, land development codes, urban design, zoning and other land development related services.
- Rezoning and Special Exception Use applications.
- Eminent domain.
- Expert witness testimony.
- Work as a part-time employee for the City of Seminole Community Development Department (July 2012-present).
- Planning subconsultant services for Engelhardt, Hammer and Associates, Inc.

PENGAD 800-631-6989
EXHIBIT
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10-23-17 LMO

Vice President, Community Planning & Urban Design, Engelhardt, Hammer & Associates, Inc. (EHA), Tampa, Florida (August 1998 - January 2011) - EHA is a land planning firm and my responsibilities included project development and management for public and private clients related to:

- Master planning, urban design and historic preservation.
- Neighborhood planning and community redevelopment.
- Eminent domain.
- Comprehensive planning, land development regulations, zoning and other land development related services.
- Expert witness testimony.

Part-Time City Planner, City of Seminole (July 2012-present)

- Update of the City of Seminole comprehensive plan, land development code and Commercial Corridor Design Guidelines, and
- Conduct site, landscape and design reviews.

Planning Consultant, St. Petersburg, Florida (July 1997 - August 1998) - Provided consultant services related to:

- Rezoning and Special Exception Use applications.
- Site planning.

Manager, Development Review Services Division (December 1994 - April 1997) and Manager Urban Design & Development Division (January 1984 - December 1994), City of St. Petersburg, Florida - Directed a progressive and innovative team of ten professional staff with an annual operating budget of $400,000. Management responsibilities included:

- Administration of land development codes, and site plan and design review processes.
- Preparation of urban design, neighborhood and community redevelopment plans.
- Staffing the Community Redevelopment Agency, Board of Adjustment, Environmental Development Commission and Historic Preservation Commission.
- Presenting recommendations/reports before the City Council and various commissions.
- Developing strong working relationships with neighborhoods, business associations, minority groups and the development community, including serving as the City's representative on the Chamber of Commerce Downtown Council.

REPRESENTATIVE PROJECTS

Planning Consultant

- Town of St. Leo- Preparation of the Visual Corridor Study, Town of St. Leo Land Development Code, Comprehensive Plan Evaluation and Appraisal Report, Comprehensive Plan update and on-going development review services, and land development code and comprehensive plan updates.
- Neighborhood and other type associations- Provide expert witness testimony on development reviews, special exceptions and rezonings.
- City of Temple Terrace- Revisions to Chapter 29- Downtown Redevelopment Overlay Zoning District, including design guidelines/illustrations.
- MacDill AFB General Plan.
- Historic design guidelines and manuals for the City of Tarpon Springs.
- City of Clearwater- "Enhancing the Visual Environment Through Sign Regulation." (planning and photo simulation analysis report for the City related to litigation by billboard company)
- Cultural Arts District Master Plan for the City of Tampa.
- Multiple future land use amendments, rezoning and conditional/special use applications for private clients (Cities of Pinellas Park, Venice, West Palm Beach and Tampa).

- Land development code/site plan review process analyses for private clients in preparation of due diligence and site development and landscape plan reviews (City of Venice and Collier, Sumter, Polk, DeSoto and Lee Counties).
- Eminent Domain Planning Analyses for public clients including Sumter, Lee, Collier, Hillsborough and Pinellas Counties; Florida Department of Transportation Districts One, Five and Seven (Polk, Hernando, Pasco, Manatee, Sarasota, Lee, Orange, Hillsborough, Pinellas, Brevard and Osceola Counties), and Orange County Public Schools.
- Eminent Domain Planning Analyses for private clients in City of Miami, Charlotte, Escambia, Santa Rosa, Duval, Columbia, Clay, Leon, Palm Beach, Orange, Indian River, Polk, Pasco, Lee, Hillsborough, Seminole, Osceola, Hernando, Citrus, Hendry, Miami-Dade, St. Johns, Putnam and Sarasota counties.
- Expert Witness Testimony, including eminent domain trials (8) and a land use litigation case. Qualified as an expert in courts in Charlotte, Hendry, Hillsborough, Polk, Pasco and Pinellas counties and U.S. District Court Middle District (Tampa).

City of St. Petersburg

- Administered zoning code and site plan/neighborhood design review, and implemented streamlining processes and enhanced customer service procedures.
- Authored land development codes related to new zoning districts, Neighborhood Design Review, historic preservation, CBD bonus FAR criteria, airport height regulations, wireless communication towers and sidewalk cafes.
- Developed and administered five Community Redevelopment/Tax Increment Finance districts with over $340 million in capital projects, including the Downtown/Waterfront, Major League Baseball (Tampa Bay Rays) stadium area and Salt Creek marine services/Port/University of South Florida district.
- Prepared urban design plans for downtown waterfront, commercial corridors, neighborhoods and community redevelopment areas including conceptual site plans, and building façade/streetscape designs.
- Prepared and implemented four neighborhood plans (total population-15,000) with a $7.4 million capital budget, and development of a minority neighborhood commercial corridor revitalization plan.
- Administered the historic preservation program.
- Prepared comprehensive plan elements including Intown Planning Sector, Historic Preservation and Port/Airport.

EDUCATION

- Master of Science in Planning, Florida State University (Urban Design specialty).
- Bachelor of Science, Secondary Education- Geography, West Chester State University (Magna Cum Laude).

PROFESSIONAL ASSOCIATIONS AND CONTINUING EDUCATION

- American Institute of Certified Planners (AICP) with Continuing Professional Development Certificate
- American Planning Association.
- Speaker at planning, historic preservation and urban design workshops at national, state and local conferences.

Jan A. Norsoph, AICP
Planning Consultant
6201 Bahama Shores Dr. So.
St. Petersburg, FL 33705
(727) 867-0556

Mr. Jeremy Anderson, Esq.
Anderson & Givens, PA
1689 Mahan Center Blvd Ste. B
Tallahassee, FL 32308

RE: **Proposal for Professional Planning Services for Anderson & Givens, PA on behalf of the Moore Pond Homeowner's Association, Inc., Ox Bottom Manor Community Association, Inc. and Rosehill Homeowners Association, Inc. related to the Proposed Brookside Village Subdivision Review (LSP 150035) in Leon County.**

Dear Mr. Anderson,

I appreciate the opportunity to provide this proposal to you for your authorization. This document, when executed by both parties, will serve as the Agreement between Jan A. Norsoph, AICP (Consultant), 6201 Bahama Shores Dr. So., St. Petersburg, Florida, 33705, and Anderson & Givens, PA, 1689 Mahan Center Blvd Ste B, Tallahassee, FL 32308 (Client), for professional services in connection with the aforementioned case. This Agreement will also serve to confirm the terms of the relationship between the Consultant and the Client. The Agreement is based on the Consultant's understanding of the Client's objectives and the project information provided by the Client, to-date.

1. **Project Understanding:** It is the Consultant's understanding that Client desires to retain the Consultant to provide professional planning services and expert witness testimony on behalf of the Client related to the aforementioned case.

2. **Scope of Work:**

   The scope of work includes, but is not limited to, the following tasks in preparation for and providing expert witness testimony at the Special Magistrate or Administrative Law hearing. It is understood that other expert witness testimony may be required before the BOCC public hearings. The performance of specific tasks will be coordinated with the Client and will be subject to the direction of the Client.

   PHASE I

   - Review Development Review Committee documents (site plan and related staff reports).
   - Review of City/County comprehensive plan, County land development codes, and other pertinent documents.
   - Other research as directed by the Client.
   - Conferences with the Client, HOAs and other expert witnesses.
   - Conferences with County staff.
   - Prepare compatibility study/analysis.
   - Prepare planning analysis report/exhibits (drafts/final).

PHASE II

- Prepare revised planning analysis and reports/exhibits (drafts/final), if necessary, for Administrative Law Judge or Special Magistrate hearing.
- Preparation for and expert witness testimony at the hearing.

PHASE III

- Prepare revised planning analysis and reports/exhibits (drafts/final), if necessary, for BOCC hearing.
- Preparation for and expert witness testimony at the hearing.

3. **Schedule:** The Consultant is not responsible for any delays in work that are the result of unforeseeable circumstances or those beyond the Consultant's direct control such as, but not limited to, labor strikes, floods, hurricanes, illness, government delays, changes in regulations or similar circumstances.

4. **Fees**: Charges for professional services rendered are based on the Consultant's hourly rate of $100 per hour. Fees are incurred in minimum 0.25-hour increments. The Client understands and acknowledges that the fees quoted are an estimate only and unexpected difficulties, extenuating circumstances and/or additional analysis or services experienced by Consultant will result in maximum fees higher than the estimates presented in this Agreement. It is understood that the fees will not exceed the maximum estimate without prior written authorization from the Client.

PHASE I FEE: Based on information provided by the Client to-date, Consultant estimates the total fees to be incurred would be approximately $2,500.00.

PHASES II & III FEE: Given the uncertainty of the tasks/hours involved, the fee will be based on an hourly basis.

The following are additional charges, reimbursable expenses and/or extra services:

a. Actual out-of-pocket expenses, including, but not limited to, airfare, car rental, meals, hotels, purchase of County documents and copy costs. Mileage will be charged pursuant to federal standards.
b. Government application fees, permit fees, processing fees or similar fees (where such fees exceed $500, such fees shall be paid directly by the Client).
c. Subconsultant fees as approved by the Client.

Client's Initials

Consultant's Initials

5. **Invoice**: The Consultant's invoice will be prepared and e-mailed at the end of the month in which services are rendered and expenses incurred or at such times, as Consultant may deem reasonable and/or necessary. Invoices are based on actual hours performed. Payments are due within thirty (30) calendar days after the invoice date. The Client's account shall be considered delinquent if payments for outstanding invoices are not received within thirty (30) calendar days after the invoice date.

   Invoices that are not paid by the thirtieth (30th) calendar day following the invoice date accrue interest at the rate of 1.5 percent per month from the due date (30 calendar days after the invoice date) until the Consultant has been paid in full all amounts due for professional services and expenses, including all accrued but unpaid interest.

6. **Work Products**: Consultant work products such as, but not limited to, studies, reports, or site plans produced under the terms of this agreement shall be considered instruments of professional service by the Client. As instruments of professional service, work products may not be changed in any way by anyone other than the Consultant, unless the Consultant grants prior written permission. The Consultant reserves the right to approve or disapprove of the appropriateness of the use of the Consultant's instruments of professional service in a setting or context different from that described in the Scope of Services of this Agreement. Work products may not be relied upon by anyone other than the Client without the prior written permission of the Consultant.

7. **Liability**: To the maximum extent permitted by law, the Client agrees to limit the Consultant's liability for the Client's damages to the sum of the final invoice or the invoice total at the time of termination pursuant to item #8 below. This limitation shall apply regardless of the cause of action or legal theory pled or asserted.

8. **Termination**: The Client has the right to terminate the Consultant's services at any time. The Consultant has the same right, subject to an obligation to give the Client seven (7) calendar days notice to arrange for alternative professional services. All fees and costs shall be paid to the Consultant through the date of termination.

9. **Expiration**: This Agreement shall become null and void if not executed by the Client and returned to the Consultant along with the retainer fee by 5PM EST on September 15, 2017.

10. **Assignment**: This Agreement may not be assigned by either party without the written consent of both parties.

11. **Miscellaneous**: This Agreement shall be construed and enforced in accordance with the laws of the State of Florida. It may be amended only in writing by both of the parties hereto. In the event a dispute arises out of this Agreement, the non-prevailing party shall reimburse the prevailing party for its reasonable costs of litigation or arbitration and attorney's fees before trial, at trial, or on appeal. Venue of legal proceeding shall be in Pinellas County, Florida.

Client's Initials _____

Consultant's Initials _____

12. **Execution of Agreement**: If the Client finds this Agreement acceptable, Client should execute two copies: one copy to Jan A. Norsoph, 6201 Bahama Shores Dr. So., St. Petersburg, Florida 33705 or by e-mail (jnorsoph2@gmail.com) and the other copy for the Client.

AGREEMENT TERMS ACKNOWLEDGED AND ACCEPTED

Jan A. Norsoph, AICP
Planning Consultant

September 1, 2017
Date

Authorized Representative
of Anderson & Givens, PA

September 1, 2017
Date

Client's Initials

Consultant's Initials____

Expert Witness Testimony Cases Last 5 years

1. Sorrento Ranches HOA: Testimony at City of Venice CC 10/11/2016. Rezoning to eliminate stipulations from previous rezoning. Allow density increase from 8 to 13 DU/AC. CC approved, but reduced to 12 du/ac and developer shifted project farther away.
2. Silver Oaks HOA: Taylor Morrison project 170 lots? Testimony at Sarasota PC (3/19/2015 and BOCC (4/21/2015). Rezoning. Buffer issue, only 20' proposed. HOA wanted 64' and 50' was required by BOCC and lots adjacent to Silver Oaks shall align with the lots as much as practical.
3. Madeira Bay Condo Assoc.: Beach Foot Beach Resort project (73 room hotel) .Testimony at City of Madeira Beach PC (7/2015). Rezone to PD. Height and bulk issues. Madeira Beach CC approved, but unsure of the final outcome.
4. Forest Lakes Condo Assoc.: Testimony at Sarasota PC 8/7/2014 and BOCC 9/24/2014 Rezone site and gulf course previously rezoning approved for 189 units but no development on the golf course. Request to increase to 202 units and develop the golf course with townhouses. Buffer issue: BOCC required 30 feet and 0.6 opacity/fence and bldgs setback 40' from pl; Condo wanted 110' buffer.
5. Barbara Nally (2012-2015). A number of testimonies before the Anna Maria Island PC and CC regarding Sand Bar restaurant expansions and Pine Island Rd mixed-use development.

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10-23-17 KMO

ANDERSON | GIVENS

P.O. Box 12613
Tallahassee, FL 32317
Direct: 850-692-8900
janderson@andersongivens.com
jgivens@andersongivens.com

RECEIVED
SEP 15 2017
BY:

September 15, 2017

Leon County
c/o Clerk of the Developmental Review Committee (DRC)
435 North Macomb Street
Tallahassee, FL 32301

RE: Appeal and Petition for appointment of Special Master
Brookside Village Residential Subdivision
LSP150035, Type B – FDPA Track
Parcel ID 14-19-20-001-0000 (550 Ox Bottom Road)

Delivered by HAND DELIVERY

Dear Clerk:

Please find enclosed to this cover letter the appeal and petition challenging the DRC approval of the Brookside Residential Development, **ID #LSP150035**.

This appeal and petition is filed on behalf of Moore Pond Homeowners Association, Inc., and Ox Bottom Manor Community Association, Inc. Please accept and document this filing with your office with today's date.

Very truly yours,

Jeremy V. Anderson
Anderson & Givens, P.A.
Attorneys for Petitioners
Moore Pond Homeowners Association, Inc., and Ox Bottom Manor Community Association, Inc.

Enclosed: Appeal and Petition for Quasi-Judicial Hearing Pursuant to Sections 10-7.404.(i) and 10-7.414 of the Code of Laws of Leon County, Florida.

EXHIBIT
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10-23-17

2017 SEP 15 PM 4:38
ADMINISTRATIVE HEARINGS

SPECIAL MASTER IN AND FOR LEON COUNTY, FLORIDA

Moore Pond Homeowners Association, Inc., and
Ox Bottom Manor Community Association, Inc.,

Petitioners,

v.

Leon County, Florida and Golden Oak Land
Group, LLC

Respondents,

_____/

17-5082

Case # _____
Brookside Village
Residential Subdivision
LSP150035

APPEAL AND PETITION FOR QUASI-JUDICIAL HEARING BEFORE A SPECIAL MASTER CHALLENGING THE WRITTEN PRELIMINARY DECISION OF THE DRC APPROVING BROOKSIDE VILLAGE RESIDENTIAL SUBDIVISION – ID #LSP150035

Come now, Petitioners, Moore Pond Homeowners Association, Inc., and Ox Bottom Manor Community Association, Inc., through their undersigned counsel, and pursuant to Section 10-7.404.(i) of the Code of Laws of Leon County, Florida, and together file this appeal and petition for a quasi-judicial hearing before a Special Master pursuant to Section 10-7.414. of the Code of Laws of Leon County, Florida, seeking a recommended order by a Special Master denying the Brookside Village Residential Subdivision #LSP150035 (herein "Brookside Village Residential Development") which was submitted for governmental approval by Golden Oak Land Group, LLC (herein "Applicant") and subsequently approved by Leon County through its Development Review Committee (herein "DRC") by preliminary written approval dated August 18, 2017.

BASIS FOR INVOKING JURISDICTION OF THE SPECIAL MASTER

Pursuant to Section 10-7.404 and 10-7.414 of the Code of Laws of Leon County, Florida, the Special Master has jurisdiction to: 1) hear an appeal to the DRC's written preliminary approval of Applicant's Brookside Village Application; and 2) issue a recommended order on the Brookside Village Application to the Leon County Board of County Commissioners.

STANDING AND COMPLIANCE WITH CONDITIONS PRECEDENT

Petitioners are "homeowners' associations" pursuant to Section 720.301(9), Florida Statutes. Moore Pond Homeowners Association, Inc. (herein "MPHOA"), is the corporate entity responsible for the operation, administration and governance of Moore Pond, a large lot residential subdivision immediately abutting the proposed Brookside Village Residential Development. Ox Bottom Manor Community Association, Inc. (herein "OBMCA"), is the corporate entity responsible for the operation, administration and governance of the multiple phases Ox Bottom Manor, a moderately sized lot residential subdivision immediately abutting the proposed Brookside Village Residential Development.

Section 720.303(1), Florida Statutes, provides that Florida homeowners' associations, such as the Petitioners, may institute, maintain, settle, or appeal actions or hearings in their name on behalf of all members concerning matters of common interest to its members.

The Petitioners and their members are aggrieved and adversely affected persons that will suffer adverse effects to interests protected or furthered by the local government Comprehensive Plan and the implementing land development regulations found in the Code of Laws of Leon County, Florida. The adverse effects to be suffered are a matter of common interest to the Petitioners and their members that exceed in degree the general interest in community good shared by all persons due in part because Petitioners and a number of their members directly abut the proposed Brookside Village Residential Development. Due to the close proximity to the proposed Brookside Village Residential Development, the Petitioners and their members will be directly impacted by the negative effects of Brookside Village Residential Development. Specifically, the "walled effect" of the clustered units in the proposed Brookside Village Residential Development, its substantially smaller building and lot sizes, and considerably higher density, as well as the

substantial difference in lot coverage, bulk, configuration, orientation, scale, height, mass, setbacks, noise and internal traffic circulation **will result** in a use that is wholly incompatible with the existing Moore Pond and Ox Bottom Manor residential communities. This incompatibility will result in a decreased quality of life and a reduction in property values in these existing neighborhoods.

All conditions precedent to this action have been met as the Petitioners each: 1) submitted written comments to the Department of Development Support and Environmental Management prior to adjournment of the DRC meeting held to consider the proposed Brookside Village Residential Development; 2) timely filed a notice of intent to appeal the DRC's preliminary written approval dated August 18, 2017; and 3) timely filed this petition.

STANDARD OF REVIEW

Pursuant to Section 10-7.414. of the Code of Laws of Leon County, Florida, the Special Master's standard of review in determining whether a proposed DRC order is consistent with the Leon County Comprehensive Plan shall be strict scrutiny in accordance with Florida law. Pursuant to Section 10-7.414. of the Code of Laws of Leon County, Florida, the Special Master's standard of review in determining whether the development is consistent with applicable land development regulations shall be in accordance with Florida law.

STATEMENT OF THE FACTS

The Moore Pond residential development, which consists of approximately 58 individual lots with an average lot size of 3.09 acres, directly abuts the proposed Brookside Village Residential Development to the north and northeast. The Ox Bottom Manor residential development, which consists of approximately 600 individual lots with an average lot size of .67 acres, directly abuts the proposed Brookside Village Residential Development to the north and

northwest. Moore Pond and Ox Bottom Manor have a future land use designation of Residential Preservation and are zoned Residential Preservation.

The proposed Brookside Village Residential Development is a 35.17+/- acre site located along the north side of Ox Bottom Road between Ox Bottom Manor Drive and Heartland Drive in unincorporated Leon County, Florida. The project site has a future land use designation of Residential Preservation and is zoned Residential Preservation.

The proposed Brookside Village Residential Development will consist of 61 single-family detached dwelling units with a gross density of 1.73 du/acre. However, the site plan proposes to construct the residential lots clustered on only 16.63 acres of the 35.17+/-. acre site, which equates to a density of 3.67 dwelling units/acre and which provides for a "walled effect" of tightly packed residential dwelling units, both internally and ringing the developed area. These tightly packed residential dwelling units will sit on lots as small as .14 acres. The average lot size in the proposed Brookside Village Residential Development is just .26 acres.

Exhibit "A" hereto, shows seven (7) Ox Bottom Manor Lots (solid orange lined area) situated on a total of 4.9 acres which is equal to **only 1.43 dwelling units per acre**. Abutting those lots are eleven (11) Brookside Village Residential Development lots (dashed red line area) crammed onto just 2.28 acres, which equals **4.82 dwelling units per acre**. The proposed density of these Brookside Village Lots is **3.3 times higher** than the Ox Bottom Manor lots which they abut.

Exhibit "A" hereto, shows three (3) Moore Pond lots (dashed yellow lined area) situated on a total of 9.95 acres which is equal to **only .3 dwelling units per acre**. Abutting those lots are twelve (12) Brookside Village Residential Development lots (solid dashed red line area) crammed

onto just 2.87 acres, which equals **4.18 dwelling units per acre**. The proposed density of these Brookside Village Lots is **14 times higher** than the Moore Pond lots which they abut.

Applicant submitted the Brookside Village Application for DRC approval pursuant Section 10-7.404 of the Code of Laws of Leon County, Florida. A meeting of the DRC was held and the DRC issued a preliminary written approval of the Brookside Village Residential Development dated August 18, 2017. Petitioners each filed a notice of intent to appeal on September 1, 2017, which are attached hereto as Exhibits "B" and "C".

ARGUMENT AND RELEVANT COMPREHENSIVE PLAN AND CODE PROVISIONS

A. Comprehensive Plan Compatibility Requirements

Through the stated Goals, Objectives and Policies contained the Tallahassee-Leon County 2030 Comprehensive Plan (herein "Comprehensive Plan"), Leon County provides for the protection of neighborhoods and requires compatibility between developments, as well as, protecting the integrity and character of adjacent neighborhoods.

While Leon County acknowledges that growth is inevitable, it states as a clear vision and sets as a primary goal the preservation and protection of residential neighborhoods, including by requiring objectionable impacts to be internally located and by not allowing exclusive reliance on landscape and setback buffering as a means to reduce perimeter oriented impacts such as on the proposed Brookside Village Residential Development. Buffering and setbacks alone do not sufficiently eliminate the negative impacts and incompatibility created by the "walled effect" of the tightly packed residential dwelling units, both internally and ringing the developed area and abutting Moore Pond and Ox Bottom Manor.

The County's intent is evident in the introductory Vision Statement and Implementation passage, Goal 1, Policy 1.4.12 and Objective 2.1 of the Comprehensive Plan, as follows:

Vision Statement and Implementation

. . .

The purpose of the comprehensive plan is to preserve, protect and enhance the quality of life for all citizens . . . The residential environment is also one of many criteria which form the community's perceived quality of life and must be protected.

. . .

Goal 1:
The Comprehensive Plan shall protect and enhance the quality of life in this community by providing economically sound educational, employment, cultural, recreational, commercial, industrial and professional opportunities to its citizens **while channeling inevitable growth into locations and activities that protect the natural and aesthetic environments and residential neighborhoods.**

. . .

Policy 1.4.12:
a. The intent of Site Plan and PUD planning and design requirements shall be to encourage and require the development of urban living and work spaces that minimize impacts to the natural environment. Environmental impacts shall be minimized through the development and redevelopment of compact and efficient urban land use patterns that closely integrate living and work spaces while maintaining compatibility through specified performance design criteria. **Neighborhood and inter-site compatibility shall be implemented through site planning and design criteria that require objectionable impacts of particular land use activities to be internally located within site or building designs, rather than relying exclusively on standard landscape and setback buffering methods to reduce perimeter oriented objectionable impacts.**

. . .

RESIDENTIAL LAND USE
Objective 2.1:
Enhance the livability of existing neighborhoods and in new neighborhoods provide for future mixed residential areas which will accommodate growth and provide a wide choice of housing types, densities and prices as well as commercial opportunities based on performance criteria. In furtherance of this, maintain a system of land development regulations and ordinances which will facilitate the implementation of the policies adopted in relation to residential land use. These **shall include, but not be limited to:**

1) Setback requirements from natural waterbodies and wetlands
2) Buffering requirements

3) Open space requirements
4) Landscape requirements
5) Tree protection
6) Stormwater management requirements

A stated objective of Leon County is to promote the regulation of development density and intensity. That is accomplished by ensuring that approved developments are compatible with adjacent existing residential land uses. The approval of the Brookside Village Residential Development is inconsistent with this objective because of the "walled effect" created by the tightly packed residential dwellings that are approved to abut Moore Pond and Ox Bottom Manor. This "walled effect" results in an incompatible density and intensity. Again, the proposed density of the Brookside Village Lots noted in Exhibit "A" are **14 times more dense** than the Moore Pond lots they abut and **3.3 times more dense** than the Ox Bottom Manor lots they abut. Specifically, Objective 2.2 of the Comprehensive Plan states as follows:

> **FUTURE LAND USE MAP CATEGORIES**
> **Objective 2.2:**
>
> . . .
>
> The Tallahassee-Leon County Comprehensive Plan shall promote appropriate location of land uses **and regulation of development density and intensity based upon:** (1) protection of conservation and preservation features; **(2) compatibility with adjacent existing and future residential land uses**; (3) access to transportation facilities in keeping with their intended function; and (4) the availability of infrastructure.

In the Residential Preservation land use area in which Moore Pond, Ox Bottom Manor and the proposed Brookside Village Residential Development are located, it is a stated policy that this area is characterized by existing homogenous residential areas and that a **primary function** of this Residential Preservation land use is **to protect existing stable and viable residential areas**. Specifically, the protections afforded existing stable and viable residential areas such as Moore Pond and Ox Bottom Manor are protections from incompatible land use intensities and density

intrusions. The DRC failed to provide these protections when it approved the proposed Brookside Village Residential Development as proposed. It did so by failing to adequately consider all required factors for development approval required under the Comprehensive Plan.

Even the Applicant's own planning expert recognizes this failure and the incompatibility that the Brookside Village Residential development creates with abutting neighborhoods. On page 9 of Wendy Grey's report prepared for the Applicant and considered by the DRC, Ms. Grey states:

> [b]ased on this analysis, there is a potential issue of compatibility relating to the visual impact of the smaller lot sizes and subsequently higher building mass in Brookside Village where it adjoins Moore Pond and Ox Bottom Manor.

This conclusion is consistent with the Comprehensive Plan which requires that a number of factors be considered when determining compatibility. These factors include, but are not limited to: intensity, density, and scale of surrounding development within residential preservation areas, intensity, density, scale, building size, mass, bulk, height, orientation, lot coverage and lot size/ configuration. County staff is required to consider compatibility as required by the Comprehensive Plan and the land development regulations. It should be noted staff did not conduct an independent compatibility analysis, but simply relied upon the analysis provided by Applicant's planner. The Applicant prepared an analysis clearly focused on providing the Applicant maximum profit and not on ensuring that compatibility was considered a primary focus of the development review. It should be further noted that the staff memorandum from Susan Poplin to the DRC dated August 4, 2017, indicated that she did not believe that the compatibility criteria stated in the Comprehensive Plan where relevant to the Brookside Village Residential Development review. Such a position is contrary to the express provisions of the Comprehensive Plan. Specifically, Policy 2.2.3 of the Comprehensive Plan provides as follows:

Policy 2.2.3:

RESIDENTIAL PRESERVATION

Characterized by existing homogeneous residential areas within the community which are predominantly accessible by local streets. **The primary function is to protect existing stable and viable residential areas from incompatible land use intensities and density intrusions.** Future development primarily will consist of infill due to the built out nature of the areas. Commercial, including office as well as any industrial land uses, are prohibited. Future arterial and/or expressways should be planned to minimize impacts within this category. Single family, townhouse and cluster housing may be permitted within a range of up to six units per acre. **Consistency with surrounding residential type and density shall be a major determinant in granting development approval.**

. . .

e) **Land use compatibility with low density residential preservation neighborhoods.**

A number of factors shall be considered when determining a land use compatible with the residential preservation land use category. At a minimum, the following factors shall be considered to determine whether a proposed development is compatible with existing or proposed low density residential uses and with the intensity, density, and scale of surrounding development within residential preservation areas: proposed use(s); intensity; density; scale; building size, mass, bulk, height and orientation; lot coverage; lot size/ configuration; architecture; screening; buffers, including vegetative buffers; setbacks; signage; lighting; traffic circulation patterns; loading area locations; operating hours; noise; and odor. These factors shall also be used to determine the size of transitional development areas.

B. Land Development Code Compatibility Requirements

Chapter 10 of the Code of Laws of Leon County, Florida, titled *Land Development Code* (herein "LDC") establishes the basis for the protection of neighborhoods through the development review process and the County's zoning districts. The LDC also implements the Goals, Objectives and Policies of the Comprehensive Plan. Development that fails to comply the LDCs should not be approved.

Section 10-2.301(a) of the LDC, which established the DRC, explicitly requires the DRC to review proposed developments with respect to the design and its consistency with the Comprehensive Plan and all applicable LDC provisions. Section 10-2.301(a) of the LDC states as follows:

> There is hereby established a development review committee (DRC) whose primary purpose is to provide professional, informed **review of proposed development with respect to design**, adequacy of public facilities, services and utilities **and consistency with the Comprehensive Plan, this chapter, and other applicable land development regulations.**

Section 10-6.617. of the LDC, which is the residential preservation section, explicitly states that the purpose and intent of the residential preservation area is to protect existing stable and viable residential areas from incompatible land uses and density intrusions. This is accomplished by making "compatibility" of a proposed development with surrounding resident types and densities a **major factor** in determining whether a development approval will be authorized **and** in determining permissible density. Although in Ms. Grey's report, she indicates that the Brookside Village densities and lot sizes are within the range of the surrounding neighborhoods; these ranges are so large, that you cannot reasonably conclude there is consistency or compatibility. Specifically, Section 10-6.617. of the LDC provides as follows:

> Purpose and intent. **The residential preservation district is characterized by existing homogeneous residential areas within the community predominantly accessible by local streets. The primary function is to protect existing stable and viable residential areas from incompatible land uses and density intrusions**. Commercial, retail, office, and industrial activities are prohibited. Certain nonresidential activities may be permitted, such as home occupations consistent with the applicable provisions of section 10-6.803; community services and facilities/institutional uses consistent with the applicable provisions of section 10-6.806; and churches, religious organizations, and houses of worship. Single-family, duplex residences, manufactured homes, and cluster housing may be permitted within a range of zero to six units per acre. **Compatibility with surrounding residential type and density shall be a major factor in the authorization of development approval and in the determination of the permissible density.**

Based upon admissions by County Staff (Poplin) that compatibility was not believed to be a factor in the Brookside Village Residential Development review and the County Staff's failure to conduct its own compatibility analysis, Petitioners contend that compatibility was not properly considered. If it was considered, Petitioners contend that compatibility was not properly considered by County Staff or by the DRC as a "major factor" as explicitly required by Section 10-6.617. of the LDC and Policy 2.2.3 of the Comprehensive Plan. In either event, the DRC should have denied the Application.

Section 10-2.301(a)(5)b. of the LDC, further dictates that the "allowable development type" on parcels in the residential preservation areas **shall** be consistent with the type of residential patterns of adjacent developments, which would include both Moore Pond and Ox Bottom Manor. Section 10-2.301(a)(5)b. of the LDC, provides as follows:

> (5) Allowable development type shall be construed to mean the following:
>
> b. Parcels proposed for residential use which are located inside the urban service area and not in a recorded or unrecorded subdivision **shall develop consistent with the type of residential development pattern located adjacent to the vacant parcel.**

There is absolutely no consistency or compatibility between the proposed Brookside Village Residential Development and the abutting Moore Pond and Ox Bottom Manor developments. Not only are the densities drastically different as previously discussed, the entire design concept of the proposed Brookside Village Residential Development is inconsistent with Moore Pond and Ox Bottom Manor. Inconsistencies include, but are not limited to drastic differences in intensity, scale, building size, mass, bulk, height, orientation, lot coverage and lot size/ configuration. The only consistent factor among these developments is that they are all located in Leon County, Florida.

Section 10-7.505. of the LDC, which is the code provision that provides for the general principles of design relating to impacts on nearby property owners requires that:

> Each development **shall** be designed to:
>
> (1) **Be as compatible as practical** with nearby development and characteristics of the land.

The Applicant's proposed design for the Brookside Village Residential Development is **not** as compatible as practical. The design was created to provide for maximum profit by jamming a large number of ultra small lots onto a relatively small developable area. A more practical design would have been to reduce the number of lots in the development and to increase lot size. Larger lots would lessen or eliminate the drastic differences in density discussed above, as well as the incompatibilities created by the drastic differences in intensity, scale, building size, mass, bulk, height, orientation, lot coverage and lot size/ configuration. The DRC failed to require Applicant to provide a plan that was as compatible as practicable. Accordingly, the DRC approval violated Section 10-7.505. of the LDC.

Numerous LDC provisions require development within the County to be consistent with the Comprehensive Plan and specifically prohibit development that is inconsistent with the Comprehensive Plan. Section 10-6.104(a) of the LDC providing for the County's policy of development of land within the County states:

> It is the **policy of the county to permit development of land that is consistent with and in conformance with the goals, objectives, and policies established in the Comprehensive Plan** through the use of this article.

Section 10-7.103(c) of the LDC explicitly prohibits the development of land that is inconsistent with the Comprehensive Plan. Specifically, it states:

> The statutory provisions and the Comprehensive Plan require that land development regulations be adopted to implement the Comprehensive Plan and that **no development of land shall take place which is inconsistent with the Comprehensive Plan**.

Section 10-7.104 of the LDC states the purposes of the "Subdivision and Site Development Plan Regulations for Leon County, Florida. The relevant provisions thereof are as follows:

> The purposes of this article are to:
>
> (5) **Ensure consistency with the Comprehensive Plan**.
>
> (9) **Protect and conserve the value of land, buildings, and improvements throughout the county**.

Section 10-7.108(a) and (g) of the LDC requires that all proposed subdivisions be designed to be consistent with the adopted Comprehensive Plan and that a parcel shall not be approved for development unless consistent with the Comprehensive Plan. Section 10-7.108(a) and (g) of the LDC states as follows:

> (a) **All proposed subdivisions or development shall be designed to be consistent with the adopted Comprehensive Plan**, as amended.
>
> (g) No parcel shall be approved for platting for any purpose unless it is suitable for a use permitted by article VI. **No parcel shall be approved for development unless it is consistent with the local Comprehensive Plan** and contains an adequate development site, both in size for the use intended and in its relationship to abutting land uses.

Based upon these forgoing LDC provisions, the incompatible Brookside Village Development should have been denied on the basis that approval could not be granted by the DRC because it had **no authority** to grant approval to a development that was inconsistent with the requirements of the Comprehensive Plan.

CONCLUSION

Petitioners contend that the DRC's approval of the Brookside Village Application is inconsistent with the stated Goals, Policies and Objectives of the Leon County Comprehensive Plan and is violative of the land development regulations of the Code of Laws of Leon County, Florida, and further, as such, the project is not compatible with the Ox Bottom Manor and Moore Pond neighborhoods. As such, the proposed DRC should not have provided written preliminary approval of the Brookside Village Residential Development. Specifically, the DRC is without authority to approve a development that is not consistent with the Comprehensive Plan and/or that fails to comply with applicable LDC provisions.

Wherefore, the Petitioners request that the Special Master issue an order to the Leon County Board of County Commissioners recommending a denial of the Brookside Village Residential Development Application based upon its inconsistency with the stated Goals, Policies and Objectives of Leon County's Comprehensive Plan and because it fails to meet the stated requirements of the applicable land development regulations of the Code of Laws of Leon County, Florida.

Jeremy V. Anderson, Esquire
Anderson & Givens, P.A.
1689 Mahan Center Blvd Suite B
Tallahassee, FL 32309
Email: janderson@andersongivens.com
Phone: 850-692-8900

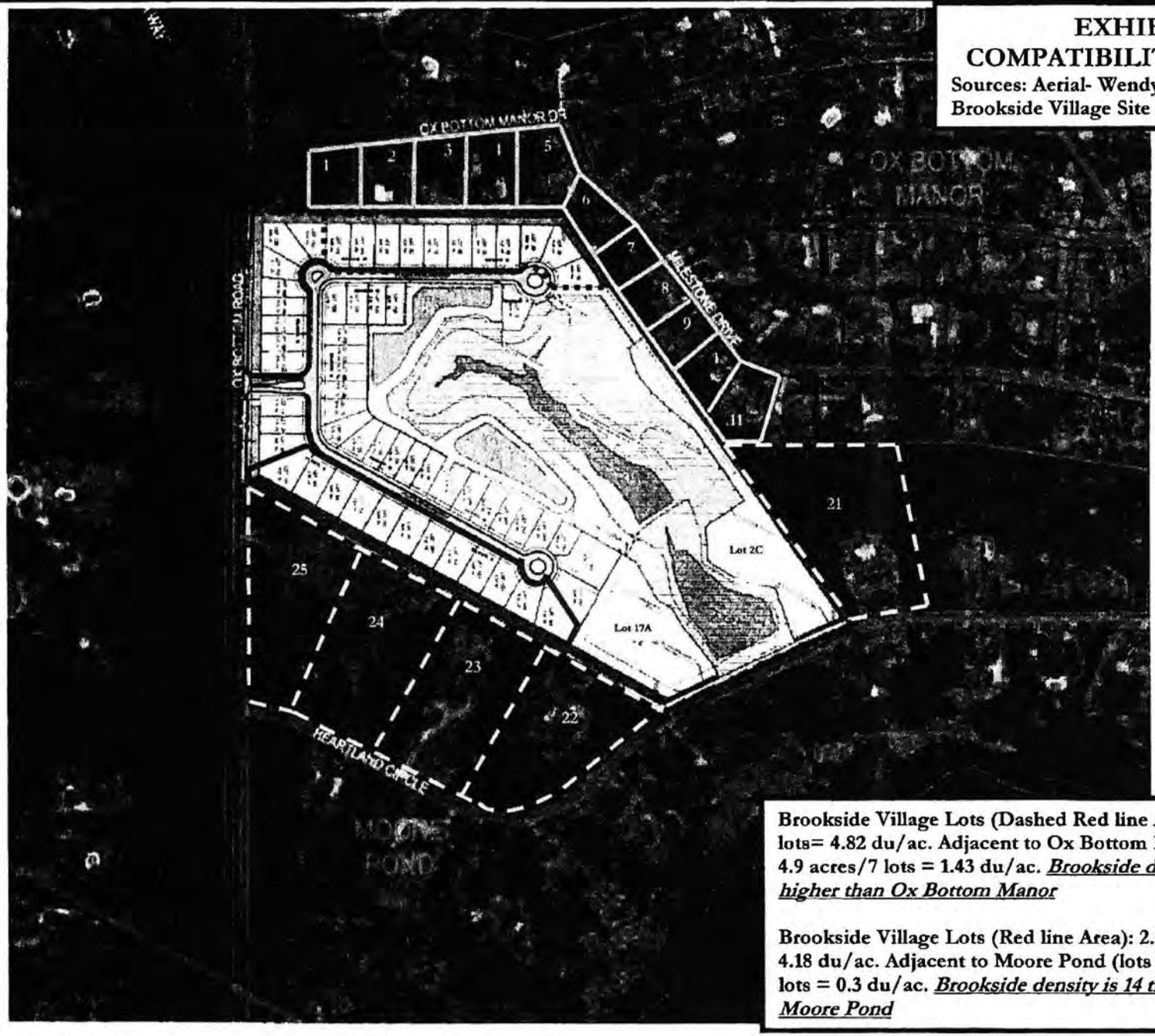

EXHIBIT A
COMPATIBILITY ANALYSIS
Sources: Aerial- Wendy Grey Report, Brookside Village Site Plan dated 4/19/17

Brookside Village Lots (Dashed Red line Area): 2.28 acres/11 lots= 4.82 du/ac. Adjacent to Ox Bottom Manor (Lots 1-7): 4.9 acres/7 lots = 1.43 du/ac. *Brookside density is 3.3 times higher than Ox Bottom Manor*

Brookside Village Lots (Red line Area): 2.87 acres/12 lots= 4.18 du/ac. Adjacent to Moore Pond (lots 23-25): 9.95 acres/3 lots = 0.3 du/ac. *Brookside density is 14 times higher than Moore Pond*

DIVISION OF ADMINISTRATIVE HEARINGS
DATE 9-13-17 FILED

RECEIVED
SEP 01 2017

LEON COUNTY DEPARTMENT OF DEVELOPMENT SUPPORT AND ENVIRONMENTAL MANAGEMENT
NOTICE OF INTENT TO FILE A PETITION FOR FORMAL PROCEEDINGS BEFORE A HEARING OFFICER

For Appeals of a Limited Partition or Type "A" or "B" Site and Development Plan

THIS NOTICE MUST BE FILED WITH THE LEON COUNTY DEPARTMENT OF DEVELOPMENT SUPPORT AND ENVIRONMENTAL MANAGEMENT, DEVELOPMENT SERVICES DIVISION, WITHIN FIFTEEN (15) WORKING DAYS AFTER THE DECISION WAS MADE. NOTICES MUST BE DELIVERED TO THE DEPARTMENT OF DEVELOPMENT SUPPORT AND ENVIRONMENTAL MANAGEMENT, DEVELOPMENT SERVICES DIVISION, 435 NORTH MACOMB STREET, TALLAHASSEE, FL 32301, TOGETHER WITH A NONREFUNDABLE FILING FEE OF $90.00 (ADD $30.00 FOR EACH ADDITIONAL PERSON JOINING IN THE NOTICE) PAYABLE TO LEON COUNTY.

1. Name of Petitioners: **MOORE POND HOMEOWNERS ASSOCIATION, INC. (additional parties joining in on this notice, but submitted on separate applications as directed by County staff are: ROSEHILL PROPERTY OWNERS' ASSOCIATION, INC. and OX BOTTOM MANOR COMMUNITY ASSOCIATION, INC.).**

Correspondence Address Petitioner: **Anderson | Givens, P.A. c/o Jeremy Anderson, Esquire P.O. Box 12613, Tallahassee, FL 32317**

Telephone Number for Petitioner: **(850) 544 4653**

Email for Petitioner: **janderson@andersongivens.com**

2. The undersigned hereby gives notice of intent to file a petition for formal proceedings regarding the following project:

NOTICE OF INTENT TO FILE APPEAL TO DRC PRELIMINARY DECISION OF CONDITIONAL APPROVAL BROOKSIDE VILLAGE RESIDENTIAL SUBDIVISION, TYPE "B" SITE AND DEVELOPMENT PLAN
LEON COUNTY ID# LSP150035
PARCEL ID#: 14-19-20-001-0000

A PARTY FILING A NOTICE OF INTENT TO FILE A PETITION FOR FORMAL PROCEEDING MUST COMPLETE THE APPLICATION BY FILING A PETITION FOR FORMAL PROCEEDING BEFORE A HEARING OFFICER WITHIN THIRTY (30) CALENDAR DAYS AFTER THE DECISION IN QUESTION IS RENDERED. FAILURE TO COMPLETE THE APPLICATION WITHIN THE SPECIFIED THIRTY (30) DAY PERIOD WILL RENDER THE DECISION FINAL. APPEALS ARE HEARD BY A HEARING OFFICER AND

ARE CONDUCTED IN ACCORDANCE WITH THE PROCEDURES OUTLINED IN SECTION 10-7.414 OF THE LEON COUNTY CODE OF ORDINANCES. APPEALS OF THE HEARING OFFICER'S DECISION ARE REVIEWABLE BY THE CIRCUIT COURT.

EXHIBIT B

3. THE PERSON FILING THIS NOTICE IS (CHECK ONE BELOW):

_____The Applicant _____The local government with jurisdiction

__X___A person who will suffer an adverse effect to an interest protected by the Comprehensive Plan

4. STATE THE BASIS FOR SEEKING A FORMAL PROCEEDING Use additional sheets if necessary. You must allege how the proposed project violates the ordinances of Leon County.

The proposed Brookside Village development violates Sec. 10-6.617., the Residential preservation section of the Leon County Code. Specifically, the purpose and intent of that provision is to:

> **protect existing stable and viable residential areas from incompatible land uses and density intrusions.**

The proposed Brookside Village development is incompatible and is a density intrusion into an area with established larger lot developments.

Objective 2.2 of the Comprehensive Plan is to promote compatibility with adjacent existing and future residential land uses. The proposed Brookside Village development violates this objective.

Policy 2.2.2, Residential Preservation, of the Comprehensive Plan indicates that the Residential Preservation is:

> **[c]haracterized by existing homogeneous residential areas within the community . . .**

The proposed Brookside Village Development is not homogenous with existing residential areas due to the substantially smaller lot sizes, building sizes, and lot setbacks. This policy further states that:

> **[t]he primary function is to protect existing stable and viable residential areas from incompatible land use intensities and density intrusions. Future development primarily will consist of infill due to the built out nature of the areas."**

This policy contemplates infill with similarly dense uses, not super dense uses that are incompatible with adjacent existing residential communities. The proposed Brookside Village development is incompatible and is a density intrusion into an area with established larger lot communities. Lastly, this policy states that:

[c]onsistency with surrounding residential type and density shall be a major determinant in granting development approval.

The DRC errored in granting approval of the Brookside Village development because of its inconsistency and incompatibility with the surrounding residential type and density.

If you are not the applicant, state how you will be affected by the decision. Use additional sheets if necessary. To be entitled to initiate a formal proceeding you must show that you will suffer an adverse effect which exceeds in degree the general interest in community good shared by all persons:

MOORE POND HOMEOWNERS ASSOCIATION, INC. (hereinafter ("Association") is a "homeowners' association" pursuant to Section 720.301(9), Florida Statutes, that is responsible for the operation of the Moore Pond community. Section 720.303(1), Florida Statutes, provides that the Association may institute, maintain, settle, or appeal actions or hearings in its name on behalf of all members concerning matters of common interest to its members. The adverse effects of the proposed Brookside Village are a matter of common interest to its members that exceed in degree the general interest in community good shared by <u>all</u> persons. Further, the Directors and Officers of the Association have a fiduciary responsibility under Section 720.303(1), Florida Statutes, which would include opposing development impacts that would decrease property values, increase traffic, or that would otherwise result in the degradation of the quality of life now enjoyed by Association members.

While the Moore Pond development is approximately 1 unit per 3+ acres, the 8 acres of proposed building area, upon which the Brookside Village units is be constructed, will result in approximately 8 units per acre creating a use that is not compatible with the abutting Moore Pond development and that violates both county code and the Leon County Comprehensive Plan. <u>The Brookside Village developed area is approximately 23 times denser than Moore Pond</u>.

The incompatibility is quite evident in the density of the units clustered together, the substantially smaller building and lot sizes, as well as the substantial differences in lot coverage, orientation, scale, height, mass, setbacks and internal traffic circulation. Wendy Grey noted in her presentation to the DRC similar compatibility concerns. Such compatibility concerns are not experienced by other persons and other communities not in close proximity. Thus, the negative impacts of the proposed Brookside Village on Moore Pond Association and its membership exceed in degree the general interest in community good shared by <u>all</u> persons.

Pursuant to Sec.10-7.404 of the Leon County Land Development Code, the Association submitted written comments regarding the Brookside Village Residential application prior to the adjournment of the DRC meeting at which the written preliminary decision on the development application was made.

I CERTIFY THAT I HAVE READ THE ABOVE INFORMATION AND THAT ALL THE INFORMATION PROVIDED IN THIS NOTICE IS CORRECT.

Dated: 9/1/17

Jeremy Anderson, as authorized agent and
attorney for Petitioner

RECEIVED
SEP 01 2017
BY:

LEON COUNTY DEPARTMENT OF DEVELOPMENT SUPPORT
AND ENVIRONMENTAL MANAGEMENT
NOTICE OF INTENT TO FILE A PETITION FOR FORMAL PROCEEDINGS
BEFORE A HEARING OFFICER

For Appeals of a Limited Partition or Type "A" or "B" Site and Development Plan

THIS NOTICE MUST BE FILED WITH THE LEON COUNTY DEPARTMENT OF DEVELOPMENT SUPPORT AND ENVIRONMENTAL MANAGEMENT, DEVELOPMENT SERVICES DIVISION, WITHIN FIFTEEN (15) WORKING DAYS AFTER THE DECISION WAS MADE. NOTICES MUST BE DELIVERED TO THE DEPARTMENT OF DEVELOPMENT SUPPORT AND ENVIRONMENTAL MANAGEMENT, DEVELOPMENT SERVICES DIVISION, 435 NORTH MACOMB STREET, TALLAHASSEE, FL 32301, TOGETHER WITH A NONREFUNDABLE FILING FEE OF $90.00 (ADD $30.00 FOR EACH ADDITIONAL PERSON JOINING IN THE NOTICE) PAYABLE TO LEON COUNTY.

1. Name of Petitioners: **OX BOTTOM MANOR COMMUNITY ASSOCIATION, INC. (joining into the MOORE POND HOMEOWNERS ASSOCIATION, INC. petition submitted on 9/1/17, which ROSEHILL PROPERTY OWNERS' ASSOCIATION, INC. also joined in by separate application as directed by staff).**

Correspondence Address Petitioner: **Anderson | Givens, P.A. c/o Jeremy Anderson, Esquire P.O. Box 12613, Tallahassee, FL 32317**

Telephone Number for Petitioner: **(850) 544 4653**

Email for Petitioner: **janderson@andersongivens.com**

2. The undersigned hereby gives notice of intent to file a petition for formal proceedings regarding the following project:

NOTICE OF INTENT TO FILE APPEAL TO DRC PRELIMINARY DECISION OF CONDITIONAL APPROVAL BROOKSIDE VILLAGE RESIDENTIAL SUBDIVISION, TYPE "B" SITE AND DEVELOPMENT PLAN
LEON COUNTY ID# LSP150035
PARCEL ID#: 14-19-20-001-0000

A PARTY FILING A NOTICE OF INTENT TO FILE A PETITION FOR FORMAL PROCEEDING MUST COMPLETE THE APPLICATION BY FILING A PETITION FOR FORMAL PROCEEDING BEFORE A HEARING OFFICER WITHIN THIRTY (30) CALENDAR DAYS AFTER THE DECISION IN QUESTION IS RENDERED. FAILURE TO COMPLETE THE APPLICATION WITHIN THE SPECIFIED THIRTY (30) DAY PERIOD WILL RENDER THE DECISION FINAL. APPEALS ARE HEARD BY A HEARING OFFICER AND

EXHIBIT C

ARE CONDUCTED IN ACCORDANCE WITH THE PROCEDURES OUTLINED IN SECTION 10-7.414 OF THE LEON COUNTY CODE OF ORDINANCES. APPEALS OF THE HEARING OFFICER'S DECISION ARE REVIEWABLE BY THE CIRCUIT COURT.

3. THE PERSON FILING THIS NOTICE IS (CHECK ONE BELOW):

_____The Applicant _____The local government with jurisdiction

__X___A person who will suffer an adverse effect to an interest protected by the Comprehensive Plan

4. STATE THE BASIS FOR SEEKING A FORMAL PROCEEDING Use additional sheets if necessary. You must allege how the proposed project violates the ordinances of Leon County.

The proposed Brookside Village development violates Sec. 10-6.617., the Residential preservation section of the Leon County Code. Specifically, the purpose and intent of that provision is to:

> **protect existing stable and viable residential areas from incompatible land uses and density intrusions.**

The proposed Brookside Village development is incompatible and is a density intrusion into an area with established larger lot developments.

Objective 2.2 of the Comprehensive Plan is to promote compatibility with adjacent existing and future residential land uses. The proposed Brookside Village development violates this objective.

Policy 2.2.2, Residential Preservation, of the Comprehensive Plan indicates that the Residential Preservation is:

> **[c]haracterized by existing homogeneous residential areas within the community . . .**

The proposed Brookside Village Development is not homogenous with existing residential areas due to the substantially smaller lot sizes, building sizes, and lot setbacks. This policy further states that:

> **[t]he primary function is to protect existing stable and viable residential areas from incompatible land use intensities and density intrusions. Future development primarily will consist of infill due to the built out nature of the areas."**

This policy contemplates infill with similarly dense uses, not super dense uses that are incompatible with adjacent existing residential communities. The proposed Brookside Village

development is incompatible and is a density intrusion into an area with established larger lot communities. Lastly, this policy states that:

> **[c]onsistency with surrounding residential type and density shall be a major determinant in granting development approval.**

The DRC errored in granting approval of the Brookside Village development because of its inconsistency and incompatibility with the surrounding residential type and density.

If you are not the applicant, state how you will be affected by the decision. Use additional sheets if necessary. To be entitled to initiate a formal proceeding you must show that you will suffer an adverse effect which exceeds in degree the general interest in community good shared by all persons:

OX BOTTOM MANNER COMMUNITY ASSOCIATION, INC. (hereinafter ("Association") is a "homeowners' association" pursuant to Section 720.301(9), Florida Statutes, that is responsible for the operation of the Ox Bottom Manner community. Section 720.303(1), Florida Statutes, provides that the Association may institute, maintain, settle, or appeal actions or hearings in its name on behalf of all members concerning matters of common interest to its members. The adverse effects of the proposed Brookside Village are a matter of common interest to its members that exceed in degree the general interest in community good shared by <u>all</u> persons. Further, the Directors and Officers of the Association have a fiduciary responsibility under Section 720.303(1), Florida Statutes, which would include opposing development impacts that would decrease property values, increase traffic, or that would otherwise result in the degradation of the quality of life now enjoyed by Association members.

While the Ox Bottom Manner development is approximately 1-2 unit per acre, the 8 acres of proposed unit building area, upon which the Brookside Village units is be constructed, will result in approximately 8 units per acre creating a use that is not compatible with the abutting Ox Bottom Manner and that violates county code and the Leon County Comprehensive Plan. <u>The Brookside Village developed area is 4-7 times denser than Ox Bottom Manner.</u>

The incompatibility is quite evident in the density of the units clustered together, the substantially smaller building and lot sizes, as well as the substantial differences in lot coverage, orientation, scale, height, mass, setbacks and internal traffic circulation. Wendy Grey noted in her presentation to the DRC similar compatibility concerns. Such compatibility concerns are not experienced by other persons and other communities not in close proximity. Thus, the negative impacts of the proposed Brookside Village on Moore Pond Association and its membership exceed in degree the general interest in community good shared by <u>all</u> persons.

Pursuant to Sec.10-7.404 of the Leon County Land Development Code, the Association submitted written comments regarding the Brookside Village Residential application prior to

the adjournment of the DRC meeting at which the written preliminary decision on the development application was made.

I CERTIFY THAT I HAVE READ THE ABOVE INFORMATION AND THAT ALL THE INFORMATION PROVIDED IN THIS NOTICE IS CORRECT.

Dated: 9/1/17

Jeremy Anderson, as authorized agent and
attorney for Petitioner

ANALYSIS OF PROPOSED BROOKSIDE VILLAGE DEVELOPMENT REVIEW ID#LSP150035

September 10, 2017

Submitted for the Leon County Special Magistrate
Public Hearing Meeting
?, 2017

DRAFT

Prepared by
Jan A. Norsoph AICP.
6201 Bahama Shores Dr. So.
St. Petersburg, Florida 33705

For
Anderson & Givens, P.A.
1689 Mahan Center Blvd Ste. B
Tallahassee, FL 32308

PENGAD 800-631-6989
EXHIBIT
6
10-23-17 KM

INTRODUCTION

This report is being prepared for the law firm of Anderson & Givens, P.A on behalf of the Moore Pond Homeowner's Association, Inc. and Ox Bottom Manor Community Association, Inc. related to the proposed Brookside Village Subdivision Development Review (LSP #150035) by Leon County.

This report provides an analysis of the following:

- **Identify compatibility as defined by the comprehensive plan and land development code (LDC).**
- **Analysis of the design/development characteristics of Moore Pond and Ox Bottom Manor subdivisions in order to establish and define "*compatibility*".**
- **Analysis of the Brookside Village project relative to its incompatibility with these adjacent residential developments from a density and lot size perspective.**

The proposed Brookside Village development is a 35.17+/- acre site located along the north side of Ox Bottom Road between Ox Bottom Manor Drive and Heartland Drive in unincorporated Leon County, Florida (Exhibit A). The project will consist of 61 single-family detached dwelling units with a gross density of 1.73 du/acre. The project site has a future land use designation of Residential Preservation and is zoned Residential Preservation.

COMPREHENSIVE PLAN AND LAND DEVELOPMENT CODE COMPATIBILITY REQUIREMENTS

Leon County addresses protection of neighborhoods through its Comprehensive Plan and Land Development Code (LDC). The County's Comprehensive Plan requires compatibility between developments, as well as, protecting the integrity and character of adjacent neighborhoods. The relevant goals, objectives and policies are cited below.

Comprehensive Plan

Vision Statement and Implementation

The purpose of the comprehensive plan is to preserve, protect and enhance the quality of life for all citizens. The residential environment is also one of many criteria which form the community's perceived quality of life and must be protected.

Goal 1: [L]

The Comprehensive Plan shall protect and enhance the quality of life in this community by providing economically sound educational, employment, cultural, recreational, commercial, industrial and professional opportunities to its citizens while channeling inevitable growth into locations and activities that protect the natural and aesthetic environments and residential neighborhoods.

Policy 1.4.12: [L]

(a) The intent of Site Plan and PUD planning and design requirements shall be to encourage and require the development of urban living and work spaces that minimize impacts to the natural environment. Environmental impacts shall be minimized through the development and redevelopment of compact and efficient urban land use patterns that closely integrate living and work spaces while maintaining compatibility through specified performance design criteria. Neighborhood and inter-site compatibility shall be implemented through site planning and design criteria that require objectionable impacts of particular land use activities to be internally located within site or building designs, rather than relying exclusively on standard landscape and setback buffering methods to reduce perimeter oriented objectionable impacts.

(b) Objectionable impacts of service and delivery areas, refuse and recycling collection areas, as well as the outdoor storage and work areas generally associated with commercial and residential buildings shall be planned to minimize off-site impacts.

(c) Site Plan and PUD requirements shall minimize impacts to the natural environment resulting from urban sprawl by not only identifying and protecting environmentally sensitive lands, but just as importantly by limiting urban sprawl into less environmentally sensitive lands through the implementation of compact and efficient urban development and redevelopment.

RESIDENTIAL LAND USE

Objective 2.1: [L]

Enhance the livability of existing neighborhoods and in new neighborhoods provide for future mixed residential areas which will accommodate growth and provide a wide choice of housing types, densities and prices as well as commercial opportunities based on performance criteria. In furtherance of this, maintain a system of land development regulations and ordinances which will facilitate the implementation of the policies adopted in relation to residential land use. These shall include, but not be limited to:

1) Setback requirements from natural waterbodies and wetlands

2) *Buffering requirements*
3) *Open space requirements*
4) *Landscape requirements*
5) *Tree protection*
6) *Stormwater management requirements*

FUTURE LAND USE MAP CATEGORIES

Objective 2.2: [L]

The Tallahassee-Leon County Comprehensive Plan shall promote appropriate location of land uses and regulation of development density and intensity based upon: (1) protection of conservation and preservation features; (2) compatibility with adjacent existing and future residential land uses; (3) access to transportation facilities in keeping with their intended function; and (4) the availability of infrastructure.

Policy 2.2.3: [L]

RESIDENTIAL PRESERVATION

Characterized by existing homogeneous residential areas within the community which are predominantly accessible by local streets. The primary function is to protect existing stable and viable residential areas from incompatible land use intensities and density intrusions. Future development primarily will consist of infill due to the built out nature of the areas. Commercial, including office as well as any industrial land uses, are prohibited. Future arterial and/or expressways should be planned to minimize impacts within this category. Single family, townhouse and cluster housing may be permitted within a range of up to six units per acre. Consistency with surrounding residential type and density shall be a major determinant in granting development approval.

e) Land use compatibility with low density residential preservation neighborhoods.

A number of factors shall be considered when determining a land use compatible with the residential preservation land use category. At a minimum, the following factors shall be considered to determine whether a proposed development is compatible with existing or proposed low density residential uses and with the intensity, density, and scale of surrounding development within residential preservation areas: proposed use(s); intensity; density; scale; building size, mass, bulk, height and orientation; lot coverage; lot size/ configuration; architecture; screening; buffers, including vegetative buffers; setbacks; signage; lighting; traffic circulation patterns; loading area locations; operating hours; noise; and odor. These factors shall also be used to determine the size of transitional development areas.

Land Development Code (LDC)

The LDC establishes the basis for the protection of neighborhoods through the development review process and its zoning districts. The relevant code sections are cited below:

DIVISION 3. - BOARDS, COMMITTEES AND COMMISSIONS

Subdivision 1. - Generally

Sec. 10-2.301. - Development review committee.

(a) There is hereby established a development review committee (DRC) whose primary purpose is to provide professional, informed review of proposed development with respect to design, adequacy of public facilities, services and utilities and consistency with the Comprehensive Plan, this chapter, and other applicable land development regulations.

Subdivision 2. - Traditional Zoning Districts

Sec. 10-6.617. - Residential preservation.

(a) Purpose and intent. The residential preservation district is characterized by existing homogeneous residential areas within the community predominantly accessible by local streets. The primary function is to protect existing stable and viable residential areas from incompatible land uses and density intrusions. Commercial, retail, office, and industrial activities are prohibited. Certain nonresidential activities may be permitted, such as home occupations consistent with the applicable provisions of section 10-6.803; community services and facilities/institutional uses consistent with the applicable provisions of section 10-6.806; and churches, religious organizations, and houses of worship. Single-family, duplex residences, manufactured homes, and cluster housing may be permitted within a range of zero to six units per acre. Compatibility with surrounding residential type and density shall be a major factor in the authorization ***of development approval*** *and in the determination of the permissible density.*

(5) Allowable development type shall be construed to mean the following:

a. Parcels proposed for residential which are located in a recorded or unrecorded subdivision shall develop consistent with the type of residential development pattern located inside the recorded or unrecorded subdivision.

b. Parcels proposed for residential which are located inside the urban service area and not in a recorded or unrecorded subdivision shall develop consistent with the type of residential development pattern located adjacent to the vacant parcel.

DIVISION 5. - SUBSTANTIVE STANDARDS AND CRITERIA

Sec. 10-7.505. - General principles of design relating to impacts on nearby streets and property owners.

Each development shall be designed to:

(1) Be as compatible as practical with nearby development and characteristics of the land.

It is important to note, that the Comprehensive Plan is the governing regulatory document, with priority over the LDC. Based on the aforementioned Comprehensive Plan objective and policy, the Development Review Committee (DRC) can determine, based on directives from the Comprehensive Plan and LDC, that the Brookside Village is not compatible with the development patterns and characteristics of the adjacent neighborhoods.

The above comprehensive plan and LDC requirements are critical to determining what would be necessary to establish compatibility between the Moore Pond and Ox Bottom Manor subdivisions and the proposed Brookside Village development.

ANALYSIS OF COMPATIBILITY

A primary factor in determining compatibility is understanding the design/development characteristics of the Moore Pond and Ox Bottom Manor subdivisions. The analysis includes identifying density and lot sizes of these neighborhoods in general, and those lots that abut the proposed Brookside Village development.

It is recognized that the siting of lots abutting Moore Pond, Ox Bottom Manor and Ox Bottom Road result from environmental site constraints; however, the comprehensive plan dictates that development shall achieve compatibility. The balancing of site constraints and compatibility does not equate to guaranteeing maximum developer profit; ensuring compatibility is the principle factor in reviewing a proposed development.

Neighborhood Development Characteristics

The development characteristics of Moore Pond and Ox Bottom Manor have been described in a report prepared by Wendy Grey, ACIP, *Brookside Village Subdivision: Compatibility Analysis and Analysis of Comprehensive Plan Polices Affecting Density*, dated August 7, 2017, for the Brookside Village developer. Highlighted below are the density and lot size tables contained in Ms. Grey's report.

Table 1: Subdivision Density

Subdivision	Density (dwelling units/acre)
Ox Bottom Gardens	2.13
Brookside Village	**1.73**
Ox Bottom Manor	1.10
Moore Pond	.23
Rose Hill	.17

Sources: Subdivision Plats and Leon County Property Appraiser Website
Density calculated based on entire subdivision
Ox Bottom Garden density calculated using acreage for residential component and stormwater pond.

Ms. Grey concludes, "There is a wide range of densities within the surrounding area. The density of Brookside Village falls within the existing range and is one third of the maximum density permitted in the Residential Preservation future land use category." Although the gross density is compatible to Ox Bottom Manor, it is not comparable to Moore Pond. Brookside Village is over seven times the density of Moore Pond. Further, the siting of actual lots abutting Moore Pond and Ox Bottom Manor is significantly higher in density.

Exhibit B illustrates the development pattern of Ox Bottom Manor and Moore Pond adjacent to Brookside Village. The 61 Brookside Village lots are sited and concentrated adjacent to Moore Pond, Ox Bottom Manor and Ox Bottom Road. Based on the site plan, the residential lots are on 16.63 acres. This equates to a density of 3.67 dwelling units/acre. This represents density that is almost 16 times the density of Moore Pond and 3.3 times the density of Ox Bottom Manor. Such a significant adjacent density increase is not compatible.

Table 3: Lot Size		
Subdivision	Lot Sizes (Acres)	Average Lot Size (Acres)
Moore Pond	1.49 to 12.39	3.08
Rose Hill	1.48 -6.97	2.53
Ox Bottom Manor	.53-.96	.67
Brookside Village	.14 – 2.19	.26
Ox Bottom Gardens	.13-.32	.19

Sources: Subdivision Plats and Leon County Property Appraiser Website

Ms. Grey concludes "There is a significantly wide range of lot sizes in the surrounding area. The lot size of Brookside Village falls within the existing range". The analysis of the average lot sizes, in my opinion, demonstrates that they are significantly incompatible. Compared to Moore Pond, the Brookside Village lot sizes are less than one percent of the size and 39 percent the size of Ox Bottom Manor lots. Exhibit B illustrates this significant incompatibility.

The range of lots sizes in Ox Bottom Manor (Lots 1-7) abutting Brookside Village is 0.62- 0.86 acres compared to the range of lot sizes in Brookside Village (0.2-0.21 acres). The range of lots sizes in Moore Pond (Lots 23-25) abutting Brookside Village is 3.2 - 3.49 acres compared to the range of lot sizes in Brookside Village (0.2-0.29 acres). Of note is that Brookside Village Lots 17A (2.06 acres) and 2C (2.51 acres) abutting Moore Pond are compatible.

The above analysis demonstrates that the Brookside Village development is significantly incompatible with the Moore Pond and Ox Bottom Manor neighborhoods. Further, the proposed development would create homes that are placed on small lots and are close together, thereby potentially creating a "walled effect" adjacent to both neighborhoods that could negatively impact the residences.

There are a number of relevant comprehensive plan polices and LDC requirements that support this incompatibility conclusion:

Comprehensive Plan

Policy 1.4.12: [L]

(d) The intent of Site Plan and PUD planning and design requirements shall be to encourage and require the development of urban living and work spaces that minimize impacts to the natural environment. Environmental impacts shall be minimized through the development and redevelopment of compact and efficient urban land use patterns that closely integrate living and work spaces while maintaining compatibility through specified performance design criteria. Neighborhood and inter-site compatibility shall be implemented through site planning and design criteria that require objectionable impacts of particular land use activities to be internally located within site or building designs, rather than relying exclusively on standard landscape and setback buffering methods to reduce perimeter oriented objectionable impacts.

Policy 2.2.3: [L]

RESIDENTIAL PRESERVATION

Characterized by existing homogeneous residential areas within the community which are predominantly accessible by local streets. The primary function is to protect existing stable and viable residential areas from incompatible land use intensities and density intrusions. Single family, townhouse and cluster housing may be permitted within a range of up to six units per acre. Consistency with surrounding residential type and density shall be a major determinant in granting development approval.

f) Land use compatibility with low density residential preservation neighborhoods.

A number of factors shall be considered when determining a land use compatible with the residential preservation land use category. At a minimum, ***the following factors shall be considered to determine whether a proposed development is compatible*** *with existing or proposed low density residential uses and with the intensity, density, and scale of surrounding development within residential preservation areas: proposed use(s); intensity; density; scale; building size, mass, bulk, height and orientation; lot coverage; lot size/ configuration; architecture; screening; buffers, including vegetative buffers; setbacks; signage; lighting; traffic circulation patterns; loading area locations; operating hours; noise; and odor. These factors shall also be used to determine the size of transitional development areas.*

LDC

Sec. 10-6.617. - Residential preservation.

(a) Purpose and intent. The residential preservation district is characterized by existing homogeneous residential areas within the community predominantly accessible by local streets. The primary function is to protect existing stable and viable residential areas from incompatible land uses and density intrusions. Commercial, retail, office, and industrial activities are prohibited. Certain nonresidential activities may be permitted, such as home occupations consistent with the applicable provisions of section 10-6.803; community services and facilities/institutional uses consistent with the applicable provisions of section 10-6.806; and churches, religious organizations, and houses of worship. Single-family, duplex residences, manufactured homes, and cluster housing may be permitted within a range of zero to six units per acre. Compatibility with surrounding residential type and density shall be a major factor in the authorization of development approval and in the determination of the permissible density.

(5) Allowable development type shall be construed to mean the following:

a. Parcels proposed for residential which are located in a recorded or unrecorded subdivision shall develop consistent with the type of residential development pattern located inside the recorded or unrecorded subdivision.

b. Parcels proposed for residential which are located inside the urban service area and not in a recorded or unrecorded subdivision shall develop consistent with the type of residential development pattern located adjacent to the vacant parcel.

THE PROPOSED BROOKSDIE VILLAGE DEVELOPMENT FAILS TO MEET THE COMPATIBILITY TEST AS PRESCRIBED IN THE COMPREHENSIVE PLAN AND LDC.

The analysis of the Moore Pond and Ox Bottom Manor neighborhoods relative to density and lot sizes demonstrate that proposed Brookside Village is not *compatible.* The proposed development has significantly higher densities and smaller lot sizes than the development pattern and character of Moore Pond and Ox Bottom Manor. Further, the smaller lot sizes would create homes that are placed on small lots and close together, thereby creating a "walled effect" adjacent to both neighborhoods that could negatively impact the residences. Such potential impacts warrant a revised site plan that increases lot sizes abutting Moore Pond and Ox Bottom Manor to achieve greater compatibility.

MOORE POND AND OX BOTTOM MANOR NEIGHBORHOODS RECOMMENDATION TO THE SPECIAL MAGISTRATE

The Moore Pond and Ox Bottom Manor neighborhoods support infill type development provided there is compatibility as required by the comprehensive plan and LDC. There are various possible alternatives to achieve better compatibility. We suggest two possible alternatives:

Lot Increase Alterative

1. Along Moore Pond increase the lot sizes (Lots 4A-15A) to ¾+/- acre lots. This would reduce the number of lots from 12 to approximately 4 lots. It would appear that Lots 17A (2.06 acres) and 2C (2.5 acres) could be subdivided to create between 5-6 lots. The net result could be a potential loss of maybe two-three lots.
2. Along Ox Bottom Manor increase the lot sizes (Lots 1D-11D) to ½+/- lots. This would reduce the number of lots from 11 lots to 5 lots or a loss of 6 lots. However, it appears that Lot 18A could be subdivided into two lots. This could result in a loss of five lots.
3. Maintain the 25 foot landscape buffer along Ox Bottom Manor and Moore Pond.

Buffer Increase Alternative

That portion of the Brookside Village development abutting these neighborhoods require a much wider buffer than the proposed 25 foot buffer. We recommend a 40 foot wide buffer along Moore Pond and a 35 foot wide buffer along Ox Bottom Manor. This would require a redesign of the lots to achieve the increased buffers.

Jan A. Norsoph, AICP

Mr. Norsoph reserves the right to amend this report based upon new information.
Attached as Appendix A is Mr. Norsoph's qualifications

EXHIBIT B
COMPATIBILITY ANALYSIS

Sources: Aerial- Wendy Grey Report, Brookside Village Site Plan dated 4/19/17

Brookside Village Lots (Dashed Red line Area): 2.28 acres/11 lots= 4.82 du/ac. Adjacent to Ox Bottom Manor (Lots 1-7): 4.9 acres/7 lots = 1.43 du/ac. *Brookside density is 3.3 times higher than Ox Bottom Manor*

Brookside Village Lots (Red line Area): 2.87 acres/12 lots= 4.18 du/ac. Adjacent to Moore Pond (lots 23-25): 9.95 acres/3 lots = 0.3 du/ac. *Brookside density is 14 times higher than Moore Pond*

JAN ALAN NORSOPH, AICP

SUMMARY OF QUALIFICATIONS

Award winning professional with over 40 years of extensive and diverse planning expertise, including 24+ years of management experience; development and administration of land development regulations, historic preservation, urban design, community redevelopment, and neighborhood planning; administration of site plan/subdivision development reviews; preparation of comprehensive plans, and skills in building public participation and consensus. This includes local government experience with many different public entities, both as a planning consultant and as a City of St. Petersburg Manager.

ACCOMPLISHMENTS

Awards of Excellence (*) or Merit received by the Florida Chapter American Planning Association (FCAPA) and/or the Suncoast Section (SS) and other professional associations in recognition of professional and innovative achievements:

- MacDill AFB General Plan, Honorable Mention Future of the Region Award, Tampa Bay Regional Planning Council, and Award of Distinction, Florida Planning & Zoning Association.
- Design Guidelines Manual for the National Register/Local Historic District, City of Tarpon Springs, Florida (SS/FCAPA).
- St. Petersburg's Guidelines for Historic Properties (SS/FCAPA).
- St. Petersburg Round Lake Neighborhood Plan (SS*/FCAPA).
- St. Petersburg North Shore Neighborhood Plan (SS*/FCAPA*).
- St. Petersburg Neighborhood Design Review Ordinance and Manual (SS).
- Recognition by the Governor for the Best Large City Comprehensive Plan in Florida.
- St. Petersburg Core Area Parking Study (SS).
- St. Petersburg Bayboro Harbor Redevelopment Plan (SS*/FCAPA*).
- St. Petersburg Historic Preservation Program (SS/FCAPA).
- St. Petersburg Downtown Urban Design Plan and Intown Market Strategy (SS*).
- St. Petersburg Intown Redevelopment Plan (FCAPA).

PROFESSIONAL EXPERIENCE

Planning Consultant, St. Petersburg, Florida (January 2011 - Present) - Provide consultant services related to:

- Comprehensive planning, land development regulations, urban design, zoning and other land development related services.
- Rezoning and Special Exception Use applications.
- Eminent domain.
- Expert witness testimony.
- Work as a part-time employee for the City of Seminole Community Development Department (July 2012- present).
- Planning subconsultant services for Engelhardt, Hammer and Associates, Inc.

Vice President, Community Planning & Urban Design, Engelhardt, Hammer & Associates, Inc. (EHA), Tampa, Florida (August 1998 - January 2011). EHA is a land planning firm and my responsibilities included project development and management for public and private clients related to:

- Master planning, urban design and historic preservation.
- Neighborhood planning and community redevelopment.
- Eminent domain.
- Comprehensive planning, land development regulations, zoning and other land development related services.
- Expert witness testimony.
- Planning Consultant, St. Petersburg, Florida (July 1997 - August 1998) - Provided consultant services related to:
- Rezoning and Special Exception Use applications.
- Site planning.

Manager, Development Review Services Division (December 1994 - April 1997) and Manager Urban Design & Development Division (January 1984 - December 1994), City of St. Petersburg, Florida - Directed a progressive and innovative team of ten professional staff with an annual operating budget of $400,000. Management responsibilities included:

- Administration of land development codes, and site plan and design review processes.
- Preparation of urban design, neighborhood and community redevelopment plans.
- Staffing the Community Redevelopment Agency, Board of Adjustment, Environmental Development Commission and Historic Preservation Commission.
- Presenting recommendations/reports before the City Council and various commissions.
- Developing strong working relationships with neighborhoods, business associations, minority groups and the development community, including serving as the City's representative on the Chamber of Commerce Downtown Council.

REPRESENTATIVE PROJECTS

Planning Consultant

- Town of St. Leo- On-going planning consultant, included preparation of the Visual Corridor Study, Town of St. Leo Land Development Code, Comprehensive Plan Evaluation and Appraisal Report, Comprehensive Plan update and on-going development review services, and land development code and comprehensive plan updates.
- Neighborhood and other type associations- Provide expert witness testimony on development reviews, special exceptions and rezonings.
- City of Temple Terrace- Revisions to Chapter 29- Downtown Redevelopment Overlay Zoning District, including design guidelines/illustrations.
- MacDill AFB General Plan.
- Historic design guidelines and manuals for the City of Tarpon Springs.
- City of Clearwater- "Enhancing the Visual Environment Through Sign Regulation." (planning and photo simulation analysis report for the City related to litigation by billboard company)
- Cultural Arts District Master Plan for the City of Tampa.
- Multiple future land use amendments, rezoning and conditional/special use applications for private clients (Cities of Pinellas Park, Venice, West Palm Beach and Tampa).
- Land development code/site plan review process analyses for private clients in preparation of due diligence and site development and landscape plan reviews (City of Venice and Collier, Sumter, Polk, DeSoto and Lee Counties).

- Eminent Domain Planning Analyses for public clients including Sumter, Lee, Collier, Hillsborough and Pinellas Counties; Florida Department of Transportation Districts One, Five and Seven (Polk, Hernando, Pasco, Manatee, Sarasota, Lee, Orange, Hillsborough, Pinellas, Brevard and Osceola Counties), and Orange County Public Schools.
- Eminent Domain Planning Analyses for private clients in Charlotte, Escambia, Santa Rosa, Duval, Columbia, Clay, Leon, Palm Beach, Orange, Indian River, Polk, Pasco, Lee, Hillsborough, Seminole, Osceola, Hernando, Citrus, Hendry and Sarasota counties.
- Expert Witness Testimony, including eminent domain trials (8) and a land use litigation case. Qualified as an expert in courts in Charlotte, Hendry, Hillsborough, Polk, Pasco and Pinellas counties and U.S. District Court Middle District (Tampa).

City of St. Petersburg

- Administered zoning code and site plan/neighborhood design review, and implemented streamlining processes and enhanced customer service procedures.
- Authored land development codes related to new zoning districts, Neighborhood Design Review, historic preservation, CBD bonus FAR criteria, airport height regulations, wireless communication towers and sidewalk cafes.
- Developed and administered five Community Redevelopment/Tax Increment Finance districts with over $340 million in capital projects, including the Downtown/Waterfront, Major League Baseball (Tampa Bay Rays) stadium area and Salt Creek marine services/Port/University of South Florida district.
- Prepared urban design plans for downtown waterfront, commercial corridors, neighborhoods and community redevelopment areas including conceptual site plans, and building façade/streetscape designs.
- Prepared and implemented four neighborhood plans (total population-15,000) with a $7.4 million capital budget, and development of a minority neighborhood commercial corridor revitalization plan.
- Administered the historic preservation program.
- Prepared comprehensive plan elements including Intown Planning Sector, Historic Preservation and Port/Airport.

EDUCATION

- Master of Science in Planning, Florida State University (Urban Design specialty).
- Bachelor of Science, Secondary Education- Geography, West Chester State University (Magna Cum Laude).

PROFESSIONAL ASSOCIATIONS AND CONTINUING EDUCATION

- American Institute of Certified Planners (AICP) with Continuing Professional Development Certificate.
- American Planning Association.
- Speaker at planning, historic preservation and urban design workshops at national, state and local conferences.

ANALYSIS OF PROPOSED BROOKSIDE VILLAGE DEVELOPMENT REVIEW ID#LSP150035

October 22, 2017

Submitted for the Leon County Special Magistrate
Public Hearing Meeting
November 9, 2017

WORK-IN PROGRESS DRAFT

Prepared by
Jan A. Norsoph AICP.
6201 Bahama Shores Dr. So.
St. Petersburg, Florida 33705

For
Anderson & Givens, P.A.
1689 Mahan Center Blvd Ste. B
Tallahassee, FL 32308

EXHIBIT
7
10-23-17

INTRODUCTION

This report is being prepared for the law firm of Anderson & Givens, P.A on behalf of the Moore Pond Homeowner's Association, Inc. and Ox Bottom Manor Community Association, Inc. related to the proposed Brookside Village Subdivision Development Review (LSP #150035) by Leon County.

This report provides an analysis of the following:

- **Identify compatibility as defined by the comprehensive plan and land development code (LDC).**
- **Analysis of the design/development characteristics of Moore Pond and Ox Bottom Manor subdivisions in order to establish and define "*compatibility*".**
- **Analysis of the Brookside Village project relative to its incompatibility with these adjacent residential developments from a density and lot size perspective.**

The proposed Brookside Village development is a 35.17+/- acre site located along the north side of Ox Bottom Road between Ox Bottom Manor Drive and Heartland Drive in unincorporated Leon County, Florida (Exhibit A). The project will consist of 61 single-family detached dwelling units with a gross density of 1.73 du/acre. The project site has a future land use designation of Residential Preservation and is zoned Residential Preservation.

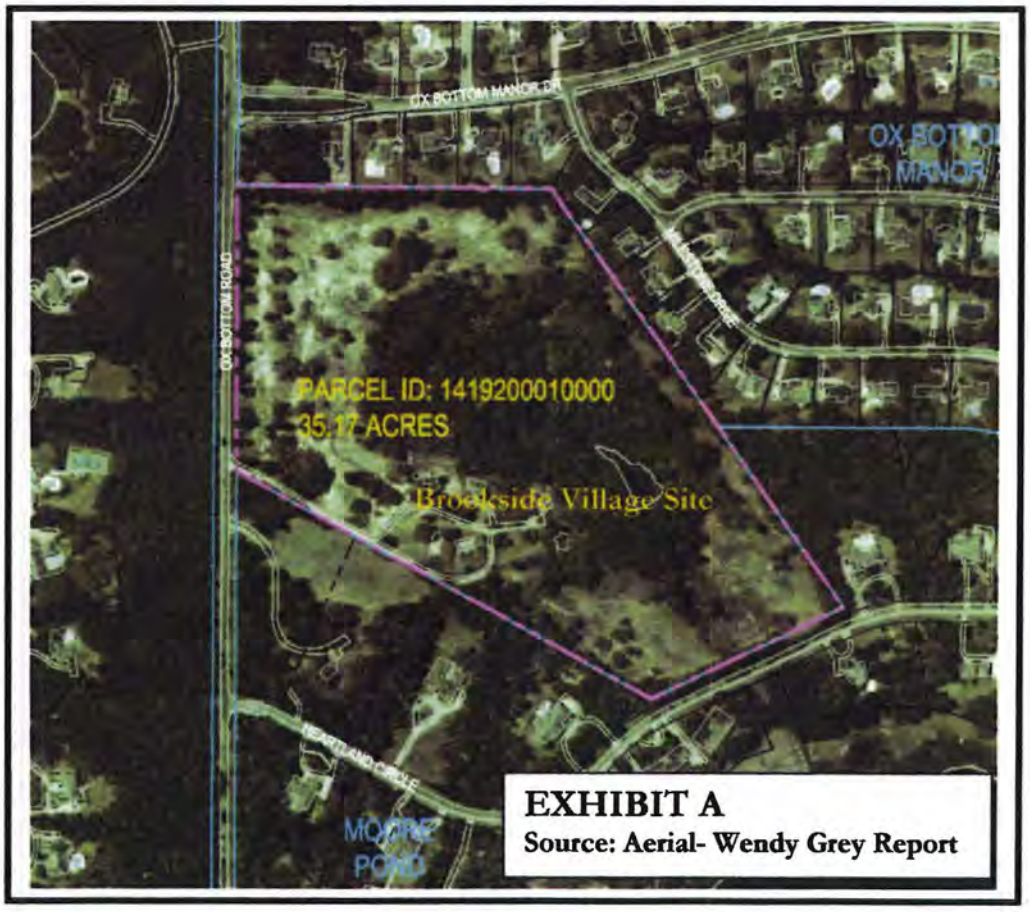

EXHIBIT A
Source: Aerial- Wendy Grey Report

COMPREHENSIVE PLAN AND LAND DEVELOPMENT CODE COMPATIBILITY REQUIREMENTS

Leon County addresses protection of neighborhoods through its Comprehensive Plan and Land Development Code (LDC). The County's Comprehensive Plan requires compatibility between developments, as well as, protecting the integrity and character of adjacent neighborhoods. The relevant goals, objectives and policies are cited below. Some text is highlighted and/or underlined to emphasize key points.

Comprehensive Plan

Vision Statement and Implementation

The purpose of the comprehensive plan is to preserve, protect and enhance the quality of life for all citizens. The residential environment is also one of many criteria which form the community's perceived quality of life and must be protected.

Goal 1: [L]

The Comprehensive Plan shall protect and enhance the quality of life in this community by providing economically sound educational, employment, cultural, recreational, commercial, industrial and professional opportunities to its citizens while channeling inevitable growth into locations and activities that protect the natural and aesthetic environments and residential neighborhoods.

Policy 1.4.12: [L]

(a) The intent of Site Plan and PUD planning and design requirements shall be to encourage and require the development of urban living and work spaces that minimize impacts to the natural environment. Environmental impacts shall be minimized through the development and redevelopment of compact and efficient urban land use patterns that closely integrate living and work spaces while maintaining compatibility through specified performance design criteria. Neighborhood and inter-site compatibility shall be implemented through site planning and design criteria that require objectionable impacts of particular land use activities to be internally located within site or building designs, rather than relying exclusively on standard landscape and setback buffering methods to reduce perimeter oriented objectionable impacts.

(b) Objectionable impacts of service and delivery areas, refuse and recycling collection areas, as well as the outdoor storage and work areas generally associated with commercial and residential buildings shall be planned to minimize off-site impacts.

(c) Site Plan and PUD requirements shall minimize impacts to the natural environment resulting from urban sprawl by not only identifying and protecting environmentally sensitive lands, but just as importantly by limiting urban sprawl into less environmentally sensitive lands through the implementation of compact and efficient urban development and redevelopment.

RESIDENTIAL LAND USE

Objective 2.1: [L]

Enhance the livability of existing neighborhoods and in new neighborhoods provide for future mixed residential areas which will accommodate growth and provide a wide choice of housing types, densities and prices as well as commercial opportunities based on performance criteria. In furtherance of this, maintain a system of land development regulations and ordinances which will facilitate the implementation of the policies adopted in relation to residential land use. These shall include, <u>but not be limited to</u>:

1) *Setback requirements from natural waterbodies and wetlands*
2) *Buffering requirements*
3) *Open space requirements*
4) *Landscape requirements*
5) *Tree protection*
6) *Stormwater management requirements*

FUTURE LAND USE MAP CATEGORIES

Objective 2.2: [L]

The Tallahassee-Leon County Comprehensive Plan shall promote appropriate location of land uses and regulation of development density and intensity based upon: (1) protection of conservation and preservation features; (2) compatibility with adjacent existing and future residential land uses; (3) access to transportation facilities in keeping with their intended function; and (4) the availability of infrastructure.

Policy 2.2.3: [L]

RESIDENTIAL PRESERVATION

Characterized by existing homogeneous residential areas within the community which are predominantly accessible by local streets. The primary function is to protect existing stable and viable residential areas from incompatible land use intensities and density intrusions. Future development primarily will consist of infill due to the built out nature of the areas. Commercial, including office as well as any industrial land uses, are prohibited. Future arterial and/or expressways should be planned to minimize impacts within this category. Single family, townhouse and cluster housing may be permitted within a range of up to six units per acre. Consistency with surrounding residential type and density shall be a major determinant in granting development approval.

e) Land use compatibility with low density residential preservation neighborhoods.

A number of factors shall be considered when determining a land use compatible with the residential preservation land use category. At a minimum, the following factors shall be considered to determine whether a proposed development is compatible with existing or proposed low density residential uses and with the intensity, density, and scale of surrounding development within residential preservation areas: proposed use(s); intensity; density; scale; building size, mass, bulk, height and orientation; lot coverage; lot size/configuration; architecture; screening; buffers, including vegetative buffers; setbacks; signage; lighting; traffic circulation patterns; loading area locations; operating hours; noise; and odor. These factors shall also be used to determine the size of transitional development areas.

Land Development Code (LDC)

The LDC establishes the basis for the protection of neighborhoods through the development review process and its zoning districts. The relevant code sections are cited below:

DIVISION 3. - BOARDS, COMMITTEES AND COMMISSIONS

Subdivision 1. - Generally

Sec. 10-2.301. - Development review committee.

(a) There is hereby established a development review committee (DRC) whose primary purpose is to provide professional, informed review of proposed development with respect to design, adequacy of public facilities,

services and utilities and consistency with the Comprehensive Plan, this chapter, and other applicable land development regulations.

(5) Allowable development type shall be construed to mean the following:

a. Parcels proposed for residential which are located in a recorded or unrecorded subdivision shall develop consistent with the type of residential development pattern located inside the recorded or unrecorded subdivision.

b. Parcels proposed for residential which are located inside the urban service area and not in a recorded or unrecorded subdivision shall develop consistent with the type of residential development pattern located adjacent to the vacant parcel.

Subdivision 2. - Traditional Zoning Districts

Sec. 10-6.617. - Residential preservation.

(a) Purpose and intent. The residential preservation district is characterized by existing homogeneous residential areas within the community predominantly accessible by local streets. The primary function is to protect existing stable and viable residential areas from incompatible land uses and density intrusions. Commercial, retail, office, and industrial activities are prohibited. Certain nonresidential activities may be permitted, such as home occupations consistent with the applicable provisions of section 10-6.803; community services and facilities/institutional uses consistent with the applicable provisions of section 10-6.806; and churches, religious organizations, and houses of worship. Single-family, duplex residences, manufactured homes, and cluster housing may be permitted within a range of zero to six units per acre. Compatibility with surrounding residential type and density shall be a major factor in the authorization of development approval and in the determination of the permissible density.

(5) Allowable development type shall be construed to mean the following:

a. Parcels proposed for residential which are located in a recorded or unrecorded subdivision shall develop consistent with the type of residential development pattern located inside the recorded or unrecorded subdivision.

b. Parcels proposed for residential which are located inside the urban service area and not in a recorded or unrecorded subdivision shall develop consistent with the type of residential development pattern located adjacent to the vacant parcel.

Article VII Subdivision and Site Development Regulations

Section 10-7.103 Authority

(c) The statutory provisions and the Comprehensive Plan require that land development regulations be adopted to implement the Comprehensive Plan and that no development of land shall take place which is inconsistent with the Comprehensive Plan.

DIVISION 5. - SUBSTANTIVE STANDARDS AND CRITERIA

Sec. 10-7.505. - General principles of design relating to impacts on nearby streets and property owners.

Each development shall be designed to:

(1) Be as compatible as practical with nearby development and characteristics of the land.

ARTICLE I. - IN GENERAL

Sec. 10-1.101. - Definitions.

Development area shall mean that portion of a site upon which development may or does occur.

It is important to note, that the Comprehensive Plan is the governing regulatory document, with priority over the LDC. Based on the aforementioned Comprehensive Plan objective and policy, the Development Review Committee (DRC) can determine, based on directives from the Comprehensive Plan and LDC, that the Brookside Village is not compatible with the development patterns and characteristics of the adjacent neighborhoods.

The above comprehensive plan and LDC requirements are critical to determining what would be necessary to establish compatibility between the Moore Pond and Ox Bottom Manor subdivisions and the proposed Brookside Village development. Further, it is important to note that based upon admissions by County Staff (Poplin) that compatibility was not believed to be a factor necessary to review in the Brookside Village Residential Development. It is my opinion that the County Staff's failure to conduct its own compatibility analysis is not consistent with the requirements of the comprehensive plan and LDC.

ANALYSIS OF COMPATIBILITY

There are two significant factors that form the basis of this analysis:

1. Both the comprehensive plan and zoning designations are Residential Preservation. It is clear that the intent is to preserve the existing character of these neighborhoods. *At a minimum, the following factors shall be considered to determine whether a proposed development is compatible with existing or proposed low density residential uses and with the intensity, density, and scale of surrounding development within residential preservation areas: proposed use(s); intensity; density; scale; building size, mass, bulk, height and orientation; lot coverage; lot size/configuration; architecture; screening; buffers, including vegetative buffers; setbacks; signage; lighting; traffic circulation patterns; loading area locations; operating hours; noise; and odor. These factors shall also be used to determine the size of transitional development areas.*

2. Pursuant to LDC Sec. 10-6.617.(5) *b. Parcels proposed for residential which are located inside the urban service area and not in a recorded or unrecorded subdivision shall develop consistent with the type of residential development pattern located* ***adjacent*** *to the vacant parcel.* Clearly, adjacent means those Brookside Village lots that directly abut Moore Pond and Ox Bottom Manor, and not lots that are a quarter-mile away.

The terms compatibility and consistency are used through-out the comprehensive plan and LDC. Although there is no definition of compatibility in the comprehensive plan or LDC, the comprehensive plan, Policy 2.2.3, identifies factors to be considered when determining compatibility:

> *At a minimum, the following factors shall be considered to determine whether a proposed development is compatible with existing or proposed low density residential uses and with the intensity, density, and scale of surrounding development within residential preservation areas: proposed use(s); intensity; density; scale; building size, mass, bulk, height and orientation; lot coverage; lot size/configuration; architecture; screening; buffers, including vegetative buffers; setbacks; signage; lighting; traffic circulation patterns; loading area*

locations; operating hours; noise; and odor. These factors shall also be used to determine the size of transitional development areas.

F.S 163.3164(9), defines compatibility as *"a condition in which land uses or conditions can coexist in relative proximity to each other in relative stable fashion over time such that no use or condition is unduly negatively impacted directly or indirectly by another use or condition."*; however, utilizing this definition as the sole basis for determining compatibility is inconsistent with the Policy 2.2.3, which spells out what are the components of defining compatibility, which go beyond just land use, and further, LDC Sec 10-6.617 states "*b. Parcels proposed for residential which are located inside the urban service area and not in a recorded or unrecorded subdivision shall develop consistent with the type of residential development pattern located adjacent to the vacant parcel.*"

Therefore, a primary factor in determining compatibility is understanding the design/development patterns and characteristics of the Moore Pond and Ox Bottom Manor subdivisions, in general, and more specifically, those lots that are adjacent to Brookside Village, and defining what are the predominate patterns and characteristics. An analysis that encompasses and area within a quarter-mile radius of Brookside Village is not consistent with the requirements of Sec. 10-6.617. An appropriate compatibility analysis is about defining neighborhood norms, which is understanding development patterns (density, lot sizes, setbacks, lot coverage, etc..), and not based on a single factor such as averages or wide ranges covering a quarter-mile radius..

Although there currently is no definition of consistent or consistency in the comprehensive plan, LDC or Florida Statutes, there was a definition in the 1985 Statute (163.3194(3)(a) that read:

> *"A development order or land development regulation shall be consistent with the comprehensive plan if the land uses, densities or intensities, and other aspects of development permitted by such order or regulation are compatible with and furthers the objectives, policies, land uses, and densities or intensities in the comprehensive plan and if it meets all other criteria enumerated by the local government."*

Pursuant to LDC, Sec. 10-6-617 (a) (5)*b. Parcels proposed for residential which are located inside the urban service area and not in a recorded or unrecorded subdivision shall develop consistent with the type of residential development pattern located adjacent to the vacant parcel.* It is clear that term consistent in this context means compatible with the predominate characteristics of the neighborhood, and specifically, those lots that are adjacent to Brookside Village. The key enumerated criterion is that development must *be consistent with the type of residential development pattern located adjacent to the vacant parcel.* Case law also substantiate this premise (City of Cape Coral v. Mosher (Fla. 5th DCA, 1985). The judge stated *"The word consistent implies the idea or existence of some type or form of model, standard, guideline, point, mark or measure as a norm and a comparison of items or action against that norm. Consistency is the fundamental relation between the norm and the compared item."* The prevalent development patterns/characteristics of a neighborhood define what the norm is.

A compatibility analysis includes identifying the predominant patterns of density, lot sizes, lot coverage and typical building setbacks of these neighborhoods, and more specially, those lots that abut the proposed Brookside Village development. The *Urban Design Guidelines for the Gaines Street District*, prepared by the Tallahassee-Leon County Planning Department provides further guidance in evaluating neighborhood development character. It states in the Fit The Neighborhood chapter *"New development must be compatible with the existing or intended context of a location's predominant urban form, as found in patterns of lot sizes, building orientation, lot coverage, building mass, patterns of pedestrian movement, and the relationship of buildings to the street."*

It is recognized that the siting of lots abutting Moore Pond, Ox Bottom Manor and Ox Bottom Road result from environmental site constraints; however, the comprehensive plan dictates that development shall achieve compatibility. Development refers to the actual placement of lots on

the site, not the gross land area. Pursuant to the LDC, development area is defined as *"that portion of a site upon which development may or does occur."* Compatibility analysis must address the impacts of the actual siting of the lots abutting these neighborhoods.

The balancing of site constraints and compatibility does not equate to guaranteeing maximum developer profit; ensuring compatibility is the principle factor in reviewing a proposed development. This premise is further enumerated by the LDC Sec. 10-6.617 *"Compatibility with surrounding residential type and density shall be a major factor in the authorization of development approval and in the determination of the permissible density."*

Neighborhood Development Characteristics

Density

The development characteristics of Moore Pond and Ox Bottom Manor have been described in a report prepared by Wendy Grey, ACIP, *Brookside Village Subdivision: Compatibility Analysis and Analysis of Comprehensive Plan Polices Affecting Density*, dated August 7, 2017, for the Brookside Village developer. Highlighted on the following pages are the density and lot size tables contained in Ms. Grey's report.

Table 1: Subdivision Density

Subdivision	Density (dwelling units/acre)
Ox Bottom Gardens	2.13
Brookside Village	1.73
Ox Bottom Manor	1.10
Moore Pond	.23
Rose Hill	.17

Sources: Subdivision Plats and Leon County Property Appraiser Website
Density calculated based on entire subdivision
Ox Bottom Garden density calculated using acreage for residential component and stormwater pond.

Ms. Grey concludes, "There is a wide range of densities within the surrounding area. The density of Brookside Village falls within the existing range and is one third of the maximum density permitted in the Residential Preservation future land use category." Although the gross density is somewhat compatible to Ox Bottom Manor, it is not comparable to Moore Pond. Brookside Village is over seven times the density of Moore Pond. Further, the actual siting of the lots abutting Moore Pond and Ox Bottom Manor is significantly higher in density. The 61 Brookside Village lots are sited and concentrated adjacent to Moore Pond, Ox Bottom Manor and Ox Bottom Road (Exhibit C).

Based on the LDC definition of *development*, compatibility is to be analyzed based on the actual siting of the development, excluding the environmental areas. Based on the site plan, these residential lots are sited on 16.63 acres, which equates to a density of 3.67 dwelling units/acre. This represents density that is almost 14 times the density of Moore Pond and 3.3 times the density of Ox Bottom Manor. Such a significant density increase is not compatible.

Further, the density of the Brookside Village development adjacent to Ox Bottom Manor and Moore Pond are 4.82 du/ac. and 4.18 du/ac. respectively. The adjacent Ox Bottom Manor lots are at a density of 1.43 du/ac. and Moore Pond is 0.3 du/ac.

Lot Size

Ms. Grey's analysis of lot sizes (Table 3: Lot Size) concludes *"There is a significantly wide range of lot sizes in the surrounding area. The lot size of Brookside Village falls within the existing range"*. However, the range of the lot sizes are so large that you cannot reasonably conclude there is consistency or compatibility. The difference between the low end (0.19 acre) and the high end (3.08 acres) of this range is a differential of 2.89 acres or the high end is over 16 times the low end. The analysis of the average lot sizes, in my opinion, demonstrates that they are significantly incompatible.

Table 3: Lot Size

Subdivision	Lot Sizes (Acres)	Average Lot Size (Acres)
Moore Pond	1.49 to 12.39	3.08
Rose Hill	1.48 -6.97	2.53
Ox Bottom Manor	.53-.96	.67
Brookside Village	.14 – 2.19	.26
Ox Bottom Gardens	.13-.32	.19

Sources: Subdivision Plats and Leon County Property Appraiser Website

As stated previously, any analysis must look at the predominate patterns of lot sizes within each neighborhood. Based Ms. Grey's ¼ mile radius, an analysis of the pattern of lot sizes actually demonstrates incompatibility (Exhibit B):

- The closest Ox Bottom Garden lot (Lot 1, Blk A: 0.25 acres) is 579+/- feet away from Brookside Village; therefore, has minimal relationship to Ms. Grey's analysis. These lots are separated by a 75' buffer and the much larger Ox Bottom Manor lots and the proposed Brookside Village.

- Within the ¼ mile radius there are a total of 140 lots (Ox Bottom Garden, Ox Bottom Manor and Moore Pond). The following is a breakdown of lot sizes:
  - 27 lots in Ox Bottom Garden <0.2 acres.
  - 18 lots Ox Bottom Garden ranging in size from >0.2-0.32 acres.
  - 47 lots in Ox Bottom Manor, ranging in size from 0.50<0.70 acres.
  - 27 lots in Ox Bottom Manor 0.70- 0.96 acres
  - 21 lots in Moore Pond, ranging in size from 1.49-4.29 acres.

- Of the 140 lots, 74 lots (53%) are 0.5-0.96 acres demonstrating that the prevalent neighborhood pattern (the norm) is more in the range of 0.5-0.96 acre lots, not lots 0.2 acre or less. In fact, of the 45 lots in Ox Bottom Gardens, 27 lots are less than a 0.2 acres, this only represents 19.3 percent of the combined neighborhoods total lots.

- The pattern of lots within Brookside Village demonstrates they are not compatible or consistent with the norm of the prevalent lot patterns of Ox Bottom Manor and Moore Pond. Of the 61 lots in Brookside Village, 31 lots are <0.2 acres, 28 lots range from 0.2-0.42 acres and 2 lots are 2+ acres each. Therefore, 50 lots are less than 0.2 acres or 82 percent of the total lots and a total of 59 lots are less than 0.5 acres or 97 percent of the total.

The most significant factor of incompatibility is the comparison of the adjacent Moore Pond and Ox Bottom Manor lots as required by the LDC Sec. 10-6.617.(5) *b.*, (Exhibit C). No such analysis was conducted by the County or Wendy Grey. The range of the lots sizes in Ox Bottom Manor (Lots 1-7) abutting Brookside Village is 0.62- 0.86 acres, which equates to a total of 4.9 acres or an average of 0.7 acres. The range of abutting lot sizes in Brookside Village is 0.2-0.21 acres, which equates to a

total of 2.28 acres or an average of 0.21 acres. These Brookside Village lots are 3.3 times smaller and are not compatible.

The range of lots sizes in Moore Pond (Lots 23-25) abutting Brookside Village is 3.2-3.49 acres compared to the abutting range of lot sizes in Brookside Village (0.2-0.29 acres), which equates to an average of 0.24 acres. These lots are significantly smaller that the Moore Pond lots. Compared to Moore Pond, the Brookside Village lot sizes are less than one percent of the size of the Moore Pond lots. Only two lots within Brookside Village, Lots 17A (2.06 acres) and 2C (2.51 acres), abutting Moore Pond are compatible.

It is important to note that in Ms. Grey's report, she indicates that *"there is a potential issue of compatibility relating to the visual impact of the smaller lots sizes and subsequently higher building mass in Brookside Village where it adjoins Moore Pond and Ox Bottom Manor."*

Lot Coverage

Ms. Grey's analysis of lot coverage (Table 4: Lot Coverage) concludes *"The lot coverage ratio in the surrounding area ranges widely. The lot coverage of Brookside Village falls within the existing range."* However, the range of lot coverages are so large that you cannot reasonably conclude there is consistency or compatibility. The difference between the low end (5 percent) and the high end (28 percent) of this range is a differential that is over 5.6 times the low end. The analysis of the average lot sizes, in my opinion, demonstrates that they are significantly incompatible.

Table 4: Lot Coverage

Subdivision	Average Lot Coverage
Moore Pond	5%
Rose Hill	6%
Ox Bottom Manor	10%
Brookside Village	24%
Ox Bottom Gardens	28%

Source: Leon County Property Appraiser Website: Building Sketches.
Note: Brookside Village average lot coverage is based on an average lot size of 11,454 square feet and an average lot coverage of 2,712 5 square feet. The average lot coverage was determined assuming 50% of the lots will have a coverage of 2,200 square feet and 50% will have a lot coverage of 3,225 square feet.

Setbacks

Although Ms. Grey did not conduct an analysis of setback, she indicates that *"there is a potential issue of compatibility relating to the visual impact of the smaller lots sizes and subsequently higher building mass in Brookside Village where it adjoins Moore Pond and Ox Bottom Manor."* The Applicant is proposing five (5) foot side yard setbacks, this in combination with the small lots, would create homes that are placed on small lots and located close together, thereby potentially creating a "walled effect" adjacent to both neighborhoods that could negatively impact the residences.

Buffering

Ms. Grey indicates that the landscape buffer plan for Brookside Village mitigates the potential visual impacts. Although, a 25 foot wide buffer is being proposed, the Comprehensive Plan Policy 1.4.12:[L] clearly states that *"Neighborhood and inter-site compatibility shall be implemented through site planning and design criteria that require objectionable impacts of particular land use activities to be internally located within site or building designs, rather than relying exclusively on standard landscape and setback buffering methods to reduce perimeter oriented objectionable impacts."*

It is important to note that the buffer between Ox Bottom Gardens and Ox Bottom Manor is 75+/- feet. It would appear that such a large buffer was necessary to create compatibility between these two developments. The average density (per Ms. Grey's report) between Ox Bottom Manor (1.10 du/ac) and Ox Bottom Gardens (2.13 du/ac) represents a differential of almost two times the density.

THE PROPOSED BROOKSIDE VILLAGE DEVELOPMENT FAILS TO MEET THE COMPATIBILITY TEST AS PRESCRIBED IN THE COMPREHENSIVE PLAN AND LDC.

There are a number of relevant comprehensive plan polices and LDC requirements that based on this analysis support the conclusion that the Brookside Village is not compatible or consistent with the prevalent development characteristics of the Ox Bottom Manor and Moore Pond neighborhoods:

FUTURE LAND USE MAP CATEGORIES

Objective 2.2: [L]

The Tallahassee-Leon County Comprehensive Plan shall promote appropriate location of land uses and regulation of development density and intensity based upon: (1) protection of conservation and preservation features; (2) compatibility with adjacent existing and future residential land uses; (3) access to transportation facilities in keeping with their intended function; and (4) the availability of infrastructure.

Policy 2.2.3: [L]

RESIDENTIAL PRESERVATION

Characterized by existing homogeneous residential areas within the community which are predominantly accessible by local streets. The primary function is to protect existing stable and viable residential areas from incompatible land use intensities and density intrusions. Single family, townhouse and cluster housing may be permitted within a range of up to six units per acre. Consistency with surrounding residential type and density shall be a major determinant in granting development approval.

f) Land use compatibility with low density residential preservation neighborhoods.

A number of factors shall be considered when determining a land use compatible with the residential preservation land use category. At a minimum, the following factors shall be considered to determine whether a proposed development is compatible with existing or proposed low density residential uses and with the intensity, density, and scale of surrounding development within residential preservation areas: proposed use(s); intensity; density; scale; building size, mass, bulk, height and orientation; lot coverage; lot size/ configuration; architecture; screening; buffers, including vegetative buffers; setbacks; signage; lighting; traffic circulation patterns; loading area locations; operating hours; noise; and odor. These factors shall also be used to determine the size of transitional development areas.

LDC

Sec. 10-6.617. - Residential preservation.

(a) Purpose and intent. The residential preservation district is characterized by existing homogeneous residential areas within the community predominantly accessible by local streets. The primary function is to protect existing stable and viable residential areas from incompatible land uses and density intrusions. Commercial, retail, office, and industrial activities are prohibited. Certain nonresidential activities may be

permitted, such as home occupations consistent with the applicable provisions of section 10-6.803; community services and facilities/institutional uses consistent with the applicable provisions of section 10-6.806; and churches, religious organizations, and houses of worship. Single-family, duplex residences, manufactured homes, and cluster housing may be permitted within a range of zero to six units per acre. Compatibility with surrounding residential type and density shall be a major factor in the authorization of development approval and in the determination of the permissible density.

(5) Allowable development type shall be construed to mean the following:

a. Parcels proposed for residential which are located in a recorded or unrecorded subdivision shall develop consistent with the type of residential development pattern located inside the recorded or unrecorded subdivision.

b. Parcels proposed for residential which are located inside the urban service area and not in a recorded or unrecorded subdivision shall develop consistent with the type of residential development pattern located adjacent to the vacant parcel.

The analysis of the Moore Pond and Ox Bottom Manor neighborhoods relative to the prevalent patterns of density, lot sizes, lot coverage, setbacks and buffering demonstrate that the proposed Brookside Village is *not compatible or consistent.* The proposed development has significantly higher densities, smaller lot coverage and smaller lot sizes than the predominate development pattern and character of Moore Pond and Ox Bottom Manor neighborhoods. Further, the smaller lot sizes and narrow side yard setbacks would create homes that are placed on these small lots that are located close together, thereby creating a "walled effect" adjacent to both neighborhoods that could negatively impact the residences. Such potential impacts warrant a revised site plan that increases lot sizes and buffer abutting Moore Pond and Ox Bottom Manor to achieve greater compatibility. In addition, no compatibility analysis was conducted by County staff or Ms. Grey relative to the requirements of LDC to analyze compatibility with the adjacent Moore Pond and Ox Bottom Manor lots.

Even Ms. Grey states there is incompatibility in her report. *"Based on this analysis, there is a potential issue of compatibility relating to the visual impact of the smaller lot sizes and subsequently higher building mass in Brookside Village where it adjoins Moore Pond and Ox Bottom Manor."*

The development does not further the goals, objectives or policies of the comprehensive plan or LDC. It fails to meet Goal 1, Objective 2.1.[L], Objective 2.2, Policy 2.2.3 [L], and LDC Secs 10-2.301, 10-6.617, and 10-7.505. The comprehensive plan does not guarantee a developer maximum profit. It clearly states *Compatibility with surrounding residential type and density shall be a major factor in the authorization of development approval and in the determination of the permissible density."* Therefore, the developer should be required to revise the site plan to achieve compatibility with the abutting Ox Bottom Manor and Moore Pond neighborhoods as required by the comprehensive plan and LDC.

Jan A. Norsoph, AICP

Mr. Norsoph reserves the right to amend this report based upon new information.
Attached as Appendix A is Mr. Norsoph's qualifications

EXHIBITS

EXHIBIT B
COMPATIBILITY ANALYSIS
Sources: Aerial- Wendy Grey Report; Leon County Property Appraiser

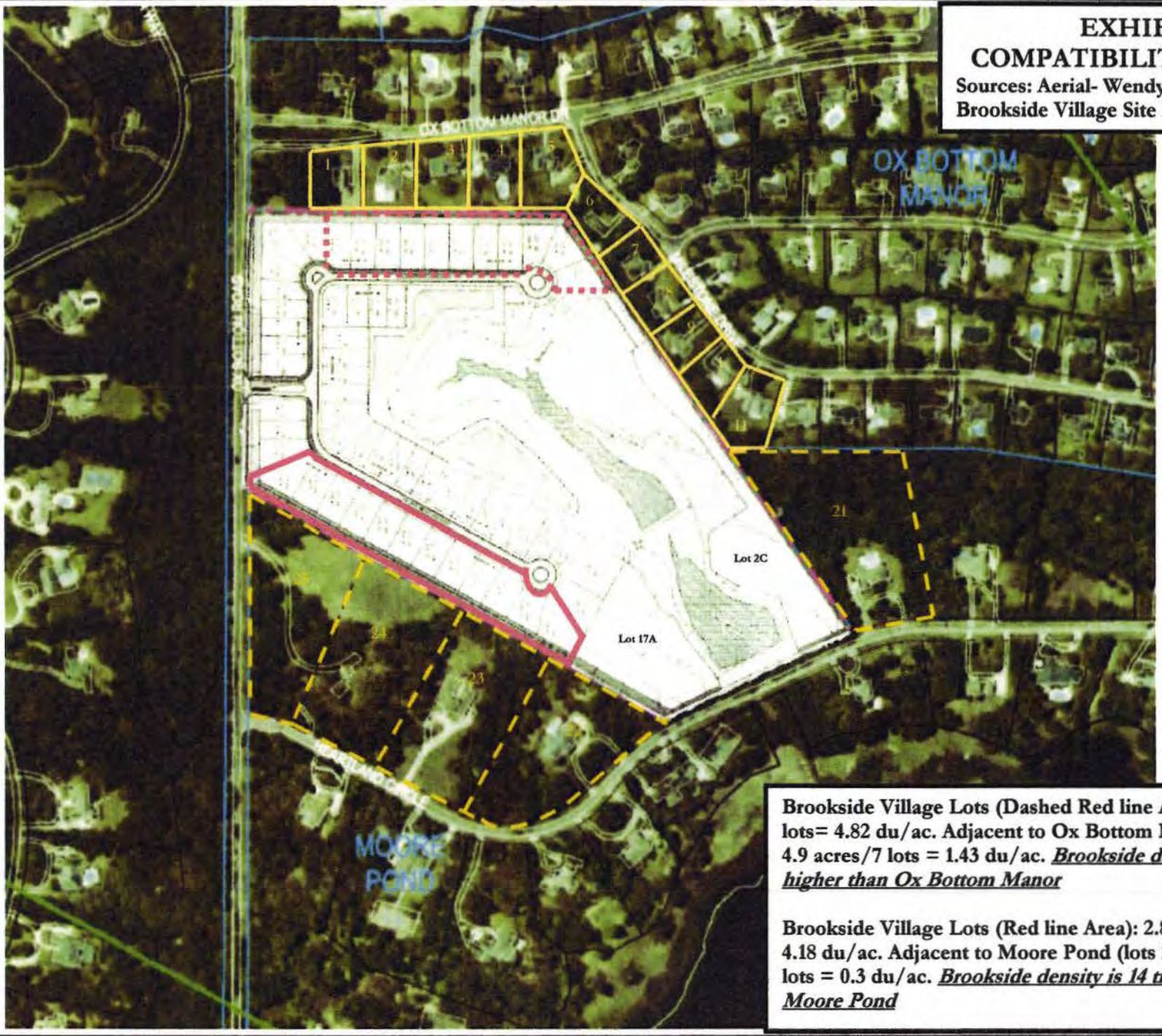

EXHIBIT C
COMPATIBILITY ANALYSIS

Sources: Aerial- Wendy Grey Report, Brookside Village Site Plan dated 4/19/17

Brookside Village Lots (Dashed Red line Area): 2.28 acres/11 lots= 4.82 du/ac. Adjacent to Ox Bottom Manor (Lots 1-7): 4.9 acres/7 lots = 1.43 du/ac. *Brookside density is 3.3 times higher than Ox Bottom Manor*

Brookside Village Lots (Red line Area): 2.87 acres/12 lots= 4.18 du/ac. Adjacent to Moore Pond (lots 23-25): 9.95 acres/3 lots = 0.3 du/ac. *Brookside density is 14 times higher than Moore Pond*

TBD

TBD

STATE OF FLORIDA
DIVISION OF ADMINISTRATIVE HEARINGS

Moore Pond Homeowners Association, Inc., and Ox Bottom Manor Community Association, Inc.,

Petitioners,

-vs- DOAH Case No.: 17-5082

Golden Oak Land Group, LLC, and Leon County, Florida,

Respondents.
_____/

DEPOSITION OF:	SHAWNA MARTIN
TAKEN AT THE INSTANCE OF:	PETITIONERS
DATE:	October 27, 2017
TIME:	Commenced at 1:35 p.m. Concluded at 2:15 p.m.
LOCATION:	Hopping, Green & Sams, P.A. 119 South Monroe Street Suite 300 Tallahassee, Florida
REPORTED BY:	Tracy Finan, RPR, FPR reportertrace@gmail.com

ACCURATE STENOTYPE REPORTERS, INC.
2894-A REMINGTON GREEN LANE
TALLAHASSEE, FL 32308
850.878.2221/www.accuratestenotype.com

1 APPEARANCES:

2

3 On behalf of the Petitioners:

4 JEREMY V. ANDERSON, ESQ.
janderson@andersongivens.com
5 JUSTIN J. GIVENS, ESQ.
jgivens@andersongivens.com
6 ANDERSON & GIVENS, P.A.
1689 Mahan Center Boulevard, Suite B
7 Tallahassee, FL 32308
Phone: (850) 692-8900
8

9

10 On behalf of the Respondents:

11

GREGORY THOMAS STEWART, ESQ.
12 gstewart@ngnlaw.com
CARLY SCHRADER, ESQ.
13 cschrader@ngnlaw.com
NABORS, GIBLIN & NICKERSON
14 1500 Mahan Drive, Suite 200
Tallahassee, FL 32308
15 Phone: (850) 224-4070
(For Leon County)
16

17 GARY KENNETH HUNTER, ESQ.
garyh@hgslaw.com
18 ERIN J. TILTON, ESQ.
erinc@hgslaw.com
19 HOPPING, GREEN & SAMS
119 South Monroe Street
20 Suite 300
Tallahassee, FL 32301
21 Phone: (850) 222-7500
(Golden Oak Land Group)
22

23

ALSO PRESENT:
24 WENDY GREY
SUSAN POPLIN
25

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E	Tallahassee-Leon County 2030 Comprehensive Plan	25

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CERTIFICATE OF OATH 27
CERTIFICATE OF REPORTER 28
READ AND SIGN LETTER 29
ERRATA SHEET 30

The following deposition of **SHAWNA MARTIN**, was taken on oral examination, pursuant to notice, for purposes of discovery, and for use as evidence, and for other uses and purposes as may be permitted by the applicable and governing rules. Reading and signing is **NOT WAIVED**.

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Thereupon,

SHAWNA MARTIN

the witness herein, having been first duly sworn, was examined and testified as follows:

DIRECT EXAMINATION

BY MR. ANDERSON:

Q. All right. Again, I'm Jeremy Anderson for Moore Pond Homeowner's Association and Ox Bottom Manor Community Association. Are you familiar with the case?

A. Yes.

Q. And you know why we're here?

A. Yes.

Q. All right. And just to remind you, your testimony is going to be on the record and under oath. Let's get into -- oh, for the purpose of this depo, Brookside Village Residential Development Subdivision, Brookside, Brookside Development, and Brookside Village can all mean the same thing for the purpose of this

1 deposition.
2 Petitioners are both Moore Pond Homeowner's
3 Association and Ox Bottom Manor Community Association,
4 but Moore Pond -- it can just be referred to as
5 Moore Pond and Ox Bottom Manor Community Association,
6 Ox Bottom Manor. If we're talking about the other
7 Ox Bottom, I'll specifically reference that.
8 Applicant is Golden Oak Land Group and just
9 Golden Oak. Leon County, if we refer to the county,
10 it's Leon County. Leon County Comprehensive Plan,
11 comp plan, plan, Leon County Comprehensive Plan, and
12 land development code for Leon County, LDC code, land
13 development code, all those. All right.
14 Let me take just a moment to look at your
15 resumé.
16 A. Sure.
17 Q. All right. So just where do you work?
18 A. Leon County.
19 Q. Leon County, okay. What is your title?
20 A. I'm a principal planner with the development
21 services division.
22 Q. Okay. And can you just give me a brief
23 rundown of your day-to-day responsibilities?
24 A. Sure. We interact with the public on a daily
25 basis. We accept site plans for review. We review

building permits. We review sign permits. So any permits that come through the door, come through our division.

And we help, not only developers maneuver through our process, but also mom-and-pops who are coming in to subdivide property for the first time. So large scale, small scale, answer any questions they have regarding code and help them through the process.

Q. Okay. All right. What was your role in the Brookside development review?

A. I was the project manager.

Q. Okay. Can you explain what your role in that was?

A. Sure. So I was responsible for reviewing all the documents related to the development in terms of looking at land use and zoning and also coordinating any public comments and coordinating with all the other review team. So when something came in, I'd send it out for review to everybody. They'd send their comments to me. I compile. I run the meetings.

Q. Okay. All right. Did you work on the project from the beginning all the way through the DRC meeting?

A. Define beginning.

Q. Okay. Well, from the initial application -- or when did you start working on the

1 Brookside development review?
2 A. At the first ARM meeting.
3 Q. The first ARM meeting. Okay. And you
4 worked -- you did that project all the way through to
5 DRC meeting?
6 A. That is correct.
7 Q. Was there pressure by any county
8 representative to get this project approved?
9 A. No.
10 Q. No, okay. Was there pressure by anyone else
11 to get the project approved?
12 A. No.
13 Q. When you analyzed Brookside development, did
14 you review for consistency with the comp plan?
15 A. No. That was another person's role.
16 Q. Okay. Did you review the proposed development
17 with any of the land development codes?
18 A. Yes.
19 Q. Okay. All right. So is your professional
20 opinion Brookside development complies with all the land
21 development regulations for Leon County?
22 A. I didn't review for all the land development
23 code for Leon County. I have specific sections that me,
24 as staff, are in charge of. I rely on other staff
25 members who rely on other sections of code to make those

1 determinations.
2 Q. Okay. The sections of code that you reviewed
3 and that are in your purview, are they -- were they in
4 compliance with all of the --
5 A. They were consistent with code, yes.
6 Q. Okay. Do you ever -- do you calculate
7 residential density?
8 A. Yes.
9 Q. Okay. How was residential density calculated
10 in Leon County?
11 A. Residential density is calculated as gross
12 density.
13 Q. Gross density.
14 A. Unless it's a mix of uses. That's a different
15 calculation.
16 Q. So that should be the entire development
17 parcel?
18 A. That is correct.
19 MR. ANDERSON: Exhibit A is going to be --
20 I think you have a map in there. All right.
21 MR. STEWART: Okay. Wait, just for
22 housekeeping, is this the court reporter's version
23 or set?
24 MR. ANDERSON: Yeah. Well, this is the
25 court reporter's set.

MR. STEWART: I just didn't know whether you had them marked or anything so we don't get them confused.

MR. ANDERSON: Well, yeah, she's going to have a complete set that's marked right here.

MR. STEWART: Okay.

(Exhibit A marked.)

BY MR. ANDERSON:

Q. So what you're indicating, based upon -- and that's a depiction of it, at least part -- most of the development, you would take the outer boundary area, anything that's within that area of the parcel would be calculated to determine density, correct?

A. The legal description for the entire parcel --

Q. Okay.

A. -- would be used as the gross area.

Q. Are you aware of the definition in your land development code, Section 10-10-- 10-1.101 Definitions. I believe it's the last one.

MR. STEWART: Is that being marked?

MR. ANDERSON: Yes. It's going to be marked as Exhibit 2.

MR. STEWART: Two or B?

MR. ANDERSON: B.

(Exhibit B marked.)

BY MR. ANDERSON:
Q. On that map we just looked at on A --
(*Sotto voce* discussion.)
THE WITNESS: Sorry.
BY MR. ANDERSON:
Q. On Exhibit A, are there water bodies that are included within that area?
A. There are seepage springs.
Q. Seepage springs. So they're not permanent water bodies those ponds that are indicated on there in that other water area?
A. I'm not sure exactly what you're asking about water --
Q. Are the ponds permanent water bodies?
A. I would not be able to answer that question.
Q. Okay. Looking at the land development code, it indicates that gross residential density shall not include the area covered by water bodies or area utilized by the nonresidential uses. So wouldn't it be appropriate to subtract the water bodies in calculating the density?
A. I think you're referring to the wrong definition of residential gross density.
Q. Uh-huh.
A. It's actually a few definitions before the one

1 that you have mentioned --
2 Q. Uh-huh.
3 A. -- where it says density gross shall mean the
4 number of dwelling units per gross acre in area of land.
5 And it tells you how to calculate it. All residential
6 densities referred to in the plan and zoning code shall
7 be gross densities unless otherwise noted. That is the
8 correct definition for that.
9 Q. And where is that located?
10 A. You're here (indicating). That's a few above
11 that.
12 Q. Uh-huh.
13 MR. STEWART: The same section.
14 BY MR. ANDERSON:
15 Q. Okay. So you're saying it's the first gross
16 density, not the gross residential density?
17 A. That is correct.
18 Q. Okay. So explain the difference. Why is it
19 not the gross residential density?
20 A. Well, one, because it specifically states that
21 all residential densities shall be gross density under
22 that definition.
23 Q. Uh-huh. Okay. But then there's another one
24 that says "density gross residential shall mean" and
25 then --

A. Well, if you read it carefully, it says, "shall mean the number of units per gross acre of land designated for residential purposes."

Q. Okay. All right. We'll come back to that one. So did you have any input on the defining or determining -- or, excuse me, did you have any input on determining compatibility of the project?

A. Determining compatibility? We consider it low density next to low density, so by and right, it's compatible.

Q. Okay. Is that in all instances, the same land uses are always going to be compatible?

A. Explain that again, sorry.

Q. Are there any instances where the same land uses will not be compatible?

A. By definition, no.

Q. Okay. All right. Okay. So let me -- does the land development code define compatibility?

A. No, it does not.

Q. Does the comprehensive plan define compatibility?

A. I'm not aware that it does.

Q. So what definition do you use -- or, excuse me, does Leon County use?

A. We would defer to the state definition.

1 (Exhibit C marked.)
2 BY MR. ANDERSON:
3 Q. Okay. All right. Exhibit C is going to be --
4 you have that -- state definition 163.3164.
5 A. Uh-huh.
6 Q. Okay. All right. So is Brookside
7 development, is it a land use, meaning --
8 A. Yes.
9 Q. Yes, okay. Is plaintiff's subdivision also a
10 land use?
11 A. I'm sorry, I didn't hear what you said.
12 Q. Is the plaintiffs' subdivision, Ox Bottom --
13 A. Yes. They are a land use.
14 Q. Okay. Can you read the provision -- the
15 definition of compatibility says: "Means a condition in
16 which land uses or conditions can coexist in relative
17 proximity to each other."
18 That tells me that your analysis of
19 compatibility is just not for the same land uses, but it
20 says "or conditions that can coexist."
21 Are there conditions -- are there conditions
22 that can be on two identical land use developments --
23 or, excuse me, two developments in the same land use,
24 can there be conditions on one that make it
25 incompatible?

1 MR. STEWART: Objection to form. It's a
2 compound question.
3 BY MR. ANDERSON:
4 Q. Okay. Can you have a condition on an
5 identical land use that is incompatible with the
6 neighboring land use?
7 A. I'm sorry, I'm thinking.
8 Q. Uh-huh.
9 A. So a land use that is the same --
10 Q. The same.
11 A. -- is what you're asking?
12 Q. Yes. Two same land uses?
13 A. That could have --
14 Q. Conditions --
15 A. -- conditions that are --
16 Q. Different?
17 A. -- different.
18 (The court reporter requests counsel and
19 witness speak one at a time.)
20 THE WITNESS: Of course, they can have
21 conditions that are different depending on what's
22 going there.
23 BY MR. ANDERSON:
24 Q. Okay. And those conditions, is there an
25 instance where they could be incompatible?

A. I don't think they can be -- no.
Q. No. Okay. All right. So, say, you have a residential land use and you have single-family homes, but in that same land use you could have, say, a multifamily, multi -- or multistory building and they're adjacent to each other. Those would be compatible?
A. It's residential next to residential. Compatibility doesn't mean that you can't mitigate to be --
Q. Without mitigating. Before you even get to the mitigation analysis, could those be deemed incompatible?
MR. STEWART: Objection to form.
BY MR. ANDERSON:
Q. You still have to answer.
A. Oh, okay, sorry.
MR. STEWART: I'm sorry. Go ahead. I'll tell you if you don't have to answer.
THE WITNESS: Okay.
MR. STEWART: But if I don't say anything, go ahead and answer.
THE WITNESS: Sorry, could you ask that again?
BY MR. ANDERSON:
Q. Now I lost my question.
A. Sorry.

Q. Not even taking into the mitigation analysis -- that's part of your -- that's part of your overall analysis, correct, when you look at a project?

A. Mitigation?

Q. Uh-huh.

A. Well, there are usually things in code that, like, we have standards that talk about land uses that may be considered to have conditions that we would outline what form they should take --

Q. To mitigate those?

A. That's correct.

Q. Okay. But we're not even talking about getting to that step in your analysis yet. We're just talking about two residential land uses. One is a single-family and one is a, say, multifamily, multistory structure. They're both residential land uses. Could those be incompatible?

A. In some instances, maybe.

Q. Okay. All right. What about if you have conditions on a lot such as density that are, you know, so different, but they're the same land use.

A. Well, it depends.

Q. Okay. What about, like, the scale?

A. Scale of? Sorry, I'm not following.

Q. Okay. So you -- so okay, let's see, bulk of

1 buildings on a lot. So you have a condition on one lot
2 where the bulk takes up a large portion of the lot.
3 It's immediately adjacent to another -- the same
4 residential land use, but that lot has very little bulk
5 or there's -- or the area, the lot coverage is
6 different. It's very -- a lot of wide open space.
7 Those are always going to be considered compatible?
8 A. I don't think they're incompatible.
9 Q. Okay. The question is, are they compatible?
10 A. I think they could be.
11 Q. They could be. Because of mitigating factors?
12 A. Not necessarily, no.
13 Q. Okay. Does the clustering of the homes
14 predate a condition in the Brookside Development that is
15 considered in the state statutes of compatibility?
16 MR. STEWART: Objection to form.
17 MR. ANDERSON: Okay.
18 MR. STEWART: You want to try that again?
19 MR. ANDERSON: Yeah.
20 THE WITNESS: Sorry, yeah.
21 BY MR. ANDERSON:
22 Q. Let's see, you have clustering of homes in
23 Brookside Development, so you have a large wide open
24 space area. The compatibility definition says "land
25 uses or conditions." Does the clustering of those homes

1 create a condition that you need to consider when
2 determining compatibility with the adjacent land use?
3 A. I don't think so.
4 Q. You don't think so, okay. So the clustering
5 of the homes in a small area bundled together, small
6 setbacks, creating virtually a line of homes, a wall of
7 homes, has no compatibility issues with larger lots that
8 could be adjacent to it?
9 MR. STEWART: Let me object. And I don't mean
10 to get in the middle of this, but are we talking
11 hypothetically or are we talking about Brookside?
12 I mean, because you -- it seems like there's kind
13 of a mix and matching.
14 BY MR. ANDERSON:
15 Q. A little bit of both. I'm just trying to
16 understand their process and determine whether --
17 you know, what is the real -- how does Leon County
18 understand what compatibility is and how do they use it?
19 Are they looking specifically just at the land uses or
20 are we looking at "or conditions"? Because the code
21 provision -- excuse me, the state law requires looking
22 at both when -- or one or both when the context requires
23 it. Okay. Okay. Let me ask you a different question.
24 Does the clustering of homes create -- I asked
25 you -- on page 2 of your DRC report dated August 16th --

A. What page?
MR. STEWART: What page?
MR. ANDERSON: Let me get the exhibit.
MR. STEWART: "D" I think we're at?
MR. ANDERSON: Yeah, D.
(Exhibit D marked.)
BY MR. ANDERSON:
Q. On page 22 --
A. Yes.
Q. -- at the bottom, Finding Number 4, were these findings that you developed based upon your opinion?
A. It wasn't based on opinion. It was based on code requirement.
Q. Did you have any help on these or --
A. No.
Q. These were your interpretations of the -- okay. The last sentence says: "The proposed development type is detached single-family dwellings, which is consistent with adjacent residential development patterns."
Okay. Is the single-family nature of the Brookside development the only factor that determines a pattern?
A. By code in RP, yes.
Q. Okay. So no other factors such as minimal lot

1 coverage creates a pattern?
2 A. I'm not saying that that's not considered a
3 pattern, but in the case of RP code, the only pattern
4 that is outlined is type.
5 Q. Okay. What provision is that?
6 A. So 10-6.617(a)(5).
7 BY MR. ANDERSON:
8 Q. Yes, (a)(5). Okay. Where in that (a)(5) does
9 it specifically limit a residential development pattern
10 just to a single-family determination?
11 A. Well, you have to look at all of RP in its
12 totality. And Section 5 in itself deals with type. So
13 is it single-family? Is it single-family detached or
14 attached? Is it mobile home? Is it manufactured home?
15 And it states where those instances that those would be
16 allowed.
17 Q. Okay. On page 3 of your report, you reference
18 Wendy Grey's compatibility analysis, and you cited to
19 her compatibility concern. Do you conclude -- or let me
20 restate that.
21 Do you agree that there are potentials for
22 compatibility issues as she references?
23 MR. STEWART: Objection; compound question as
24 asked.
25 BY MR. ANDERSON:

Q. Okay. Do you agree with Wendy Grey's concern regarding compatibility?

A. I agree with her --

MR. HUNTER: Object to form.

MR. STEWART: Go ahead. You can answer.

THE WITNESS: I agree with her analysis.

BY MR. ANDERSON:

Q. Okay. So you agree with her analysis. So her analysis is that there's compatibility issues related to visual impacts. So does the clustering of the small lots and the size and the scale and the bulk and the mass -- let me restate that so -- without getting an objection.

MR. STEWART: I was getting ready.

MR. ANDERSON: Yeah. No, no, no.

MR. GIVENS: He's ready. You saw him.

BY MR. ANDERSON:

Q. So you agree with her analysis that's there's a visual impact of the smaller size lots?

MR. STEWART: Objection to form.

MR. HUNTER: Object to the form.

THE WITNESS: Still answer?

BY MR. ANDERSON:

Q. You can answer.

A. Okay. Sorry, I'm still getting used to this

1 process. I think she said there may be a potential
2 issue or a perceived issue.
3 Q. Okay. Do you think there's anything
4 objectionable with clustered homes next to three-acre
5 lots?
6 A. No.
7 Q. You stated that you agree with her analysis.
8 Specifically what do you agree with?
9 A. I agree with the manor in which she did the
10 analysis. She didn't have to do the analysis. It
11 wasn't required.
12 Q. You said you agreed with her analysis, which
13 is that there's potential compatibility issues. What
14 are those?
15 A. No, I --
16 MR. HUNTER: Object to the form.
17 MR. STEWART: Objection to form.
18 THE WITNESS: I said I agreed with her
19 analysis meaning the way that she did the analysis.
20 BY MR. ANDERSON:
21 Q. Okay. Are you saying that you disagree that
22 there are compatibility issues?
23 A. I don't think there are compatibility issues
24 with low density next to low density residential.
25 Q. Okay. At the bottom of your page 3 of your

report, you indicate the development has been designed as compatible as practicable. Is it?

A. Yes.

Q. Okay. Could it be more -- be made more compatible with larger lots?

A. It's compatible now.

Q. No. The question is can it be more compatible with larger lots?

A. I think you can make anything more compatible.

Q. Okay. So the question is if the Brookside setbacks were similar to the Moore side setbacks, would it be more compatible?

A. Setbacks?

Q. Yes. Yes, side setbacks.

A. I'm sorry, I'm confused by the question.

Q. In Moore Pond, the lots that are abutting Brookside --

A. Uh-huh.

Q. -- approximately three acres?

A. An average. I think it's less than that but --

Q. Okay. Substantial setbacks for the homes, correct?

A. Rear, side, front.

Q. Yes.

A. Yes.
Q. Okay. It's because they're larger lots, correct?
MR. STEWART: Objection to form.
THE WITNESS: No. The setbacks have nothing to do with the size of the lot.
BY MR. ANDERSON:
Q. Okay. They're -- the lots are larger than in Moore Pond, correct?
A. That's correct.
MR. STEWART: Objection to form.
BY MR. ANDERSON:
Q. Still answer.
A. The lots are larger.
Q. Yes, okay. All right. The lot coverage for Moore Pond is substantially less, correct?
A. I did not do that analysis, so I don't know all the ins and outs of lot coverage.
Q. Okay. All right. Did you do any analysis under Policy 2.2.3(e) of the comp plan for this project?
MR. STEWART: Do you have that --
MR. ANDERSON: Yes, there should be --
MR. STEWART: 2.2.3.?
MR. ANDERSON: Yes.
MR. STEWART: Is that --

MR. ANDERSON: (e).
MR. STEWART: (e).
THE WITNESS: I think it's here.
MR. STEWART: Yeah, it's right here.
THE WITNESS: What was the question again? Sorry.
BY MR. ANDERSON:
Q. Did you do an analysis on the Brookside development and review -- did you review 2.2.3(e) of the comprehensive plan for your analysis on this project?
A. It wasn't my responsibility.
Q. It wasn't your responsibility.
MR. STEWART: Are we marking that one, (e), Jeremy?
MR. ANDERSON: Yeah.
MR. HUNTER: So (e) is what? The LDC provisions?
MR. ANDERSON: The comp plan.
MR. STEWART: The comp plan.
THE WITNESS: The comp plan.
(Exhibit E marked.)
BY MR. ANDERSON:
Q. How did you determine Brookside's compatibility with the adjacent subdivisions without

reviewing the comprehensive plan?

A. Staff coordinates with one another. We had already received word that it was compatible with the comprehensive plan.

MR. ANDERSON: Okay. We're getting out of a lot of them because they're all comprehensive plan related so -- okay, we're going to take a five-minute break and then we'll have just a few more questions for her and then we'll wrap her up.

(Break taken from 2:09 p.m. until 2:15 p.m.)

MR. ANDERSON: We're done with you.

(The deposition was concluded at 2:15 p.m.)

1 CERTIFICATE OF OATH
2
3
4 STATE OF FLORIDA)
5 COUNTY OF LEON)
6
7
8
9 I, TRACY FINAN, Registered Professional Reporter,
10 Florida Professional Reporter, Notary Public, State of
11 Florida, certify that SHAWNA MARTIN, personally appeared
12 before me on the 27th day of October, 2017, and was duly
13 sworn.
14
15 Signed this 3rd day of November, 2017.
16
17
18 _____
TRACY FINAN, RPR, FPR
19 Notary Public - State of Florida
Commission No. #FF 184633
20 Commission Expires: January 8th, 2019
21
22
23
24
25

1 CERTIFICATE OF REPORTER

2

3 STATE OF FLORIDA)

4 COUNTY OF LEON)

5

I, TRACY FINAN, Registered Professional
6 Reporter, Florida Professional Reporter, do hereby
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7 stenographically report, at the time and place therein
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8 that a review of the transcript **WAS REQUESTED**; and that
the foregoing pages numbered 1 through 26 are a true
9 record of my stenographic notes.

10 I further certify that I am not a relative, employee,
attorney, or counsel of any of the parties, nor am I a
11 relative or employee of any of the parties' attorney or
counsel connected with the action, nor am I financially
12 interested in the action.

13 DATED this 3rd day of November, 2017.

14

15 _____
TRACY FINAN, RPR, FPR
Registered Professional Reporter
16 Florida Professional Reporter
reportertrace@gmail.com

17

18

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NOVEMBER 3RD, 2017
READ AND SIGN LETTER TO:

SHAWNA MARTIN
C/O GREGORY THOMAS STEWART, ESQ.
gstewart@ngnlaw.com
NABORS, GIBLIN & NICKERSON
1500 Mahan Drive, Suite 200
Tallahassee, FL 32308
Phone: (850) 224-4070

IN RE: Moore Pond and Ox Bottom v Golden Oak/Leon County
DOAH CASE NO.: 17-5082

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5 PAGE LINE CHANGE REASON FOR CHANGE
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21 Under penalties of perjury, I declare that I have
read the foregoing document and that the facts stated
22 in it are true.
23
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25

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EXHIBIT A

PENGAD 800-631-6989

MAX. BUILDING
2 STORY
3,500 SQ. FEET
5 BED / 3.5 BATH
2-CAR GARAGE + 2 SPACES IN DRIVEWAY

1 Inch = 50 Feet

VILLAGE RIDGE LANE WEST

VILLAGE RIDGE LANE EAST

VILLAGE RIDGE LANE

POND 100

POND 200

LEON COUNTY OWNED AND M

RETAINING WALL BY OTHERS

4' BLACK VINYL COATED CHAINLINK FENCE

2 - 10' SWING GATES

INSTALL 225 LF OF FDOT INDEX #400 GUARDRAIL 4' FROM BACK OF CURB

FENCING ON LOT 11B NOT ALLOWED WITHIN DRAINAGE EASEMENT

MODIFIED TYPE E CURB & GUTTER

TRANSITION TO DROP CURB AT DRIVEWAYS

5' SIDEWALK, TYP. ALL SIDEWALKS TO MEET ADA REQUIREMENTS

6' SIDEWALK, TYP.

TYPE E CURB & GUTTER

BRICK PAVERS FLUSH WITH PAVEMENT

BUILDING SETBACK, TYP.

SUBDIVISION SIGN EASEMENT

8' WOOD PRIVACY FENCE

CONCRETE DRIVEWAY

N563314.8821 E2040343.8899

N563092.0142 E2040848.0349

N563112.3102 E2041129.8664

N563293.1511 E2040848.6471

S60°44' 06.83"E 23.60'

S89° 49' 36.91"E 285.0'

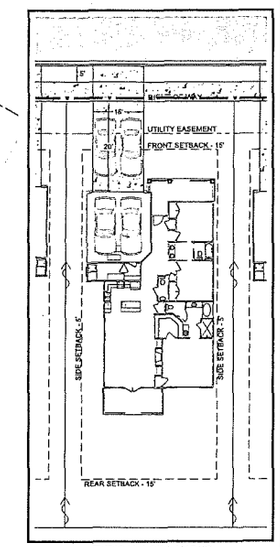
S89° 49' 40.89"E 121.3'

N45° 10' 24.84"E 15.0'

N89°48' 21.98"W

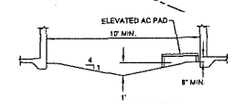
S0° 11' 38.72"W 322.6'

S0° 11' 54.1"E 426.1'

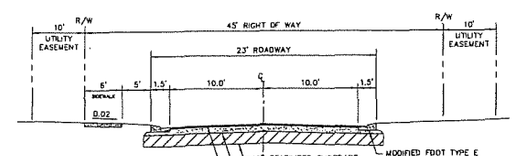


TYPICAL LOT LAYOUT
SCALE: 1"=20'

NOTE:
1. TYPICAL LOT LAYOUT IS REPRESENTATIVE OF A MINIMUM BUILDING STANDARD.
2. POSITIVE DRAINAGE SWALES TO BE PROVIDED BETWEEN THE PROPOSED UNITS. IF AC UNITS ARE CONSTRUCTED WITHIN SWALES BETWEEN BUILDINGS THEY MUST BE ELEVATED MIN. 18". AC UNITS OR TRASH RECEPTACLES SHALL NOT IMPEDE DRAINAGE.
3. LOTS 4A-16A HAVE THE OPTION OF SIDE LOADED GARAGES.



TYPICAL SWALE DETAIL
SCALE: 1"=20'



NOTE: SEE DETAIL SHEET FOR ADDITIONAL PAVEMENT SECTION DETAILS.

ROADWAY SECTION

URBAN CATALYST CONSULTANTS, INC.
2840 PABLO AVENUE
TALLAHASSEE, FLORIDA, 32308
PHONE: (850) 999-4241
WWW.UCCENG.COM
FLCA 00030572

DATE	BY	REVISIONS

BROOKSIDE VILLAGE RESIDENTIAL SUBDIVISION

SITE LAYOUT PLAN

LEON COUNTY FLORIDA

SEAN K. MARSTON, P.E.
LICENSE NUMBER. 55987

DRAWN BY:	W.E.C.
CHECKED BY:	S.K.M.
DATE:	08/02/17
HORZ. SCALE:	1"=50'
VERT. SCALE:	

SHEET C-112.2

PROJECT No. 15015.00

- **Sec. 10-1.101. - Definitions.**

The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning.

Abutting property shall mean property that is immediately adjacent or contiguous to property that is subject to review under these regulations.

Adjoining shall mean parcels which are touching or contiguous to each other, as distinguished from lying near to or adjacent. Parcels that are separated from each other by a local or a minor collector street or roadway shall also be considered adjoining; parcels that are separated by a major collector or an arterial street or roadway or by a railroad right-of-way shall not be considered adjoining.

Adverse impact shall mean any direct or indirect effect likely to cause, or actually causing, a decline in the stability, natural function, or natural diversity of any environmental resource or system, or in the quiet, peaceful, safe, or healthful use or occupancy of any off-site property.

Buffer shall mean a physical barrier located between and separating one or more land uses.

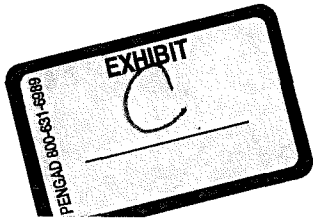
Cluster development shall mean a development design technique that concentrates buildings in specific areas on a site to allow the remaining land to be used for recreation, common open space, and preservation of environmentally sensitive or other portions of the site having existing characteristics worthy of preservation or conservation.

Density, gross residential shall mean the number of units per gross acre of land designated for residential purposes, including land that will be devoted to street rights-of-way and designated open space after development. "Gross residential density" shall **not** include area covered by permanent water bodies or area to be utilized for other nonresidential land uses.

PENGAD 800-631-6989
EXHIBIT
B

163.3164 Community Planning Act; definitions.—As used in this act:

(9) "Compatibility" means a condition in which land uses or conditions can coexist in relative proximity to each other in a stable fashion over time such that no use or condition is unduly negatively impacted directly or indirectly by another use or condition.

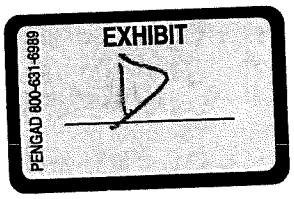


LEON COUNTY
Department of Development Support & Environmental Management

DEVELOPMENT REVIEW COMMITTEE MEETING
AUGUST 16 @ 10:00 a.m.

STAFF RECOMMENDATION: CONDITIONAL APPROVAL

PROJECT COORDINATOR:	Shawna Martin, Principal Planner, DSEM
PROJECT NAME:	Brookside Village Residential Subdivision (LSP150035)
ACREAGE:	35.17 +/- acres
LEVEL OF REVIEW:	Type "B" Site Plan, FDPA Track
APPLICANT/OWNER:	Golden Oak Land Group, LLC
APPLICANT'S AGENT:	Sean Marston, P.E., Urban Catalyst Consultants
CURRENT ZONING:	Residential Preservation (RP)
FUTURE LAND USE:	Residential Preservation (RP)
GROSS DENSITY:	1.73 dwelling units/acre
LOCATION:	550 Ox Bottom Road
ROADWAY ACCESS:	Ox Bottom Road (Major Collector Roadway)
UTILITY PROVIDER:	City of Tallahassee Utilities
APPROVAL BODY:	Leon County Development Review Committee (DRC)



CONDITIONS OF APPROVAL

1 **Development Standards:** The proposed development standards shall receive a favorable recommendation from the DRC.

Proposed Development Standards		
	Block A, B, C & D (minus Lots 12D, 14D & 15D)	Lots 12D, 14D & 15D
Front yard setback	15 feet	15 feet
Rear yard setback	15 feet	10 feet
Side interior yard setback	5 feet	5 feet
Side corner yard setback	15 feet	15 feet
Height maximum*	2 story; max of 40 feet	2 story; max of 40 feet

*See Finding #4

2 **General Layout & Design Standards:** The proposed development shall receive a favorable recommendation from the DRC waiving the code requirement for vehicular and pedestrian interconnection with adjoining residential subdivisions based on the criteria listed in Section 10-7.502(b)(2)(e).

3 **Environmental Management Permit (EMP):** The EMP and associated stormwater report and model shall be approved prior to site plan approval.

4 **Land Development Code & Comprehensive Plan:** All applicable standards in the Leon County Land Development Code and the Tallahassee-Leon County Comprehensive Plan shall be met, including but not limited to those outlined below and in the attached staff reports.

OUTSTANDING DEFICIENCIES

1 **Technical Revisions:** Please refer to the attached staff memorandums and markups in ProjectDox for requested revisions to the site plan. All revisions shall be addressed prior to site plan approval.

PROJECT SUMMARY:
The site is located inside the Urban Services Area, is zoned Residential Preservation and has a Residential Preservation designation on the Future Land Use Map of the Tallahassee-Leon County Comprehensive Plan. The project proposes 61 single-family detached dwelling units at a density of 1.73 dwelling units per acre. Lot sizes range from 0.14 acres to 2.19 acres in size with an average lot size of 0.26 acres. Development is proposed on the upland portions of the property with environmentally sensitive areas being preserved in a conservation easement. Access is provided from Ox Bottom Road, a major collector roadway. This will be a public subdivision with streets and stormwater management facilities to be dedicated to and maintained by Leon County.

ARTICLE VII. Subdivision and Site and Development Plan Regulations; Site and Development Plan Criteria, Section 10-7.407:
The Leon County Land Development Code requires that a site and development plan comply with three general standards (in addition to compliance with Sections 10-7.107 and 10-7.108), which include:
1. Whether the applicable zoning standards and requirements have been met;
2. Whether the applicable provisions of the Environmental Management Act have been met; and
3. Whether the requirements of Chapter 10 and other applicable regulations or ordinances which impose specific requirements on site and development plans and development have been met.

APPLICATION REVIEW COMMITTEE STAFF FINDINGS:

Finding #1 – Tallahassee-Leon County Comprehensive Plan: *The application has been determined consistent with the Tallahassee-Leon County Comprehensive Plan and the Planning Department recommends conditional approval for the site plan pending approval of the Environmental Management Permit and associated stormwater report (Attachment #1).*

Finding #2 – Concurrency (Section 10-3.105a): *Leon County and City of Tallahassee Concurrency Management performed traffic impact analyses for the proposed development and determined that the proposal will not require transportation concurrency mitigation. A traffic study was not required as the project generates less than 100 p.m. peak hour trips. A Preliminary Certificate of Concurrency has been issued for the proposed development.*

A School Impact Analysis (SIA) application was submitted to the Leon County School Board for review and was approved at their board meeting on February 9, 2016. A revised SIA form that provided updated information on home sizes was submitted and approved by the School Board on June 20, 2017.

Finding #3 –Environmental Management (Article IV) and Stormwater Management (Section 10-7.521): *Environmental Services has reviewed the site plan and Environmental Management Permit, including the stormwater report and model, for consistency with the Environmental Management Act. Environmental Services has provided conditional approval of the site plan provided that the deficiencies listed in their staff report and site plan markups in ProjectDox are addressed prior to final site plan approval (Attachment #2).*

Finding #4 – Residential Preservation Zoning District (Section 10-6.617): *The metes-and-bounds property is located inside the Urban Service Area, is not located within a recorded or unrecorded subdivision, and proposes connection to City of Tallahassee central sanitary sewer and potable water. The application requests an overall gross density of 1.73 dwelling units per acre, which falls within the permitted density range of 0 to 6 dwelling units per acre allowed in the RP zoning district and defined by the LDC as low density residential. The proposed development type is detached, single-family dwellings which is consistent with adjacent residential development patterns.*

The applicant submitted a Compatibility Analysis prepared by Wendy Grey addressing common compatibility criteria such as density, building size, lot size, lot coverage and orientation, scale and height, mass and bulk, screening and buffering, architecture, setback and traffic circulation. The analysis compared these criteria with other residential subdivisions within one quarter mile of the subject site which included Moore Pond, Ox Bottom Manor, Ox Bottom Gardens and Rose Hill subdivisions. The analysis noted that there was a potential issue of compatibility related to the visual impact of smaller lot sizes and subsequently higher building mass in Brookside Village where it adjoins Moore Pond and Ox Bottom Manor. To mitigate this potential issue, the applicant has provided buffering and screening which is significantly wider and denser than required by code (see Finding #7 below for specific details).

For new residential development in the RP zoning district not located in a recorded or unrecorded subdivision, the applicable development standards including, but not limited to front, rear, side and side corner yard setbacks shall be established at the time of site and development plan review. A note has been placed on the site plan indicating the homes within the subdivision will be 1 story and 1 ½ stories with the exception of Lots 17A and 2C which may be 2 stories. The habitable area of the homes with 1 ½ stories will be located toward the front of the home and no upper story widows will be facing adjoining subdivisions. The DRC is the entity that shall approve the proposed development standards for new single-family detached developments in the RP zoning district.

> ***Condition of Approval:*** *The proposed development standards shall receive a favorable recommendation from the DRC.*

Finding #5 – General Layout and Design Standards (Section 10-7.502): *The site plan demonstrates that the lots have sufficient buildable area, meets the minimum frontage requirements of 15 feet or more, and provides sufficient off-street parking. A note has been placed on the site plan to avoid double frontage lots for those lots adjacent to Ox Bottom Road and the divided subdivision entrance drive. Public Works has provided comments related to the proposed public street system design as well as providing markups in ProjectDox (Attachment #8). All requested changes shall be reflected in the final site plan submittal.*

Section 10-7.502(b)(2) requires that streets interconnect within a development and with adjoining development, unless physical conditions preclude an interconnection now or in the future. Properties surrounding the subject parcel are fully developed as single-family detached subdivisions. To the east and northeast is Moore Pond Subdivision, a private, gated subdivision, which accesses Ox Bottom Road via Heartland Circle, a privately maintained roadway. To the west and northwest are the Ox Bottom Gardens and Ox Bottom Manor subdivisions. There does not appear to be a feasible location for future interconnection with adjoining developments now or in the foreseeable future. The DRC shall assess feasibility and make the final determination on the requirement for interconnection.

> ***Condition of Approval****: The proposed development shall receive a favorable recommendation from the DRC waiving the code requirement for vehicular and pedestrian interconnection with adjoining residential subdivisions based on the criteria listed in Section 10-7.502(b)(2)(e).*

Finding #6 – General Principals of Design Related to Impacts on Nearby Streets and Property Owners (Section 10-7.505): *The development has been designed to be as compatible as practical with nearby development and characteristics of the land by: preserving environmentally sensitive areas on-site and focusing development outside of these areas; providing recreational opportunities (hiking trails) within the conservation easement; providing boundary buffers including fencing and screening; providing for the ongoing operation and maintenance of supporting infrastructure; and providing stormwater management facilities that minimize adverse environmental impacts both on-site and off-site.*

Finding #7 – Buffer Zone Standards (Section 10-7.522): *The RP zoning district requires a minimum of a 10 foot, Type A landscape buffer around the entire perimeter of the site adjacent to other residential development. A 10-foot, Type A landscape buffer has been provided along the majority of the northern and northeastern property lines. The applicant has provided 25-foot, Type "C" plus (enhanced) landscape buffers along the west, east and southern property boundaries. Buffer areas adjacent to Moore Pond are further enhanced with a berm and an 8 foot wooden fence interior to the buffer. An additional 8 foot wooden fence has been provided adjacent to Ox Bottom Manor parcels to the north of the cul-de-sac. The proposed boundary buffers will utilize existing vegetation and augment as needed with evergreen species to achieve the buffer standards. The landscape plan indicates that the proposed buffers will achieve approximately 75% opacity at the time of planting and 90% within 5 years.*

A landscape buffer is not required along Ox Bottom Road; however, the developer has provided a 25-foot, Type "C" plus buffer in this area as well. Environmental Services has indicated in their staff report (Attachment #2) that the proposed density and width of buffer plantings to the east of the entrance drive cannot be supported with the existing drainage swale and needs to be addressed prior to site plan approval.

Finding #8 – Water, Sewer and Electric Service (Sections 10-7.523, 10-7.524 and 10-7.526): *The City of Tallahassee Water Resources Engineering Department and the City of Tallahassee Power Engineering Department have provided approval of the concept site utility plan dated 6/30/17 (Attachments #3 and #4). The signed concept utility plan shall be included as a sheet in the final plan set.*

Finding #9 – Fire Protection Services (Section 10-7.527): *The City of Tallahassee Fire Department has provided conditional approval of the proposed development with the requirement that additional notes be placed on the Site Utility Plan (Sheet C-116) as outlined in their staff report (Attachment #5). All Fire Department requirements as set forth on Sheet C-116 and in the attached memorandum shall be met at the applicable stage of development.*

Finding #10 – Sidewalks (Section 10-7.529): *Sidewalks have been provided along one side of the new streets within the proposed residential subdivision and adjacent to Ox Bottom Road as required by code. At staff's recommendation, the applicant has extended the sidewalk along Ox Bottom Road further than required in order to connect to existing sidewalks along Ox Bottom Manor Drive. This helps to eliminate sidewalk gaps and facilitate pedestrian mobility.*

Finding #11: Off-Street Parking Spaces (Sec. 10-7.545): *The site plan indicates that a 5-bedroom home will be the maximum building standard which would require each lot to accommodate 3 parking spaces. The typical section indicates that each lot should be able to accommodate 2 parking spaces within an attached garage and 2 spaces within the driveway without blocking sidewalks or streets.*

Finding #12– Plats (Article XII, Div. 6): *No building permit shall be issued for a project that requires platting until a plat has been accepted and approved by the Board of County Commissioners and recorded in the plat books of the County. The applicant must submit a final plat. No plat shall be approved and accepted by the County unless and until the developer has installed all infrastructure improvements.*

Finding #13 – Articles, Bylaws and Restrictive Covenants (Section 10-7.610): *The County Attorney's Office has reviewed and approved as to form and manner of execution the draft Declarations and Covenants, Conditions and Restrictions, Articles of Incorporation and Bylaws for the proposed subdivision (Attachment #6). These shall be recorded along with the plat.*

Finding #14 – On-Site Signs (Article IX): *A sign easement area has been provided for a future subdivision sign adjacent to the entrance drive; however it appears the proposed easement area conflicts with drainage and underground infrastructure. The applicant shall relocate the sign easement to an appropriate area. A separate sign permit application must be submitted for approval prior to sign placement that demonstrates the sign does not create a physical or visual hazard for motorists entering or leaving the subdivision.*

Finding #15 – Aquifer Protection (Article X, Div. 1): *The Aquifer Protection Division has provided clearance contingent on the action items outlined on Sheet C-107 of the site plan being completed prior to site development.*

Finding #16 – Uniform Street Naming and Property Numbering System (Article XI) (Article XI): *The County's Addressing Unit has approved both the subdivision name and the street names for the proposed development (Attachment #7). The approved street names of Village Ridge Lane and Village Ridge Way shall be reflected on the final site plan.*

PUBLIC NOTIFICATIONS AND RESPONSES:

Agenda posted on County website	8/03/17
Legal advertisement	8/09/17
Sign posted to property (by applicant)	8/04/17
Mail notifications (property owners and HOA's)	8/04/17
Notices Mailed	104
Notices Returned	3
Written public comments submitted by 8/15/17 at 6:00 pm have been uploaded to ProjectDox and provided to the DRC for review. Any subsequent public comments will be provided to the DRC at the meeting and uploaded to ProjectDox after the meeting.	

ATTACHMENTS:

1. Memorandum from the Tallahassee Leon County Planning Department (TLCPD)
2. Memorandum from the Environmental Services Division
3. Memorandum from the City of Tallahassee Water Resources Engineering Department
4. Memorandum from the City of Tallahassee Electric Power Division
5. Memorandum from the City of Tallahassee Fire Department
6. Email from the County Attorney's Office
7. Memorandum from the DSEM Addressing Section
8. Memorandum from Public Works

TALLAHASSEE-LEON COUNTY 2030 COMPREHENSIVE PLAN

The Tallahassee-Leon County Comprehensive Plan was adopted on July 16, 1990. The plan horizon for the Tallahassee-Leon County Comprehensive Plan is 2030. The Comprehensive Plan is a dynamic document, amended annually. This volume contains amendments effective through August 27, 2017. As other amendments come into effect, this volume will be updated accordingly. For information concerning the amendment process, please contact the Tallahassee-Leon County Planning Department.

TALLAHASSEE - LEON COUNTY • 2030 COMPREHENSIVE PLAN •

TLCPD Tallahassee - Leon County Planning Department

PLANNING DEPARTMENT

Location: Frenchtown Renaissance Center, 435 N. Macomb Street, Tallahassee FL 32301
Mail: City Hall, 300 S. Adams St., Tallahassee FL 32301
Telephone: 850-891-6400
Website: http://www.talgov.com/place/planning.aspx

PENGAD 800-631-6989
EXHIBIT
17

INTRODUCTION

The Tallahassee-Leon County Comprehensive Plan was adopted on July 16, 1990. The Comprehensive Plan contains three volumes. Volumes II and III contain the data and analysis on which the Goals, Objectives, and Policies within Volume I are based. Volume I provides guidance in evaluating individual development proposals within a defined growth management strategy. The Goals, Objectives and Policies within Volume I also provide the basis for the individual development regulation formulated to implement this Plan.

The plan horizon for the Tallahassee-Leon County Comprehensive Plan is 2030. The Comprehensive Plan is a dynamic document, amended annually. This volume contains effective amendments through January 22, 2016. As other amendments come into effect, this volume will be updated accordingly. Information concerning the amendment process is available at the Tallahassee-Leon County Planning Department. The Tallahassee-Leon County Planning Department is located at the Renaissance Center, 435 N. Macomb Street or can be reached by telephone at (850) 891-6400.

VISION STATEMENT AND IMPLEMENTATION

(REV. EFF. 7/26/06; REV. EFF. 1/7/10)

In the early 1820s, Florida government alternated business between St. Augustine and Pensacola. At that time, travel between the cities was hazardous and the journey long. In 1823, the site of Tallahassee was chosen as the seat of government for the Territory of Florida because of its central location and abundance of natural resources. It was noted then, "A more beautiful country can scarcely be imagined; it is high, rolling, and well watered." In the new capital, commerce expanded and a new school of higher learning was founded. From these historic roots, Tallahassee and Leon County is now the center of Florida's government and respected worldwide for its schools of higher education.

We are fortunate to have retained the natural beauty that inspired the sitting of Florida's state capital. The community relies upon the comprehensive plan to protect the natural resources and scenic beauty while encouraging the responsible, healthy growth of Tallahassee and Leon County. The comprehensive plan seeks to balance the management of growth with environmental protection but gives precedence to environmental protection.

Evolving land use patterns within the County have exhibited sprawl characteristics. Sprawl is, perhaps, the most inefficient pattern of land use. Costs associated with the provision of both capital and social infrastructure are higher than more compact patterns. This must be taken into consideration when local government is faced with limited fiscal resources and increasing demand for services.

Sprawl encourages degradation of the County's natural resources by prematurely committing vast areas to the impact of urbanization. Phased, orderly growth mitigates this situation by comprehensively addressing development impacts to our natural systems. Leap frog development associated with sprawl is piecemeal in nature and is detrimental to any type of comprehensive framework.

Another aspect of urban sprawl is the tendency toward strip commercial development, i.e., the commercialization along major streets which occurs as infill between sprawled developments. This strip development negatively affects traffic safety and flow, as well as creating aesthetic problems associated

with advertising signs. While many of the negative effects of strip development can be controlled to some extent by regulatory means, a more positive approach is to prevent its spread by means of land use policies.

The purpose of the comprehensive plan is to preserve, protect and enhance the quality of life for all citizens. The plan encourages and supports economically sound residential, educational, employment, cultural, recreational, commercial and industrial opportunities for the citizens. This is facilitated by systematically planning for growth, development and redevelopment.

The natural environment is one of the many criteria which, when combined, form the community's perceived quality of life. The natural environment is a major component in the quality of life equation for Leon County. As such, it must be protected. Development and the ancillary activities associated with it must be channeled into locations that protect the natural and aesthetic environment. Unwise land use decisions which ultimately require expensive environmental retrofitting, paid for by the general populace, must be eliminated. In order to achieve this, it is the intent of this Plan to include strong environmental objectives and policies within the Land Use Element and other applicable portions of the Plan.

The residential environment is also one of many criteria which form the community's perceived quality of life and must be protected. An economic base of stable public employment has fostered development of stable residential neighborhoods. Citizens identify with and value their neighborhoods in all parts of the community and at all income levels. Containing sprawl will necessarily increase density and intensity in the existing urban area. Unwise land use decisions and premature non-residential development in established residential areas can seriously and permanently alter the character of a neighborhood. Not only actual changes, but also the perception of a constant assault on a neighborhood undermines an otherwise desirable residential environment. Development and its ancillary activities should be channeled into locations that offer the greater opportunity for the higher density and mixture of uses that a policy of urban containment encourages. It is the intent of the plan to maintain the integrity of existing neighborhoods while encouraging new residential developments to incorporate a wider range of non-residential uses.

Essential for planning are objectives and policies that protect and enhance the natural environment, water resources, the canopy roads, and residential neighborhoods. To this end, regulatory tools such as concurrency management, urban service area designation, planned unit developments and special protection zones are used to foster the community's vision. An underlying premise is the linkage between land use and infrastructure. The plan is based on the principle that development should pay for itself and this vision is implemented, in part, through the accomplishment of several strategies described below.

Traditional values within Leon County prohibit the strict implementation of an urban containment strategy. Urban service area demarcations must be located to allow for some degree of large lot, single family subdivisions. In addition, some urban areas located away from the core, such as Chaires, Fort Braden, and Miccosukee, must be provided for. Overall, however, it is the intent of this comprehensive plan to concentrate development in the Tallahassee urban area plus provide for a minimum number of designated areas of urban development.

It is the responsibility of every citizen of Leon County to pay his or her fair share first to achieve and then to maintain the community wide adopted levels of service (LOS) for capital infrastructure and urban services. However, it is not a current resident's responsibility to pay for new developments' fair share

LAND USE
GOALS, OBJECTIVES AND POLICIES

Goal 1: [L] (EFF. 7/16/90)

The Comprehensive Plan shall protect and enhance the quality of life in this community by providing economically sound educational, employment, cultural, recreational, commercial, industrial and professional opportunities to its citizens while channeling inevitable growth into locations and activities that protect the natural and aesthetic environments and residential neighborhoods.

GROWTH MANAGEMENT/ URBAN SERVICES AREA
Objective 1.1: [L] (EFF.7/16/90; REV. EFF. 7/26/06; REV. EFF. 12/24/10)

Direct development to those areas which have in place, or have agreements to provide, the land and water resources, fiscal abilities, and the service capacity to accommodate growth in an environmentally acceptable manner. This shall be accomplished in part through the establishment and maintenance of an Urban Service Area (USA) concept. This Urban Service Area (USA) concept is based upon a desire to have Tallahassee and Leon County grow in a responsible manner, with infrastructure provided economically and efficiently, and surrounding forest and agricultural lands protected from unwarranted and premature conversion to urban land use. An urban service strategy provides for well-managed, orderly growth, which preserves natural resources and promotes fiscal responsibility. The location and size of the USA shall be depicted on the Future Land Use Map and is based upon the area necessary to accommodate 90% of new residential dwelling units within the County by the Plan Horizon; the ability to provide urban infrastructure; and, the presence of environmentally sensitive lands and water bodies, requiring protection from the impacts of urban development.

Policy 1.1.1: [L] (REV. EFF. 7/20/05)

In order to discourage urban sprawl, new development shall be concentrated in the urban service area plus in the Woodville Rural Community future land use category and the rural communities of Capitola, Chaires, Ft. Braden and Miccosukee, as designated on the future land use map.

Policy 1.1.2: [L] (REV. EFF. 12/10/91)

Improvement of capital infrastructure shall be provided within the designated urban service area and shall be phased over the life of the plan.

Policy 1.1.3: [L] (REV. EFF. 12/10/91; REV. EFF. 7/26/06)

Capital infrastructure designed to support urban density outside the Urban Service Area shall be prohibited except as described below. Capital infrastructure which is designed or intended to provide services to the population of the Urban Service Area may be located outside the Urban Service Area. This policy includes but is not limited to landfill, spray irrigation facilities, and inter-county transportation roadways.

Capital improvement projects or expenditures designed to support urban density outside of the Urban Service Area will not occur outside the designated Urban Service Area unless a demonstrated hardship can be shown to occur for existing

(a) In those future land use categories that encourage a mixing of land uses, the land development regulations shall contain provisions that facilitate multiple land uses within the same site, the same development, or the same structure.

(b) When appropriate, the land development regulations may provide for zoning districts that allow for two or more land use types, consistent with the intent of the future land use category.

(c) The land development regulations may also provide for zoning districts that further divide any of the allowed land use types into two or more subsets.

Policy 1.4.11: [L] (EFF. 9/19/91)

The land development regulations shall include standards and criteria such as minimum open space requirements (between 25% and 10% depending on the land use and existing vegetation), internal circulation and minimum setbacks and buffers for uncomplimentary land uses. These buffer requirements will contain buffer widths between land uses, required number of trees and shrubs per linear foot of buffer, opacity of the buffer, etc. Additional buffering requirements may be related to Planned Unit Developments (PUDs).

Policy 1.4.12: [L] (EFF. 9/19/91)

(a) The intent of Site Plan and PUD planning and design requirements shall be to encourage and require the development of urban living and work spaces that minimize impacts to the natural environment. Environmental impacts shall be minimized through the development and redevelopment of compact and efficient urban land use patterns that closely integrate living and work spaces while maintaining compatibility through specified performance design criteria. Neighborhood and inter-site compatibility shall be implemented through site planning and design criteria that require objectionable impacts of particular land use activities to be internally located within site or building designs, rather than relying exclusively on standard landscape and setback buffering methods to reduce perimeter oriented objectionable impacts.

(b) Objectionable impacts of service and delivery areas, refuse and recycling collection areas, as well as the outdoor storage and work areas generally associated with commercial and residential buildings shall be planned to minimize off-site impacts.

(c) Site Plan and PUD requirements shall minimize impacts to the natural environment resulting from urban sprawl by not only identifying and protecting environmentally sensitive lands, but just as importantly by limiting urban sprawl into less environmentally sensitive lands through the implementation of compact and efficient urban development and redevelopment.

Policy 1.4.13: [L] (REV. EFF. 3/14/07)

The intent of designating roads as nonresidential is to recognize existing nonresidential development patterns and to allow for planned mixed-use or nonresidential developments. As such, street access requirements contained in the Land Use Summary Charts are waived for those streets designated as nonresidential by clearly defining areas where existing development patterns will be allowed to continue. It also serves to protect residential and residential components such as elementary schools and

Goal 2: [L] (EFF. 7/16/90; REV. EFF. 7/26/06)

Provide for a high quality of life by planning for population growth, public and private development and redevelopment and the proper distribution, location and extent of land uses by type, density and intensity consistent with adequate levels of services and efficient use of facilities and the protection of natural resources and residential neighborhoods.

RESIDENTIAL LAND USE
Objective 2.1: [L] (REV. EFF. 7/20/05)

Enhance the livability of existing neighborhoods and in new neighborhoods provide for future mixed residential areas which will accommodate growth and provide a wide choice of housing types, densities and prices as well as commercial opportunities based on performance criteria. In furtherance of this, maintain a system of land development regulations and ordinances which will facilitate the implementation of the policies adopted in relation to residential land use. These shall include but not be limited to:

1) Setback requirements from natural waterbodies and wetlands
2) Buffering requirements
3) Open space requirements
4) Landscape requirements
5) Tree protection
6) Stormwater management requirements

Policy 2.1.1: [L] (REV. EFF. 6/28/95; REV. EFF. 7/26/06)

Protect existing residential areas from encroachment of incompatible uses that are destructive to the character and integrity of the residential environment. Comprehensive Plan provisions and Land Development Regulations to accomplish this shall include, but are not limited to:

a) Inclusion of a Residential Preservation category on the Future Land Use Map.

b) Limitations on future commercial intensities adjoining low density residential areas. Such limitations are to result in effective visual and sound buffering (either through vegetative buffering or other design techniques) between the commercial uses and the low density residential uses; and are to allow only those commercial activities which are compatible with low density residential development in terms of size and appearance.

c) Limitations on future higher density residential adjoining low density residential areas. Such limitations are to result in effective visual and sound buffering (either through vegetative buffering or other design techniques) between the higher density residential uses and the low density residential uses.

d) Limitations on future light industry adjoining low and medium density residential areas. Such limitations are to result in effective visual and sound buffering (either through vegetative buffering or other design techniques) between the light industrial uses and the low density residential uses.

e) Preclusion of future heavy industrial adjoining any residential area.

FUTURE LAND USE MAP CATEGORIES
Objective 2.2: [L] (REV. EFF. 7/26/06)

To coordinate future land uses with suitable topography and soil conditions, the protection of natural resources and with the availability of adequate infrastructure through the establishment of a Future Land Use Map depicting appropriate land use categories. In order to fulfill this intent, the Land Use Plan establishes policies and guidance for the mapping of Future Land Use Categories, which are depicted on the Future Land Use Map. These categories are designed to promote a variety of land use types and patterns to meet the needs of the community.

The Tallahassee-Leon County Comprehensive Plan shall promote appropriate location of land uses and regulation of development

density and intensity based upon: (1) protection of conservation and preservation features; (2) compatibility with adjacent existing and future residential land uses; (3) access to transportation facilities in keeping with their intended function; and (4) the availability of infrastructure.

The Plan shall also establish policies and guidance for the mapping of Future Land Use Categories, which are depicted on the Future Land Use Map. These categories are designed to promote a variety of land use types and patterns to meet the needs of the community and are shown on the following maps:

NOTES APPLICABLE TO URBAN AREA FUTURE LAND USE MAP (REV. EFF. 3/14/07)

Parcels 21-26-35-C-0010, 21-26-35-C-0020, 21-26-35-C-130 may be developed as an independent living facility for the elderly only if a Planned Unit Development is approved which includes Parcels 21-26-51-000-0040, 21-26-51-000-0050, and 21-26-51-000-120. Development intensity on the vacant parcels is limited to 45 units and 34,000 square feet and building height is limited to three stories. If the Planned Unit Development is not completed or approved, the vacant parcels shall only be developed as low-density residential development allowed under the R-1 or R-2 zoning districts.

Parcel 11-08-20-630-0000 shall only be developed with general office that may include a lending institution with a drive-through facility on the first floor. The total amount of development is limited to 30,000 square feet. The architecture and site design must be consistent with the adjacent Thomasville Road/I-10 Planned Unit Development. Site plans must be submitted to the Live Oak Plantation and Piedmont Neighborhood Associations, the 1300 Live Oak Plantation Property Owners Association, as well as the developers of the Thomasville Road/I-10 Planned Unit Development for comments prior to submitting the site plan to the City.

The area designated University Transition with hatching is subject to Transportation Element Objective 2.2, which may limit density to less than the maximum permitted by the category.

NOTES APPLICABLE TO LEON COUNTY FUTURE LAND USE MAP (REV. EFF. 6/19/07)

The allowable density is limited to 200 single-family residential dwelling units on parcels 15-17-20-224-0000 and 15-20-20-034-0000 combined and no non-residential development is permitted on these parcels. Also, for these parcels at least 50% of the entire combined acreage must be placed in permanent open space. The permanent protection of this open space shall be further defined through the PUD process.
(Parcels) 12-02-20-602-0000 and 12-11-20-202-0000 will be developed at a cumulative density no greater than 81 residential detached units.

Appropriately sized minor commercial activities and minor offices are permitted. Industrial, office and more intensive commercial land uses are prohibited due to lack of present infrastructure services or potential negative environmental impacts. Present or future agricultural, silviculture and forestry activities may be allowed.

Policy 2.2.3: [L]

RESIDENTIAL PRESERVATION (EFF. 7/16/90; REV. EFF. 7/26/06; REV. EFF. 4/10/09)

Characterized by existing homogeneous residential areas within the community which are predominantly accessible by local streets. The primary function is to protect existing stable and viable residential areas from incompatible land use intensities and density intrusions. Future development primarily will consist of infill due to the built out nature of the areas. Commercial, including office as well as any industrial land uses, are prohibited. Future arterial and/or expressways should be planned to minimize impacts within this category. Single family, townhouse and cluster housing may be permitted within a range of up to six units per acre. Consistency with surrounding residential type and density shall be a major determinant in granting development approval.

For Residential Preservation areas outside the Urban Service area the density of the residential preservation area shall be consistent with the underlying land use category.

The Residential Preservation category shall be based on the following general criteria. For inclusion, a residential area should meet most, but not necessarily all of these criteria.

1) Existing land use within the area is predominantly residential

2) Majority of traffic is local in nature

   a) Predominance of residential uses front on local street
   b) Relatively safe internal pedestrian mobility

3) Densities within the area generally of six units per acre or less

4) Existing residential type and density exhibits relatively homogeneous patterns

5) Assessment of stability of the residential area, including but not limited to:

   a) Degree of home ownership
   b) Existence of neighborhood organizations

In order to preserve existing stable and viable residential neighborhoods within the Residential Preservation land use category, development and redevelopment activities in and adjoining Residential Preservation areas shall be guided by the following principles:

a) The creation of transitional development area (TDA) for low density residential developments.

Higher density residential developments proposed for areas adjoining an established neighborhood within the residential preservation land use category shall provide a transitional development area along the shared property line in the higher density residential development. The development density in the transitional development area shall be the maximum density allowed in the Residential Preservation land use category. Development within the transitional development area shall be designed, sized and scaled to be compatible with the adjoining residential preservation area.

Transitional development areas shall be non-mapped areas and shall be approved at the time of site plan approval. The factors cited in paragraph (e) below shall be considered when determining the size of transitional development areas. The land

development regulations shall specify development thresholds for the implementation of transitional development areas.

b) Limitation on future commercial intensities adjoining low density residential preservation neighborhoods.

New or redeveloped commercial uses adjoining residential preservation designated areas shall mitigate potential impacts by providing a transitional development area between the commercial uses and residential preservation uses and only those commercial activities which are compatible with low density residential development in terms of size and appearance shall be allowed. The factors cited in paragraph (e) below shall be used when determining the compatibility, design techniques and the size of transitional development areas. The design and layout of adjoining commercial uses shall be oriented to place the section of the development with the least potential negative impacts next to the residential preservation area.

c) Limitations on existing light industry adjoining residential preservation neighborhoods.

New, expanding or redeveloped light industrial uses adjoining low density residential areas within the residential preservation land use category shall mitigate potential negative impacts by providing a transitional development area between the light industrial uses and the low and medium density residential uses. The factors cited in paragraph (e) below shall be considered when determining compatibility, design techniques and the size of the transitional development area.

The design and layout of adjoining light industrial uses shall be oriented to place the section of the development with the least potential negative impacts in the area next to the existing and/or future low density residential area in the residential preservation land use category. New light industrial land uses shall not be designated next to a residential preservation area.

d) Additional development requirements for allowed community facilities when adjoining low density residential areas, except for cemeteries or religious facilities to be used solely for religious functions. Such development requirements will also apply to ancillary facilities when proposed in conjunction with religious facilities, and are to result in effective visual and sound buffering (either through vegetative buffering or other design techniques) between the community facilities and the adjoining residential preservation area.

e) Land use compatibility with low density residential preservation neighborhoods

A number of factors shall be considered when determining a land use compatible with the residential preservation land use category. At a minimum, the following factors shall be considered to determine whether a proposed development is compatible with existing or proposed low density residential uses and with the intensity, density, and scale of surrounding development within residential preservation areas: proposed use(s); intensity; density; scale; building size, mass, bulk, height and orientation; lot coverage; lot size/ configuration; architecture; screening; buffers, including vegetative buffers; setbacks; signage; lighting; traffic circulation patterns; loading area locations; operating hours; noise; and odor. These factors shall also be used to determine the size of transitional development areas.

f) Limitations on Planned Unit Developments in the Residential Preservation land use category.

Planned Unit Developments proposed within the interior of a Residential Preservation designated recorded or unrecorded subdivisions shall be generally consistent with the density of the existing residential development in the recorded or unrecorded subdivision. Parcels abutting arterial roadways and/or major collectors may be permitted to achieve six dwelling units per acre.

The existing predominant development density patterns in Residential Preservation are listed in paragraph (g) below. Within 18 months of adoption, the PUD regulations shall be amended to include provisions addressing the preservation of established residential preservation designated areas. Said provisions shall address any proposed increase in density and the factors cited in paragraph (e) above.

g) Limitations on resubdivision of lots within established Residential Preservation designated areas.

To protect established single family neighborhoods from density intrusions, consistency within the recorded or unrecorded subdivision shall be the primary factor in granting approval for development applications. Consistency for the purposes of this paragraph shall mean that parcels proposed for residential development shall develop consistent with the lot size and density of the recorded or unrecorded subdivision.

1. Guidance on the resubdivision of lots in recorded and unrecorded single family subdivisions shall be provided in the Land Development Code.
2. Parcels proposed for residential development shall develop at densities generally consistent with the density of existing residential development in the recorded or unrecorded subdivision with the exception of parcels abutting arterial and/or major collector roadways which may be permitted up to six dwelling units per acre.

   There may be two distinct density patterns in the Residential Preservation land use category as shown below:

Existing land use character of the subdivision	Gross residential density
Homogenous, very low density single family detached units (City Only)	0-3.6 dwelling units per acre (generally consistent with density of the subdivision)
Low density single family detached and/or non-single family detached units (including but not limited to townhomes and duplexes)	0-6.0 dwelling units per acre (generally consistent with density of the subdivision)

This section shall not be construed as to restrict the development of building types allowed by the applicable zoning district.

Policy 2.2.4: [L]

VILLAGE MIXED USE (REV. EFF. 12/23/96; REV. EFF. 7/26/06; REV. EFF. 3/14/07)

To create traditional neighborhood developments with an emphasis on low to medium density residential land use, small to medium scale commercial shopping opportunities for area residents, schools and small to moderate scale churches, and recreational and leisure-oriented amenities for the enjoyment of area residents. Development in this category shall require compliance with traditional neighborhood development standards to be established in the Land Development Regulations. New development in this category requires the establishment of a true, mixed-use project, either through buildings that integrate a mixture of uses or series of buildings that result in a compatible mix of uses. Integration includes the establishment of pedestrian connections, shared public spaces, streetscapes that focus on people before automobiles and parking designs that minimize their visibility. Commercial development shall be of a walkable scale and intensity. Residential development shall include a mix of housing densities and housing types.

Traditional neighborhood development regulations shall include specific criteria to ensure that development in this category results in walkable, mixed-use neighborhoods that satisfy a

STATE OF FLORIDA
DIVISION OF ADMINISTRATIVE HEARINGS

Moore Pond Homeowners Association, Inc., and Ox Bottom Manor Community Association, Inc.,

Petitioners,

-vs- DOAH Case No.: 17-5082

Golden Oak Land Group, LLC, and Leon County, Florida,

Respondents.
_____/

DEPOSITION OF:	SUSAN POPLIN
TAKEN AT THE INSTANCE OF:	PETITIONERS
DATE:	October 27, 2017
TIME:	Commenced at 2:20 p.m. Concluded at 4:02 p.m.
LOCATION:	Hopping, Green & Sams, P.A. 119 South Monroe Street Suite 300 Tallahassee, Florida
REPORTED BY:	Tracy Finan, RPR, FPR reportertrace@gmail.com

ACCURATE STENOTYPE REPORTERS, INC.
2894-A REMINGTON GREEN LANE
TALLAHASSEE, FL 32308
850.878.2221/www.accuratestenotype.com

1 APPEARANCES:

2

3 On behalf of the Petitioners:

4 JEREMY V. ANDERSON, ESQ.
janderson@andersongivens.com
5 JUSTIN J. GIVENS, ESQ.
jgivens@andersongivens.com
6 ANDERSON & GIVENS, P.A.
1689 Mahan Center Boulevard, Suite B
7 Tallahassee, FL 32308
Phone: (850) 692-8900
8

9 On behalf of the Respondents:
10
GREGORY THOMAS STEWART, ESQ.
11 gstewart@ngnlaw.com
CARLY SCHRADER, ESQ.
12 cschrader@ngnlaw.com
NABORS, GIBLIN & NICKERSON
13 1500 Mahan Drive, Suite 200
Tallahassee, FL 32308
14 Phone: (850) 224-4070
(For Leon County)
15

16 GARY KENNETH HUNTER, ESQ.
garyh@hgslaw.com
17 ERIN J. TILTON, ESQ.
erinc@hgslaw.com
18 HOPPING, GREEN & SAMS
119 South Monroe Street
19 Suite 300
Tallahassee, FL 32301
20 Phone: (850) 222-7500
(For the Applicant)
21

22

23 ALSO PRESENT:
WENDY GREY
24 SHAWNA MARTIN

25

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1 The following deposition of **SUSAN POPLIN**, was taken
2 on oral examination, pursuant to notice, for purposes of
3 discovery, and for use as evidence, and for other uses
4 and purposes as may be permitted by the applicable and
5 governing rules. Reading and signing is **NOT WAIVED**.
6 ****
7 Thereupon,
8 **SUSAN POPLIN**
9 the witness herein, having been first duly sworn, was
10 examined and testified as follows:
11 DIRECT EXAMINATION
12 BY MR. ANDERSON:
13 Q. Ms. Poplin, you know I'm Jeremy Anderson with
14 Anderson and Givens. Are you familiar with the case and
15 why we're here?
16 A. Yes, I am familiar with the case.
17 Q. All right. Have you been deposed before?
18 A. I have.
19 Q. Okay. All right. Of course, speak loudly
20 into the microphone, and any answers, please do it in a
21 verbal manner so it can be recorded in the record.
22 You're under oath.
23 For the purposes of this, any references to
24 applicant or Golden Oak Land Group, that's the developer
25 of the proposed property. Brookside Development, the

1 Brookside residential subdivision, it means the same
2 thing as Brookside, Brookside Village,
3 Brookside Development. Moore Pond Homeowner's
4 Association can be referred to as Moore Pond. Ox Bottom
5 Manor Community Association is oftentimes just referred
6 to as Ox Bottom. And comprehensive plan for Leon County
7 is comp plan or plan. Land development code for
8 Leon County is LDC or code or land development code.
9 All right. Let's take a look at your resumé
10 here. All right. So what is your job title?
11 A. I'm a principal planner at the Tallahassee
12 Leon County Planning Department.
13 Q. Okay. It looks like -- is all of your
14 planning experience related to governmental work?
15 A. It is public sector work, yes.
16 Q. Okay. Please tell me what your job entails.
17 A. My job entails reviewing site plans, rezoning,
18 planned unit developments under the land use division of
19 the planning department and providing the analysis that
20 go along with the consistency reviews with the
21 comprehensive plan so -- among other things. I mean,
22 there's another -- there's a whole list of things that a
23 principal planner does.
24 Q. Okay. And you prepare memorandums to be used
25 by -- do you prepare memorandums to be used by the DRC

1 for making their decisions?
2 A. Yes, sir, for both the city and the county.
3 Q. The city and the county. And they rely upon
4 your opinion to make their decisions?
5 A. Well, as you know, the DRC is composed of a
6 number of members, so certainly our representative on
7 the DRC does rely on our review. But that's usually a
8 five-person body so they make the decision. You know,
9 we're only one vote on the DRC, yeah.
10 Q. Okay. All right. What was your role in the
11 Brookside development review?
12 A. The primary role that I had in Brookside was
13 to review it for consistency with the comprehensive
14 plan.
15 Q. Okay. Did that include a compatibility review
16 as well?
17 A. It included a review of all the elements of
18 the comprehensive plan, looking at the specific proposal
19 for site plan review.
20 Q. Okay. Okay. Was there any pressure by any
21 county person to get this project approved?
22 A. No.
23 Q. Okay. Was there any pressure by anyone else
24 to get this project approved?
25 A. No.

1 Q. Okay. I believe you stated this, but I'll ask
2 again: When you analyzed Brookside development, did you
3 review for consistency with the comprehensive plan?
4 A. Yes, sir.
5 Q. Okay. Did you review for compliance with the
6 land development regulations?
7 A. No. That is left to the county staff because
8 it is their code, and they are the ones that are
9 responsible for looking at it, the consistency with the
10 code.
11 Q. Okay. All right. In your professional
12 planning opinion, is it that the Brookside development
13 is consistent with every goal of the comprehensive plan?
14 A. That is my conclusion, yes.
15 Q. Okay. Is it consistent with every policy of
16 the plan?
17 A. That is my conclusion as well, yes.
18 Q. Okay. Is it your opinion that -- is it
19 consistent -- excuse me -- is it consistent with every
20 objective of the plan?
21 A. That is my conclusion.
22 Q. Okay. The comprehensive plan -- does the
23 comprehensive plan define compatibility?
24 A. No, it does not.
25 Q. What do you use as your guide for determining

1 compatibility?
2 A. Well, when there is no definition in the
3 comprehensive plan -- or sometimes we can rely on the
4 land development regulations, then we would look at the
5 state definition, which is in 163.3164, I believe, (9).
6 Q. Okay. All right. And when you review for
7 compatibility based on the comprehensive plan, do you
8 review it for land uses as -- the coexistence of land
9 uses?
10 A. I review it based on the objectives and
11 policies in the plan. That is what we would use.
12 Q. Okay.
13 A. If it applies to compatibility. I mean, there
14 are many, many sections of the plan that have nothing to
15 do with compatibility.
16 Q. Okay. When you are looking at compatibility,
17 do you -- a proposed development, do you look at the
18 conditions of the proposed development?
19 A. You would look at -- for compatibility, you
20 would look at the type of use with regard to the
21 proposal.
22 Q. The type of use; that's the only thing you
23 look at for compatibility?
24 A. Based on 2.2.26 of our comprehensive plan,
25 yes. You would look at that -- that is one of our

1 primary provisions of the plan that deals with
2 compatibility.
3 Q. Okay.
4 A. So when you -- and it has a number of things
5 that you look at.
6 Q. Okay.
7 A. Including -- including and limited to the type
8 of use and, you know, if we want to look at that --
9 Q. Yeah.
10 A. -- that provision of the plan. I'm not saying
11 that's the only thing you look at but --
12 (Simultaneous crosstalk.)
13 Q. Well, let's pull that out --
14 A. -- it's definitely a primary portion.
15 Q. -- and it's on Exhibit E, I believe, or --
16 unless you have your own copy of the plan?
17 A. Well, I only blew it up because in the plan
18 itself it's so hard to read because it is in smaller
19 print. But it should be within the excerpts of the
20 plan.
21 Q. And what are you wanting to reference
22 specifically?
23 A. Specifically, provisions in 2.2.26.
24 (*Sotto voce* discussion.)
25 THE WITNESS: 2.2.26. So if you look at this,

1 this is described as a land use development matrix,
2 and it depicts performance criteria and then it
3 goes on to a parcel's potential based on the
4 following principles. And Number 2 in that list is
5 its potential compatibility with surrounding
6 existing land use.
7 BY MR. ANDERSON:
8 Q. Okay.
9 A. So when you look at this chart -- and, again,
10 just emphasizing this is not the only thing that you
11 would look at, but it is a primary piece of the plan.
12 If you look at -- and the way you use this matrix is you
13 look at the proposed use in this column, this first
14 column, and then you look at the existing use in this
15 column, existing adjoining land use.
16 So what you do is you take this and you define
17 your type of use, which in this case, is low density
18 residential. That is defined in our comprehensive plan
19 as zero to eight. In this case, the land -- the RP is
20 zero to six, so that falls within our low density
21 category. So low density next to -- and you can't
22 define the existing adjacent use as anything else but
23 low density and that's really where it falls in the
24 spectrum.
25 So when you read across from "proposed use

1 existing low density" to "adjoining land use of low
2 density residential," it gives you a little code. And
3 in this case, it's a little green "x," so green for go.
4 And if you read down at the bottom of the chart the
5 first little notation there says: "Land use is
6 compatible/allowable."
7 So that tells me that from a compatibility
8 standpoint there's a very good representation in the
9 plan that this is a compatible use. And, you know,
10 based on that and other provisions in the plan for
11 compatibility, you know, I reached the conclusion that
12 this low density proposal next to the existing low
13 density proposal is compatible.
14 Q. Okay. So we've got the little green check
15 that says it's compatible on that chart. Do you --
16 MS. SCHRADER: Just for housekeeping, we
17 brought the excerpts of the comprehensive plan that
18 was among those documents, so if you want to make
19 it part of the exhibits.
20 MR. ANDERSON: Yes. We have -- did I move
21 those -- oh, okay.
22 THE WITNESS: Oh, one other thing I want to
23 mention is that this is --
24 MR. STEWART: Well, let's go ahead and let
25 them get caught up a little bit.

1 THE WITNESS: I'm sorry.
2 MR. ANDERSON: Okay. So we'll mark that in
3 as F.
4 (Exhibit F marked.)
5 BY MR. ANDERSON:
6 Q. Okay. All right. So we marked the green box
7 and it's a go. All right. Tell me how -- so the
8 question is, is the proposed development in the
9 residential preservation area?
10 A. Yes.
11 Q. Okay. Would you look to policy 2.2.3 in the
12 comprehensive plan?
13 A. We would look to that policy to determine if
14 the density and intensity and type of use are
15 consistent. Because I'm not just looking at
16 compatibility, so one of the things -- one of the
17 baseline things I'm going to do is I'm going to
18 calculate the density and figure out if that proposal is
19 within the range of the allowable density of this
20 particular land use category.
21 And I'm also going to check whether or not the
22 type of use, which is single-family residential, is
23 something that's allowed within the category. So
24 I looked at those things and determined that it was
25 within the allowable range or acceptable range of the

1 residential preservation category and that is a type of
2 use allowed by the residential preservation category.
3 Q. So it's an allowable use?
4 A. Allowable use.
5 Q. You determined that it's within the density
6 range. Paragraph (e) of that policy, aside from just
7 marking the green box, it also requires factors to be
8 considered. And I'll read it: "At a minimum, the
9 following factors shall be considered to determine
10 whether a proposed development is compatible with
11 existing or proposed low density residential uses." And
12 it gives a list.
13 Did you examine each and every one of those
14 and make a determination and conduct -- excuse me, I
15 retract that question.
16 Did you review each and every one of those for
17 Brookside?
18 MR. HUNTER: Object to the form.
19 BY MR. ANDERSON:
20 Q. You can still answer.
21 MR. STEWART: We'll join in that.
22 THE WITNESS: In my staff report, I looked at
23 these factors to the extent that they were
24 addressed in the compatibility analysis provided by
25 Wendy Grey.

1 BY MR. ANDERSON:
2 Q. Okay. So --
3 A. But I -- you know, I did not think that
4 they -- for this particular section of the land use --
5 the land use policy, because when you kind of take this
6 as a whole, it's land use compatibility with low density
7 residential.
8 Q. Uh-huh.
9 A. And, here, we're not comparing apples and
10 oranges. We're talking about two low density projects
11 next to each other. This type of analysis, the way it's
12 written implies that you would look at something that's
13 a medium or a high density compared to the low density
14 residential. So on my own, I wouldn't have necessarily
15 looked at each of these factors for the purposes of
16 analyzing and determining consistency with the comp plan
17 for this particular project.
18 But I did review it because it was included in
19 the compatibility analysis, and so I looked at it to see
20 whether or not the analyses looked accurate and whether
21 or not they seemed reasonable. I did include that in my
22 staff report.
23 You know, the other reason to do it is there
24 were a lot of questions by adjacent neighbors that came
25 to us during the application review meetings, so we did

1 want to look at that for the sake of making sure that
2 their questions, maybe there could be some explanation
3 as to their questions regarding these issues.
4 Q. Okay. All right. I believe you testified
5 when we mark the green box --
6 A. Uh-huh.
7 Q. -- that you examined land use and the --
8 I guess, the abutting land uses and you said yes --
9 A. Yes.
10 Q. -- it was the same land uses.
11 So in that instance, your review was, in
12 compatibility, even though they were the same land uses,
13 under that document, you still did a review to determine
14 compatibility. But doesn't paragraph (e) --
15 A. I did not --
16 MR. STEWART: Let him finish.
17 THE WITNESS: Oh, sorry.
18 BY MR. ANDERSON:
19 Q. Yeah. Let me rephrase the question.
20 Where in paragraph (e) does it exclude doing a
21 review just because they're the same land use?
22 A. Where it says that "land use compatibility
23 with low density residential preservation," because it's
24 all low density residential preservation in this case.
25 So in this particular situation, you're comparing the

1 two together. They're both low density residential.
2 There's not a differential there.
3 Q. So what you're saying -- you're saying they're
4 both low density land uses --
5 A. Uh-huh.
6 Q. -- so both of them are a land use, correct?
7 A. They're within the same land use category.
8 Q. Yes.
9 A. So just to be clear, I'm not saying there's a
10 differential in the land use. There is not from a comp
11 plan perspective.
12 Q. Oh, I agree. Yeah. Yeah. But, again, I'm
13 trying to find in your code where it says that you just
14 throw the compatibility analysis under (e) out the door
15 because they're the same land use.
16 And I'll point out, and then I'll let you
17 answer, if you go down in Policy 2.2.3(a) and (b) and
18 (c) and (d), they do address those differing types of
19 land use and give you the analysis when they're
20 different land uses. But (e) talks about just land use
21 in general and the compatibility with the low density
22 residential.
23 So my question again is, does (e) prohibit you
24 from comparing, I guess, apples to apples?
25 MR. STEWART: Objection to form. It's a

1 compound question.
2 MR. HUNTER: Join.
3 BY MR. ANDERSON:
4 Q. Yeah. Does (e) -- okay. Let me say it again.
5 Okay. Is the proposed Brookside development a
6 residential preservation land use?
7 A. Yes.
8 Q. Okay. Does (e) require the following factors
9 to be considered when determining whether a proposed
10 development is compatible with an existing low density
11 residential use?
12 A. Maybe you could repeat that for me.
13 Q. Okay.
14 A. I just want to make sure that we're --
15 Q. Yeah. Okay. All right.
16 A. -- talking about the same thing.
17 Q. Yeah. Okay. So Brookside is a proposed
18 development, correct?
19 A. Yes.
20 Q. Okay. Specifically, the second sentence that
21 says "at a minimum the following factors shall be
22 considered to determine whether a proposed development,"
23 like Brookside, "is compatible with existing low density
24 residential uses."
25 A. And I would read that to be for projects that

1 are of a different land use or density ilk, that that
2 would be the place -- because what they're talking about
3 is with existing or proposed low density residential
4 uses.
5 Well, in this case, again, there's no
6 differential. You're talking about a low density
7 project land use next to another low density project
8 land use. So as I read it, and I think -- you know, as
9 I read it, it's with this low density residential
10 preservation, and it would have to be something
11 different in order to do that kind of comparison and use
12 that strictly for compatibility purposes. That is why
13 they wrote it this way.
14 Q. But isn't the compatibility analysis to
15 determine things on a proposed development that are
16 objectionable?
17 A. Sometimes that can be a reason to look at
18 compatibility to determine if there are issues with it,
19 but that is not the case here. Here, what the comp plan
20 is telling me when I put all these pieces together in
21 policies and objectives and using our matrix, what it's
22 telling me is that there is not a compatibility issue
23 when you look at everything together. And I can't look
24 at this and not look at that --
25 Q. So for the record, that you believe

1 paragraph (e) is inapplicable and does not -- is
2 inapplicable to the proposed Brookside review?
3 A. I believe that it is applicable when there is
4 a different type or density going next to an existing or
5 proposed low density -- or, excuse me, residential
6 preservation use.
7 Q. So the --
8 A. Land use.
9 Q. But the question was, as to Brookside, is it
10 your professional opinion that paragraph (e) does not
11 apply?
12 A. It is my professional opinion that those
13 factors do not apply.
14 Q. Okay. So in the compatibility definition,
15 I believe you said that -- you testified that you used
16 the same statute. Compatibility means a condition in
17 which land uses or conditions can coexist in relative
18 proximity. What is the meaning of "or conditions"?
19 A. I'm sorry, what are you asking me?
20 Q. We're looking at --
21 A. Maybe I need to look at the language.
22 Q. 163.3164. It says: "Means a condition in
23 which land uses or conditions can coexist." Okay. So
24 you testified that is the compatibility definition that
25 Leon County uses for determining compatibility for your

1 starting place, correct?
2 A. That would be the -- in questions of
3 compatibility and because this a comp plan covered under
4 Chapter 163, you -- and if you don't have a definition
5 in there, then, yes, you would default to 163.3164 for
6 that definition.
7 Q. Okay. So that is the definition you use?
8 A. Yes.
9 Q. Okay.
10 A. In the absence of other definitions.
11 Q. So, in your opinion, you've stated that
12 because they're the same land uses, the compatibility
13 analysis doesn't apply. So even if you throw out --
14 "compatibility means a condition in which land uses,"
15 you throw out "land uses" under your opinion, tell me
16 what "or conditions" means?
17 MR. STEWART: Objection to form. Compound
18 question.
19 BY MR. ANDERSON:
20 Q. Okay. Tell me what "or conditions" means and
21 how you -- yes, how -- what does "or conditions" mean?
22 A. Well, I don't think that that's -- I don't
23 think that's -- and I don't want to say this wrong, but
24 I don't think that's relevant. And one of the reasons
25 is regardless of the definition, the plan itself is what

is going to implement the requirements in Chapter 163. So the -- what you're talking about means a condition, presumably somewhere within this plan lays out the strategy for determining compatibility.

And since our plan has been found in compliance with the state statute, you have to -- and is consistent with the state statute or found in compliance with the state statute, that this requirement for compatibility is encompassed within this plan. And we use the definition, but the implementation piece of it is within the plan.

Q. Yes.

A. So I can't tell you what a condition means because somewhere in the plan or many places in the plan, it's there and reflects the type of requirement in 163.3164 for compatibility.

Q. All right. But every time your comprehensive plan references compatibility, doesn't it reference the statute that you use?

A. As a general definition, I would say yes.

Q. Okay.

A. But then the implementation, the intent is encompassed within the objectives and policies of the plan.

Q. All right. So you don't --

1 A. So I can't tell you what they --
2 (Simultaneous crosstalk.)
3 THE COURT REPORTER: One at a time, please.
4 I'm sorry.
5 MR. STEWART: Whoa, whoa, whoa, one at a time.
6 BY MR. ANDERSON:
7 Q. So if the context existed and didn't require
8 you to look at "or conditions," you would just not even
9 consider that?
10 MR. STEWART: Objection to form.
11 BY MR. ANDERSON:
12 Q. But still answer.
13 A. I'm saying that there is a definition. It is
14 something we can refer to as -- for compatibility.
15 I can't tell you what a condition means in this
16 particular situation because it's kind of included.
17 It's incorporated into the plan. It's implemented
18 through the policies and carried out by -- by review,
19 looking at those particular requirements that apply to
20 compatibility within the plan.
21 Q. Okay.
22 A. So that they -- the two work together.
23 Q. Okay. So as a principal planner for
24 Leon County, is it your testimony that you can't tell me
25 what "or conditions" means in the definition of

1 compatibility?
2 A. I'm telling you that the conditions of
3 compatibility are interlaced throughout the plan and
4 that you have to use those and that that -- what you're
5 trying to pull out and use as a condition is something
6 that is captured within the framework of the plan.
7 Q. All right. Let me ask it different.
8 Could that "or conditions," could that be
9 something that's occurring on either the proposed
10 development site --
11 A. Well, the condition or conditions could apply
12 to a number of land uses.
13 Q. Okay. No. It says "land uses or." So we're
14 not talking about the land use anymore.
15 Does this compatibility talk about conditions
16 that are existing on the -- or existing or that will be
17 proposed on the proposed development?
18 A. It means conditions that are existing between
19 uses. So, you know, I'm not sure that -- I'm not sure
20 that focusing on -- on one site which land uses or
21 conditions can coexist. So I guess I'm not really sure
22 what you're trying to ask me.
23 Q. All right. Well, let's just -- I'll move down
24 the sentence a little bit.
25 A. All right.

1 Q. Because then it talks about -- it says
2 "coexisting in relative proximity to each other in a
3 stable fashion over time such that no use" -- so that
4 could be your identical land uses, low density
5 residential and low density residential, but it says "or
6 condition is unduly negatively impacted."
7 So what sort of things, in your professional
8 opinion for the definition you use, could be conditions
9 that unduly negatively impact?
10 MR. STEWART: Objection to form. Compound
11 question.
12 BY MR. ANDERSON:
13 Q. Yes, still answer though.
14 MR. STEWART: If you can.
15 BY MR. ANDERSON:
16 Q. All right. I'll restate it.
17 In your professional opinion, what conditions
18 on a proposed development site can unduly negatively
19 impact another use or condition?
20 A. Well, again, I would -- for that, I would go
21 back to the comprehensive plan, and I would look through
22 and see, well, what things are in the comprehensive plan
23 that would define some type of unduly negatively impact,
24 directly or indirectly, by another use or condition.
25 Q. Okay.

1 A. But for this one, again, you know, looking at
2 the comp plan, what it tells me is that there aren't
3 undue -- unduly negatively impacted -- or unduly
4 negative impacts and that these are compatible.
5 Q. Okay. But I think we talked about policy.
6 Let me go back to it and then we'll jump onto something
7 else in a second.
8 2.2.3, paragraph (e) lists an entire group of
9 factors that shall be used -- excuse me, shall be
10 considered to determine whether a proposed development
11 -- that would be Brookside -- is compatible with an
12 existing residential use. And it gives you a lot of
13 factors.
14 Could those factors be considered conditions
15 on that development that could unduly impact an
16 adjoining subdivision?
17 MR. STEWART: Objection to form.
18 BY MR. ANDERSON:
19 Q. Okay. Could those factors in paragraph (e) be
20 considered conditions that could cause negative impacts?
21 A. They could.
22 Q. They could.
23 A. But not in this case.
24 Q. Okay. All right. We'll get back to that in a
25 second.

1 All right. Can you give me an example of when
2 you have two adjoining land uses that are the same land
3 use when a factor in paragraph (e) could create a
4 negative condition?
5 A. Just to be clear, when you say land use, are
6 you saying within the same land use category?
7 Q. Yeah, within the same land use category.
8 A. That could occur if you had a mixed-use land
9 use category that had a number of uses, for instance, a
10 really low density development next to industrial if it
11 allowed that type of use.
12 In those cases, you could have a situation
13 where within the same land use category, you had uses
14 that were potentially incompatible. And, again, I would
15 look to the plan. I would look to the policy in the
16 plan to give me guidance, and I would consider --
17 of course, you realize residential perseveration is just
18 one land use category, so I would be using the land use
19 categories, and I would be using any standards within
20 the plan, and I would be using our development matrix to
21 determine that.
22 Q. Okay. In your capacity, would you say you're
23 knowledgeable of the Brookside documents submitted by
24 the applicant?
25 A. To the extent that they've been submitted on

1 project docs and in other public formats, yes.
2 Q. Are you familiar with Wendy Grey's revised
3 compatibility analysis dated August 2nd, 2017?
4 A. I am.
5 MR. ANDERSON: Okay. I'll mark that
6 Exhibit G. And in addition, we're going to mark --
7 one moment. Okay. We're going to mark your report
8 as H.
9 (Exhibits G and H marked.)
10 THE WITNESS: Just so we're clear, that's the
11 August --
12 BY MR. ANDERSON:
13 Q. Yes, the August --
14 A. -- the August report.
15 Q. Yes, August 4th, 2017, submitted project docs
16 on August 14th.
17 All right. So you testified that you're
18 familiar with Wendy Grey's compatibility -- did you use
19 Wendy Grey's revised --
20 (Discussion off the record.)
21 BY MR. ANDERSON:
22 Q. All right. Back on. So I believe you
23 testified -- or I'll ask you again. Are you familiar
24 with Wendy Grey's revised compatibility analysis dated
25 August 2nd, 2017?

1 A. I am.
2 Q. All right. And did you use that document in
3 your August 4th report prepared for the DRC members?
4 A. Yes.
5 Q. It's correct to say that the DRC members,
6 based upon your guidance, they voted to approve the
7 project?
8 MR. STEWART: Objection to form.
9 MR. HUNTER: Join.
10 BY MR. ANDERSON:
11 Q. Did the DRC vote to approve the document in
12 part based upon your opinion?
13 MR. STEWART: Objection to form.
14 MR. HUNTER: Join.
15 MR. ANDERSON: You can still answer.
16 MR. STEWART: If you know.
17 THE WITNESS: The DRC voted to approve the
18 project with conditions.
19 BY MR. ANDERSON:
20 Q. Okay. But they considered your report?
21 MR. STEWART: Objection to form.
22 BY MR. ANDERSON:
23 Q. Did they consider your report?
24 A. They did consider my report.
25 Q. Okay. All right. So let's look at your

1 report. So I'm going through and on -- probably one of
2 the things we're arguing about the most here on page 2
3 is compatibility. All right. And you provided your
4 analysis in your August 4th report provided to the DRC.
5 It indicates that you relied upon Wendy Grey's
6 compatibility analysis dated October 9th, 2016, and
7 updated in April of 2017.
8 A. That's correct.
9 Q. That's correct? It does not indicate that you
10 relied on -- oh, let me rephrase the question.
11 Did you rely upon the revised version in
12 July 5th and the final revised in August 2nd?
13 A. I did. I didn't add that in there. It should
14 have been an addition to the report.
15 Q. So just is it -- is it your testimony that
16 just you left out a reference to the dates?
17 A. Yes, sir.
18 Q. Okay. All right.
19 MS. TILTON: Jeremy, can I interrupt for just
20 one second? The version that I copied is
21 highlighted and has like notes and stuff on it.
22 MR. ANDERSON: Oh, that's fine.
23 MS. TILTON: As long as you're okay with that.
24 MR. ANDERSON: Oh, yeah. That's fine. Yeah,
25 that was -- yeah, that was actually kind of we're

1 looking at. It's fine.
2 MS. TILTON: I just wanted to make sure.
3 MR. ANDERSON: Well, thank you.
4 BY MR. ANDERSON:
5 Q. So what you've testified to is just simply,
6 "I left out the dates." What I'd like to point out,
7 though, is and ask you about these, was it your analysis
8 that you bullet point through here that you quote
9 Wendy Grey, was it, in fact, based upon her revised
10 analysis of August 2nd, 2017?
11 A. That was my intent, yes.
12 Q. Okay. In particular, on page 3, your
13 information that you provided to the DRC includes the
14 incorrect facade ratio for each of the lots in the
15 Brookside development.
16 MR. STEWART: Objection to form.
17 MR. ANDERSON: Okay. Well, I was just -- I'm
18 just making a statement now.
19 MR. STEWART: I know. That's --
20 MR. ANDERSON: Okay.
21 MR. STEWART: I got that.
22 MR. ANDERSON: Yeah. Yeah.
23 BY MR. ANDERSON:
24 Q. Can you read or is it -- let me ask this
25 question a different way.

1 Is the ratios stated on page 3 of your report,
2 does it accurately depict what is being proposed to be
3 constructed in Brookside Manor?
4 A. Which specific --
5 Q. So page 3, building size -- the paragraph,
6 building size, mass, and bulk. I'll point to the
7 paragraph in Mrs. -- in Wendy Grey's, I believe that is
8 page 8 of her report.
9 A. Are you referencing the mass and bulk section?
10 Q. Yes, the mass and bulk sections in both
11 documents.
12 A. Okay.
13 Q. Which one's right?
14 A. Well, I would rely on Wendy's report.
15 Q. Okay.
16 A. If the figures are incorrect, that was not an
17 intention.
18 Q. So is it your testimony that as to this
19 section the DRC was provided incorrect information
20 related to an aspect of the development?
21 MR. STEWART: Objection to form.
22 THE WITNESS: The DRC was provided both items,
23 so they could look at both reports with regard to
24 the information.
25 BY MR. ANDERSON:

Q. Okay. Are you aware that also that you provided incorrect information relating to building size range?

A. No, I was not aware of that.

Q. Are you also aware that you also, for the Brookside development, provided incorrect information related to the average building size?

A. The building sizes are correct for all of the existing development. Brookside is listed as 2,200 to 3,500. My report lists 28, 48 to 32, 78. They're very comparable. Average sizes 2,850 versus 3,000 square feet.

Q. But my question is, is it incorrect?

A. It is. There is one figure -- two figures in it that are incorrect. The rest is correct.

Q. Okay. All right. Are you also aware that your opinion and your conclusions on lot coverage are incorrect?

A. I do not think that my conclusions are incorrect. The figure that is different between Wendy's report and mine is 24 percent --

Q. Okay.

A. -- for lot coverage versus 23 percent for Brookside.

Q. Okay. But the fact is does -- does the DRC --

1 A. The DRC --
2 Q. --review either document --
3 THE COURT REPORTER: One at a time, please.
4 BY MR. ANDERSON:
5 Q. Does the DRC review your document and vote
6 based upon the document that you provide?
7 MR. STEWART: Objection to form.
8 BY MR. ANDERSON:
9 Q. Okay. Does the DRC vote, in part, on the
10 document you provide?
11 MR. STEWART: Objection to form.
12 MR. ANDERSON: Answer.
13 MR. STEWART: If you can.
14 THE WITNESS: The DRC votes on a number of
15 things, a number of informational items, including
16 reports. But my point was regardless of the
17 difference between 24 percent and 23 percent, the
18 conclusions are still valid. They're still
19 correct, particularly on the lot size issue.
20 BY MR. ANDERSON:
21 Q. But also -- that was lot coverage, but on lot
22 size, are you aware that those are incorrect as well?
23 A. Again, because Brookside changed their
24 development slightly, I am now aware that the Brookside
25 figures are somewhat different.

1 Q. Does the DRC rely on your expert advice?
2 MR. STEWART: Objection to form. Calls for
3 speculation.
4 THE WITNESS: The DRC -- the DRC relies on a
5 number of things including my report, but they are
6 looking at, you know, all the input that's given to
7 them.
8 BY MR. ANDERSON:
9 Q. Okay. Would it be reasonable to say that they
10 rely upon the accuracy of your reports?
11 MR. STEWART: Objection to form.
12 THE WITNESS: The DRC relies on the accuracy
13 of the reports they receive.
14 BY MR. ANDERSON:
15 Q. Okay. Is your report accurate?
16 A. I believe the conclusions reached in my report
17 are accurate.
18 Q. Is your report accurate?
19 A. My report has -- needs updated information on
20 Brookside Village.
21 Q. So does your report contain information --
22 excuse me. Does your report contain Wendy Grey's
23 updated information on compatibility?
24 A. It does with the exception of the changes that
25 occurred to the Brookside Village calculations for --

1 and, again, we're talking about 1 and 2 percent,
2 you know, less than 300 square feet for building size.
3 But, yes, there is updating that -- of that information
4 that is needed to those figures for Brookside Village.
5 Q. Do your reports always have this many errors?
6 MR. STEWART: Objection to form. It's
7 argumentative. Stop being cute. Let's just --
8 (Simultaneous crosstalk.)
9 MR. ANDERSON: Let me -- okay --
10 BY MR. ANDERSON:
11 Q. Okay. Have you made mistakes before like
12 this?
13 A. No.
14 Q. Okay. Let's go further down your report. Can
15 you describe or can you tell me how you determine a
16 pattern in a neighborhood?
17 MR. STEWART: Objection to form.
18 BY MR. ANDERSON:
19 Q. Okay. On page 5 of her report, she indicates
20 that Brookside Village setbacks are consistent with the
21 pattern in the neighboring Ox Bottom Gardens, but not
22 Ox Bottom Manor or Moore Pond. So is setbacks something
23 that creates a pattern in a neighborhood?
24 A. I'm not sure how to answer that at this point.
25 The --

1 Q. Okay. Well, explain --
2 MR. STEWART: Let her finish. Please finish.
3 Go ahead.
4 THE WITNESS: The compatibility analysis that
5 was provided, provided setback information. So
6 I looked at the information that was provided and
7 concurred with the analysis. I didn't -- at that
8 point was not considering whether or not it was
9 part of the residential land use pattern. It was
10 just not something I was looking for.
11 BY MR. ANDERSON:
12 Q. Okay. This is in the paragraph regarding
13 compatibility analysis. You've analyzed the adjacent
14 projects. You've concluded that Ox Bottom Manor and
15 Moore Pond had a pattern based upon setbacks.
16 Do setbacks in adjacent neighborhoods -- or
17 excuse me, let me ask -- let me retract it.
18 Can setbacks in an adjacent neighborhood
19 create a pattern for those neighborhoods?
20 A. In my professional opinion, not by themselves.
21 Pattern is more than just one thing.
22 Q. Okay. Okay.
23 A. And certainly from a land use perspective, the
24 type of pattern, at least in the comp plan, would be --
25 the types of things that you put in there would be in

1 the land use category, but I don't believe by itself it
2 would consist a pattern -- or provide a pattern.
3 Q. Okay. So then why is the sentence in there?
4 A. The -- "pattern" may not have been the correct
5 term. I was looking for a general comparison, how alike
6 are they, how different are they. And based on what was
7 provided for the setbacks, I took a quick look to see
8 what the comparison yielded. It wasn't -- it was more
9 or less trying to give a description rather than a
10 pattern.
11 Q. Okay. So you were describing -- were you
12 describing, I guess --
13 A. It was merely --
14 Q. -- the setup of Ox Bottom Manor, I guess?
15 A. No. I was just trying to show, you know, a
16 comparison of the -- and these are particular to front
17 setbacks. And this was something that, you know, was
18 just a general description.
19 Q. So you were -- were you comparing the
20 differences in the development?
21 A. I was looking -- yes. I was looking for
22 similarities and differences.
23 Q. Okay. And in your report, were you also
24 comparing lot size as well?
25 A. For the lot size, I looked at what was

1 provided in the compatibility analysis.
2 Q. Uh-huh.
3 A. And, again, a general description. The larger
4 lots are in Moore Pond and Rose Hill. And I described
5 what Brookside Village proposed with their larger lots
6 in the rear and adjacent to Moore Pond. I also noted
7 that they proposed buffers and screens, which are
8 described in more detail.
9 Q. Okay. Did you also analyze building size?
10 A. I looked at building size in the report.
11 Q. Building mass?
12 A. Yes, sir.
13 Q. Building bulk?
14 A. Uh-huh.
15 THE COURT REPORTER: I'm sorry?
16 MR. STEWART: Answer audibly.
17 THE WITNESS: Oh, yes.
18 BY MR. ANDERSON:
19 Q. Building scale?
20 A. Yes.
21 Q. Okay. I'm asking these questions because your
22 analysis that you've gone through is Policy 2.2.3(5)(e).
23 If you don't think (5)(e) is required, why are you going
24 through the analysis?
25 A. The reason -- and, of course, in the report we

1 note that we don't think that this is applicable to this
2 project. The reason we went through it is because we
3 were presented with the compatibility analysis and,
4 again, because there were lots of questions,
5 particularly by residents, adjacent residents, about
6 some of these issues like lot size and lot coverage and
7 type of building. So we included that analysis as part
8 of this report to, again, show that information and show
9 some comparisons. But as far as a -- as determining
10 compatibility or discussing pattern, that was not the
11 intent of it.
12 Q. Okay. Those things you just listed, lot size,
13 and you said lot coverage, is it your expert opinion
14 that -- and we're going back to the statutory definition
15 of compatibility, are those not conditions that could
16 negatively impact another use?
17 A. Not in this situation. There might be other
18 situations where those types of things come into play,
19 particularly where the threshold is such that you are
20 comparing a different residential development,
21 particularly one that is a higher density to low
22 density, then I think you would probably look at some of
23 those compatibility factors, the ones that are
24 applicable in that situation.
25 Q. Okay. But in this instance, is there

1 clustering of the lots?
2 A. There is clustering of the lots, yes, sir.
3 Q. Okay. Does that create a -- you know,
4 I guess, let's read the -- and I -- let's see, I entered
5 this one into -- this would be E, F, G, H -- I think
6 there's another definitional section, Section 10-1.101.
7 MR. STEWART: I think it would be "I."
8 MR. ANDERSON: "I"?
9 MR. STEWART: Which one are we talking about?
10 MR. ANDERSON: Well, we're going to --
11 section -- at the top it says Section 10-1.0 --
12 10-1.101.
13 THE WITNESS: May I have a copy of that?
14 MR. ANDERSON: It should be just a one-page --
15 MR. STEWART: Oh, these are the definitions.
16 Let's just use all of the definitions --
17 MR. ANDERSON: It's a one-pager. Here you go.
18 (Simultaneous crosstalk.)
19 MS. TILTON: Oh, you already used that before.
20 MR. ANDERSON: Oh, I did? We used that
21 before?
22 MS. TILTON: Are we re-marking it?
23 MR. ANDERSON: We're going to, I guess, not
24 remark that. It was previously B. Okay.
25 MR. STEWART: What are you marking?

1 BY MR. ANDERSON:
2 Q. All right. On that page, there's a definition
3 of clustered development. Did the applicant use the
4 clustered development design technique?
5 A. I'm not sure I understand what you're asking.
6 Q. Okay. Are all of the developable lots
7 clustered into specific areas on the site plan?
8 A. They are.
9 Q. They are, okay. Were there -- are the
10 buildings concentrated together?
11 A. The buildings are.
12 Q. Okay. And are those buildings concentrated
13 abutting Moore Pond?
14 A. No -- well, I guess on one side.
15 Q. Okay, on one side. Okay. And then on the
16 other side is there a concentration of buildings
17 abutting Ox Bottom Manor?
18 A. Yes.
19 Q. Okay. So do those concentrations of
20 buildings, do they differ than the concentration of
21 buildings in Moore Pond?
22 MR. STEWART: Objection to form.
23 BY MR. ANDERSON:
24 Q. Okay. Are the buildings in Moore Pond
25 clustered?

1 A. No.
2 Q. Okay. Are the buildings in Ox Bottom Manor
3 clustered?
4 A. I don't know without looking at the entire
5 development.
6 Q. Okay. In your expert opinion, could
7 clustering be a condition contemplated by the statutory
8 definition of compatibility?
9 MR. STEWART: Which one do you need?
10 THE WITNESS: The definition he was
11 referencing.
12 BY MR. ANDERSON:
13 Q. 163.3164.
14 A. I buried it here.
15 MR. STEWART: Here you go.
16 THE WITNESS: And what was the specific
17 question again? Can you repeat that?
18 BY MR. ANDERSON:
19 Q. Okay. Could clustering be a condition
20 contemplated by the compatibility statute?
21 A. As how do you mean?
22 Q. Okay. Could clustering of -- just in general,
23 could clustering of buildings create a negative impact
24 on another use or condition?
25 A. I'm still not sure I'm following. Clustering

is a -- it's a technique to -- I mean, usually, it's a technique that planners embrace to preserve open space in conservation areas. I don't think you can look at clustering in this way and try to relate it to a specific condition of compatibility. I mean, it can be used a number of ways, not just for -- I guess I'm just not sure what you're trying to get at with that question.

Q. Okay.

A. So maybe -- you know, like I said, it's a professionally-accepted planning practice --

Q. Yes.

A. -- that, you know, that ensures that open space and conservation are preserved, that houses are clustered in a manner that puts them in suitable areas --

Q. Okay. So --

A. -- and to the extent, you know, that the comp plan directs it to suitable areas, yeah.

Q. So, no, I agree. Clustering for the development that it's being proposed on could be a good thing. It allows for open space.

A. Absolutely.

Q. But could clustering negatively impact an adjacent development?

A. In this case, I do not believe that the clustering negatively impacts the neighboring development.

Q. The question was, can clustering -- not in this case -- can clustering on one development have negative impacts on an adjacent development?

MR. STEWART: Objection to form.

THE WITNESS: I'm not -- I'm not aware of situations where that -- I guess in the realm of "is it possible," there -- perhaps out there somewhere there's a possibility. But in this case, that's not, you know, this clustering. This particular clustering proposal is not a negative impact on adjacent development.

MR. ANDERSON: Can we take a few-minute break and then we'll wrap up right after that?

THE WITNESS: Okay.

(Break taken from 3:31 p.m. until 3:36 p.m.)

BY MR. ANDERSON:

Q. Was the landscape buffer increased from 10 feet to 25 feet to reduce objectionable impacts?

MR. HUNTER: Object to the form.

MR. STEWART: I join in that.

THE WITNESS: There were no objectionable

1 impacts identified. My understanding of the buffer
2 is it was a negotiation to work with the adjacent
3 residents to address their concerns.
4 BY MR. ANDERSON:
5 Q. Would their concerns be considered
6 objectionable impacts?
7 MR. STEWART: Objection to form.
8 MR. HUNTER: Join.
9 THE WITNESS: Not under the policies in the
10 comprehensive plan.
11 BY MR. ANDERSON:
12 Q. Okay. When two identical land uses are
13 adjacent, can you identify when there could be an
14 objectionable impact?
15 MR. STEWART: Objection to form as it's
16 stated. She can -- if you can answer, go ahead.
17 THE WITNESS: There is nothing in the
18 comprehensive plan -- there's nothing in the
19 comprehensive plan, to my knowledge, that would
20 lead you to objectionable impacts. You could use
21 the compatibility matrix to determine if there are
22 issues that would be compatibility issues using
23 that and do as it directs you in that matrix.
24 BY MR. ANDERSON:
25 Q. Okay. So there's compatibility issues.

1 Let's -- tell me about those. What are those issues?
2 MR. STEWART: In a general sense you're
3 talking about?
4 BY MR. ANDERSON:
5 Q. Well, she said there was issues and she --
6 A. What I said was that the matrix is set up to
7 look at certain instances. And, again, looking at the
8 land use and that -- looking at that matrix could tell
9 you where there are potential incompatibilities and what
10 you would do in some cases to address those
11 incompatibilities. But that's where you would look.
12 There's not --
13 Q. Okay.
14 A. And you would look at the land use category to
15 see if there was any identification of any objectionable
16 impacts, which I am not aware of any.
17 Q. Okay. You said that's where you look. Can
18 you show me that exact provision?
19 A. Well, it's not an exact provision. It's a
20 case-by-case situation. Just as I was showing you
21 Brookside's case where they are low density residential
22 next to low density residential and what that tells me
23 is it's compatible.
24 There are situations where you might look
25 at -- just, again, just picking one off the chart, if

1 you are a high density residential development adjacent
2 to heavy industry, what that tells me here is that this
3 land use is incompatible.
4 So I'm just saying that there are provisions
5 in the plan -- they're not coined in your terms of
6 "objectionable impacts." But you would look at this as
7 well as other portions of the plan to determine if there
8 were compatibility issues.
9 Q. Okay. So would it be fair to say that your
10 compatibility analysis is limited to just an examination
11 of the land use?
12 A. It's limited to what the prescriptions in the
13 comprehensive plan are. And if they limit it to land
14 use, then that's what I would be looking at.
15 Q. Okay. Okay.
16 A. Yeah.
17 Q. Can you show me in the comp plan where it
18 limits your compatibility specifically to land use?
19 A. Well, again, it would depend on the situation.
20 In this case, it limits -- in this case, I think
21 2.2.3(e) and this matrix lay out the situation where you
22 look at land use and land use type and the type of
23 development --
24 Q. Okay.
25 A. -- and you figure out if it's compatible.

I think that's what you do in this case.

Q. And that --

A. In another case, I would -- I would have to take more time to examine it in the context of the comprehensive plan to answer your question.

Q. Okay. I think -- so you just indicated that you would look to paragraph (e). So that's 2.2.3(e) -- or (5)(e), so now we're using it?

A. To determine if it's even applicable.

Q. Okay, so that can we determine if it's applicable. Does that paragraph tell you that you do not examine identical land uses for compatibility?

MR. STEWART: Objection to form.

THE WITNESS: It tells me that I'm looking at a use of compatibility with low density residential preservation. So it would have to be, again, a different type of land use in order to even reach that threshold to make that comparison.

BY MR. ANDERSON:

Q. Okay. Let's move on to, in the comprehensive plan, Policy 1.4.12 -- or, actually, just start with Goal 1. Are you familiar with Goal 1 of the comprehensive plan?

A. I am familiar with it.

Q. All right. And Goal 1, the title of

1 Objective 1.1 is "Growth Management" and then, slash,
2 "Urban Service Area." So growth management, that's
3 talking about -- is that talking about all development
4 in Leon County?
5 A. Where are you looking at? You're in 01 --
6 MR. STEWART: He's talking about
7 Objective 1.1.
8 THE WITNESS: Oh, you're talking about
9 Objective 1.1, yes, sir. And your question --
10 BY MR. ANDERSON:
11 Q. I was just asking so --
12 A. I want to understand your question. The --
13 Q. Okay. So the title of this is "Land Use
14 Goals, Objectives, and Policies"?
15 A. Right.
16 Q. And Goal 1, and also in the objective where
17 it's growth management, is that speaking to all
18 development within Leon County?
19 A. Yes. It's --
20 MR. STEWART: Can you clarify what you're
21 talking about, the goal that you're talking about?
22 BY MR. ANDERSON:
23 Q. Yeah. Okay. So -- all right. Does Goal 1
24 apply to all development in Leon County?
25 A. Yes.

Q. Okay. All right. And Policy 1.4.12, does that apply to residential development?

A. Well, you know, kind of backing up a little bit, this whole section applies to and directs you and prescribes what you should be doing in your land development regulations. So just to be clear, these policies direct you -- or direct the county to have things in their code that will address them.

But going to your -- I guess, your 1.4.12, again, this is directed towards LDRs. Of course, it is it also directed to planned unit developments, which are in many cases are mixed use developments.

Q. Uh-huh.

A. So it would apply to residential only in the sense that if it's a part of a mixed use project, it would be part of that development landscape.

Q. Okay. So the 1.4.12(a) where it talks about the intent of the site plan, in your professional opinion, that's talking about not just a site plan for a residential development, it would have to be a residential development that -- well, let me -- is it your professional opinion that this does not address or does not specifically apply to residential developments only?

A. That is correct. I think it applies to --

1 because when you read on in this paragraph --
2 Q. Uh-huh.
3 A. -- you know, it talks about efficient urban
4 land use patterns that closely integrate living and
5 working spaces. The only way to achieve those
6 employment centers is with some other type of use
7 besides residential, while maintaining compatibility.
8 And so many times with these nonresidential
9 uses next to residential uses, you would want to
10 incorporate design criteria to make sure the two work
11 together -- those two uses work together.
12 Q. Is there any language in that paragraph that
13 specifically prohibits its application to only
14 residential?
15 A. No. But, again, when you read it in whole,
16 the intent is clearly not for a residential-only
17 project.
18 MR. ANDERSON: Okay. Moving along, I believe
19 we might have this -- okay, we have a number of
20 land development code provisions starting with
21 Section 10-2.103. That's going to be G -- H --
22 (There is discussion off the record.)
23 (Exhibit I marked.)
24 BY MR. ANDERSON:
25 Q. All right. Would two proposed land uses be

1 the most compatible if everything about the developments
2 were identical?
3 MR. HUNTER: Object to form.
4 MR. STEWART: Join.
5 THE WITNESS: Well, I don't think
6 compatibility runs along a spectrum. I think you
7 determine whether it is or it isn't compatible.
8 Identical uses adjacent to each other are probably
9 compatible.
10 BY MR. ANDERSON:
11 Q. But if they were identical, they would be --
12 would they be the most compatible you could get in your
13 expert opinion?
14 MR. STEWART: Objection to form.
15 THE WITNESS: They would be compatible.
16 BY MR. ANDERSON:
17 Q. Okay. Section 10-7.505(1) in the land
18 development code, it says that: "Each development shall
19 be designed to be as compatible as practical with nearby
20 development and characteristics of land."
21 A. I'm sorry, which section did you say?
22 Q. 10-7 --
23 A. Seven.
24 Q. -- .505. It's in the middle.
25 A. Sorry, I don't have that.

1 Q. It's right there.
2 A. 7.104.
3 MR. ANDERSON: Well, I'll find it.
4 (Document provided to witness.)
5 BY MR. ANDERSON:
6 Q. So this provision requires that each
7 development be designed to be as practical -- as
8 compatible as practical to the nearby development and
9 the characteristics of the land.
10 Are there differences in lot sizes between
11 Brookside Manor and Moore Pond?
12 A. Is that just one question? Were you just
13 asking me if there are different lot sizes?
14 Q. Yeah.
15 A. Yes.
16 Q. Okay. From a compatibility analysis, are they
17 less compatible because they're not identical sizes?
18 A. That was not part of the compatibility
19 assessment that is prescribed by the comprehensive plan.
20 Q. Okay.
21 A. It's not something you would look at.
22 Q. Okay. At this point, I have to go back and
23 look at the transcript. I'm not sure exactly on your
24 testimony on 617 (verbatim), was it (5)(e), whether or
25 not you use those criteria to review for compatibility,

1 but lot sizes, one of those listed?
2 MR. STEWART: I think the issue is whether
3 it -- make an analysis as to whether it would be
4 more compatible.
5 MR. ANDERSON: Yeah.
6 MR. STEWART: That's the problem. She --
7 I think that's the issue if that helps.
8 BY MR. ANDERSON:
9 Q. Yeah. Is the highest level of compatibility
10 if they're the same exact size?
11 A. I don't know how to answer that question
12 because there's not a range in the comp plan that's
13 prescribed as the highest level of compatibility. It
14 either is or it isn't. So I don't know the answer to
15 your question. If your question is, is it compatible,
16 then the answer would be yes based on the comp plan.
17 Q. But is it your job to do a compatibility
18 analysis -- if two things are exactly alike, is there
19 any way they could be incompatible?
20 A. Without knowing the specific situation that
21 I can, you know, apply using the provisions in the
22 comp plan, I can't answer that. But in this particular
23 situation with low density residential adjacent to low
24 density residential and given the provisions in the
25 policies and the matrix, then I concluded they were

1 compatible.
2 Q. Okay.
3 A. Yeah.
4 Q. And the differences in lot size had no bearing
5 on that analysis?
6 A. That was not what the plan prescribed for me
7 to use for a compatibility analysis for this particular
8 case.
9 Q. So clustering, not a determination for
10 compatibility?
11 A. No, sir.
12 Q. Okay. Lot coverage, not a consideration for
13 compatibility?
14 A. No, sir.
15 Q. Okay. Differences -- substantial differences
16 in side setbacks between adjacent developments; was that
17 a consideration?
18 A. No, sir.
19 Q. Okay. Mass of the clustered homes; was that a
20 consideration for compatibility?
21 A. No, sir.
22 Q. Bulk of the proposed buildings; was that a
23 consideration for compatibility?
24 A. No, sir.
25 Q. Okay. All right. Okay. Can you, in your

expert opinion, tell me what 10-7.505 means and how it's -- means?

MR. STEWART: 10-7.505? The whole section?

BY MR. ANDERSON:

Q. No. Excuse me, (1), paragraph (1).

A. I would defer to the county on this question because this is county code, and they would be the ones implementing this particular piece of it.

MR. ANDERSON: All right. I think that's about it.

THE WITNESS: Okay.

MR. HUNTER: I've got just one question. Did you have any?

MR. STEWART: Yeah, I had just one or two. Do you want to go first?

MR. HUNTER: You want to go first? Go ahead. You may have mine and then I may not have one.

MR. STEWART: Okay.

CROSS-EXAMINATION

BY MR. STEWART:

Q. Ms. Poplin, there was various questions concerning clustering within the residential, RP, preservation land use category. Is clustering a specifically identified residential use that's permitted there?

1 A. It's specifically identified in the preface
2 paragraph to the category. And I believe -- if I could
3 find it -- it says single-family, townhouse, and cluster
4 housing may be permitted within a range of six units per
5 acre, and the clustering would occur under the gross
6 density calculation so that you're not -- there's no
7 sort of going beyond the allowed gross residential
8 density for the land use category.
9 Q. And the clustering that is contained on
10 Brookside's site plan, that is with the zero to six
11 units per gross acreage density?
12 A. Yes, sir.
13 Q. I'm sorry, answer --
14 A. Yes, sir, it is.
15 MR. STEWART: Okay. Nothing further.
16 CROSS-EXAMINATION
17 BY MR. HUNTER:
18 Q. Ms. Poplin, Gary Hunter on behalf of the
19 applicant. Mr. Anderson asked you some questions about
20 some discrepancies between your, I believe, August 4th
21 report and Ms. Grey's August the 2nd report. Do you
22 recall those questions?
23 A. Yes, sir.
24 Q. And the gist of the questions were the
25 implication that the DRC had inaccurate information when

1 it was considering the materials when it was making its
2 decision. Did you understand the questions that way?
3 A. I did.
4 Q. Was Ms. Grey's report part of the report that
5 the county submitted to the DRC as the materials it had
6 to consider?
7 A. It was.
8 MR. HUNTER: Okay. I have no other questions.
9 MR. STEWART: Nothing else. All right. We'll
10 read.
11 (The deposition was concluded at
12 4:02 p.m.)
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1 CERTIFICATE OF OATH
2
3
4 STATE OF FLORIDA)
5 COUNTY OF LEON)
6
7
8
9 I, TRACY FINAN, Registered Professional Reporter,
10 Florida Professional Reporter, Notary Public, State of
11 Florida, certify that SUSAN POPLIN, personally appeared before
12 me on the 27th day of October, 2017, and was duly sworn.
13
14 Signed this 3rd day of November, 2017.
15
16
17 _____
18 TRACY FINAN, RPR, FPR
Notary Public - State of Florida
Commission No. #FF 184633
19 Commission Expires: January 8th, 2019
20
21
22
23
24
25

1 CERTIFICATE OF REPORTER

2

3 STATE OF FLORIDA)

4 COUNTY OF LEON)

5

I, TRACY FINAN, Registered Professional
6 Reporter, Florida Professional Reporter, do hereby
certify that I was authorized to and did
7 stenographically report, at the time and place therein
designated, the foregoing deposition of **SUSAN POPLIN**;
8 that a review of the transcript **WAS REQUESTED**; and that
the foregoing pages numbered 1 through 58 are a true
9 record of my stenographic notes.

10 I further certify that I am not a relative, employee,
attorney, or counsel of any of the parties, nor am I a
11 relative or employee of any of the parties' attorney or
counsel connected with the action, nor am I financially
12 interested in the action.

13 DATED this 3rd day of November, 2017.

14

15 _____
TRACY FINAN, RPR, FPR
Registered Professional Reporter
16 Florida Professional Reporter
reportertrace@gmail.com

17

18

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25

NOVEMBER 3RD, 2017
READ AND SIGN LETTER TO:

SUSAN POPLIN
C/O GREGORY THOMAS STEWART, ESQ.
gstewart@ngnlaw.com
NABORS, GIBLIN & NICKERSON
1500 Mahan Drive, Suite 200
Tallahassee, FL 32308
Phone: (850) 224-4070

IN RE: Moore Pond and Ox Bottom v Golden Oak/Leon County
DOAH CASE NO.: 17-5082

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IN RE: Moore Pond and Ox Bottom v Golden Oak/Leon County
DOAH CASE NO.: 17-5082
WITNESS: SUSAN POPLIN
TAKEN: 10/27/2017

PAGE	LINE	CHANGE	REASON FOR CHANGE
5	11	add hyphen after Tallahassee	it is usually hyphenated
10	25	Comma after "proposed use"	2 separate references
11	1 & 2	move line 2 end quote to line 1 after land use	no need to put LDR in quotes
26	17	Change "perseveration" to "preservation"	typo
57	10	Change "with" to "within"	clarifying

Under penalties of perjury, I declare that I have read the foregoing document and that the facts stated in it are true.

11/7/17 Susan S. Poplin
Date SUSAN POPLIN

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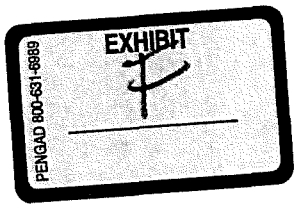
Leon County, Florida, Comprehensive Plan Excerpts



TALLAHASSEE-LEON COUNTY 2030 COMPREHENSIVE PLAN

The Tallahassee-Leon County Comprehensive Plan was adopted on July 16, 1990. The plan horizon for the Tallahassee-Leon County Comprehensive Plan is 2030. The Comprehensive Plan is a dynamic document, amended annually. This volume contains amendments effective through August 27, 2017. As other amendments come into effect, this volume will be updated accordingly. For information concerning the amendment process, please contact the Tallahassee-Leon County Planning Department.

PLANNING DEPARTMENT

Location: Frenchtown Renaissance Center, 435 N. Macomb Street, Tallahassee FL 32301
Mail: City Hall, 300 S. Adams St., Tallahassee FL 32301
Telephone: 850-891-6400
Website: http://www.talgov.com/place/planning.aspx

INTRODUCTION

The Tallahassee-Leon County Comprehensive Plan was adopted on July 16, 1990. The Comprehensive Plan contains three volumes. Volumes II and III contain the data and analysis on which the Goals, Objectives, and Policies within Volume I are based. Volume I provides guidance in evaluating individual development proposals within a defined growth management strategy. The Goals, Objectives and Policies within Volume I also provide the basis for the individual development regulation formulated to implement this Plan.

The plan horizon for the Tallahassee-Leon County Comprehensive Plan is 2030. The Comprehensive Plan is a dynamic document, amended annually. This volume contains effective amendments through January 22, 2016. As other amendments come into effect, this volume will be updated accordingly. Information concerning the amendment process is available at the Tallahassee-Leon County Planning Department. The Tallahassee-Leon County Planning Department is located at the Renaissance Center, 435 N. Macomb Street or can be reached by telephone at (850) 891-6400.

VISION STATEMENT AND IMPLEMENTATION

(REV. EFF. 7/26/06; REV. EFF. 1/7/10)

In the early 1820s, Florida government alternated business between St. Augustine and Pensacola. At that time, travel between the cities was hazardous and the journey long. In 1823, the site of Tallahassee was chosen as the seat of government for the Territory of Florida because of its central location and abundance of natural resources. It was noted then, "A more beautiful country can scarcely be imagined; it is high, rolling, and well watered." In the new capital, commerce expanded and a new school of higher learning was founded. From these historic roots, Tallahassee and Leon County is now the center of Florida's government and respected worldwide for its schools of higher education.

We are fortunate to have retained the natural beauty that inspired the sitting of Florida's state capital. The community relies upon the comprehensive plan to protect the natural resources and scenic beauty while encouraging the responsible, healthy growth of Tallahassee and Leon County. The comprehensive plan seeks to balance the management of growth with environmental protection but gives precedence to environmental protection.

Evolving land use patterns within the County have exhibited sprawl characteristics. Sprawl is, perhaps, the most inefficient pattern of land use. Costs associated with the provision of both capital and social infrastructure are higher than more compact patterns. This must be taken into consideration when local government is faced with limited fiscal resources and increasing demand for services.

Sprawl encourages degradation of the County's natural resources by prematurely committing vast areas to the impact of urbanization. Phased, orderly growth mitigates this situation by comprehensively addressing development impacts to our natural systems. Leap frog development associated with sprawl is piecemeal in nature and is detrimental to any type of comprehensive framework.

Another aspect of urban sprawl is the tendency toward strip commercial development, i.e., the commercialization along major streets which occurs as infill between sprawled developments. This strip development negatively affects traffic safety and flow, as well as creating aesthetic problems associated

with advertising signs. While many of the negative effects of strip development can be controlled to some extent by regulatory means, a more positive approach is to prevent its spread by means of land use policies.

The purpose of the comprehensive plan is to preserve, protect and enhance the quality of life for all citizens. The plan encourages and supports economically sound residential, educational, employment, cultural, recreational, commercial and industrial opportunities for the citizens. This is facilitated by systematically planning for growth, development and redevelopment.

The natural environment is one of the many criteria which, when combined, form the community's perceived quality of life. The natural environment is a major component in the quality of life equation for Leon County. As such, it must be protected. Development and the ancillary activities associated with it must be channeled into locations that protect the natural and aesthetic environment. Unwise land use decisions which ultimately require expensive environmental retrofitting, paid for by the general populace, must be eliminated. In order to achieve this, it is the intent of this Plan to include strong environmental objectives and policies within the Land Use Element and other applicable portions of the Plan.

The residential environment is also one of many criteria which form the community's perceived quality of life and must be protected. An economic base of stable public employment has fostered development of stable residential neighborhoods. Citizens identify with and value their neighborhoods in all parts of the community and at all income levels. Containing sprawl will necessarily increase density and intensity in the existing urban area. Unwise land use decisions and premature non-residential development in established residential areas can seriously and permanently alter the character of a neighborhood. Not only actual changes, but also the perception of a constant assault on a neighborhood undermines an otherwise desirable residential environment. Development and its ancillary activities should be channeled into locations that offer the greater opportunity for the higher density and mixture of uses that a policy of urban containment encourages. It is the intent of the plan to maintain the integrity of existing neighborhoods while encouraging new residential developments to incorporate a wider range of non-residential uses.

Essential for planning are objectives and policies that protect and enhance the natural environment, water resources, the canopy roads, and residential neighborhoods. To this end, regulatory tools such as concurrency management, urban service area designation, planned unit developments and special protection zones are used to foster the community's vision. An underlying premise is the linkage between land use and infrastructure. The plan is based on the principle that development should pay for itself and this vision is implemented, in part, through the accomplishment of several strategies described below.

Traditional values within Leon County prohibit the strict implementation of an urban containment strategy. Urban service area demarcations must be located to allow for some degree of large lot, single family subdivisions. In addition, some urban areas located away from the core, such as Chaires, Fort Braden, and Miccosukee, must be provided for. Overall, however, it is the intent of this comprehensive plan to concentrate development in the Tallahassee urban area plus provide for a minimum number of designated areas of urban development.

It is the responsibility of every citizen of Leon County to pay his or her fair share first to achieve and then to maintain the community wide adopted levels of service (LOS) for capital infrastructure and urban services. However, it is not a current resident's responsibility to pay for new developments' fair share

costs through subsidization. Thus, in a sense, future development must be self-sufficient.

Existing and new residents should not be bound by minimum level of service standards adopted community wide. The ability to enhance these minimums should be provided for as long as the end user pays for the incurred costs. User fees, special assessments or MSTUs are instruments, which can be used to accomplish this. Furthermore, it should be recognized that congestion can actually be a sign of a healthy urban area, and that automobile congestion can lead to individuals making a modal switch to transit, provided the transit system provides access to common destinations with convenient frequency.

The plan encourages projects and activities that provide significant additional value to the community. This includes supporting development in strategic areas such as the Downtown Overlay, Multimodal Transportation District and Southern Strategy Areas.

The intent of the Southern Strategy is to direct quality development and redevelopment into the area designated as the Southern Strategy area. Success of the Southern Strategy will benefit the entire community in terms of an increased tax base, greater choices for residential and employment opportunities, and other general quality of life factors such as greater availability of shopping, recreation and educational opportunities throughout the community. The focus of this strategy is to make this area of the community a desirable residential location for people of all incomes. This area contains many assets we strive for in other parts of the community such as close proximity to jobs and downtown, walk-to commercial, neighborhood schools and parks, and affordable housing. Similarly, the Lake Bradford Chain of Lakes, the St. Marks Bike Trail and its extensions, and the proximity of the National Forest make this area important for environmental and recreational reasons. It also contains historic neighborhoods and is in proximity to cultural activities in the community, with museums and nearby concert facilities; educational activities, with two nearby universities and the community college. It contains a great diversity of neighborhoods, housing, and employment close to the urban core. These are the assets that make a true city.

The Downtown Overlay consists primarily of the urban core of the City of Tallahassee and is intended to clearly distinguish the City's Downtown Boundary. This overlay district primarily comprises the Capital Center area, Gaines Street Corridor, and parts of the Southern Strategy Area. The intent of this overlay district is to encourage high density and quality redevelopment as well as remove barriers to achieving the allowable densities within this area.

In order to ensure the long-term viability of our entire community as well as the efficiency of our public and private investments, it is important to protect the housing resources, neighborhoods, and business and commercial districts that make up the Multimodal Transportation District and the Downtown Overlay by adopting strategies which promote neighborhood revitalization, urban infill, homeownership, and redevelopment.

The plan also supports diversification of our local economy, utilizing our highly educated workforce, our two local universities, community college and various technical schools and state government. With approximately 38% of all employment in Tallahassee-Leon County based in the government sector, this community is a reflection of its role as the State Capital and as a center for higher education. This employment structure has long provided a stable and predictable economic base.

This plan recognizes the likely continuation of growth in the State government and university segments of the local economy. A

major strength of this aspect of our community is the opportunity that it provides for selective diversification. With a strong economic base, the focus for the future can be to actively seek desirable industries that will have a synergy with existing economic resources, such as job training and research and development activities associated with the universities and other educational entities.

This Plan is based on maintaining the historical growth rate of Leon County. Specifically, Tallahassee-Leon County should continue to grow with an emphasis on selected growth that pays for itself through the provision of well-paid jobs and economic leverage factors which enhance the quality of life of the community. The universities and state government, which have been our traditional economic strengths, should be built upon and encouraged to expand. Thus, selected recruitment and continued expansion of the universities and state government should form the nucleus for the continued growth of Leon County.

Our comprehensive plan is a living document, used every day in decisions made by local governments. It is regularly reviewed and amended to ensure that it remains current and consistent with our community vision.

LAND USE
GOALS, OBJECTIVES AND POLICIES

Goal 1: [L] (EFF. 7/16/90)

The Comprehensive Plan shall protect and enhance the quality of life in this community by providing economically sound educational, employment, cultural, recreational, commercial, industrial and professional opportunities to its citizens while channeling inevitable growth into locations and activities that protect the natural and aesthetic environments and residential neighborhoods.

GROWTH MANAGEMENT/ URBAN SERVICES AREA

Objective 1.1: [L] (EFF.7/16/90; REV. EFF. 7/26/06; REV. EFF. 12/24/10)

Direct development to those areas which have in place, or have agreements to provide, the land and water resources, fiscal abilities, and the service capacity to accommodate growth in an environmentally acceptable manner. This shall be accomplished in part through the establishment and maintenance of an Urban Service Area (USA) concept. This Urban Service Area (USA) concept is based upon a desire to have Tallahassee and Leon County grow in a responsible manner, with infrastructure provided economically and efficiently, and surrounding forest and agricultural lands protected from unwarranted and premature conversion to urban land use. An urban service strategy provides for well-managed, orderly growth, which preserves natural resources and promotes fiscal responsibility. The location and size of the USA shall be depicted on the Future Land Use Map and is based upon the area necessary to accommodate 90% of new residential dwelling units within the County by the Plan Horizon; the ability to provide urban infrastructure; and, the presence of environmentally sensitive lands and water bodies, requiring protection from the impacts of urban development.

Policy 1.1.1: [L] (REV. EFF. 7/20/05)

In order to discourage urban sprawl, new development shall be concentrated in the urban service area plus in the Woodville Rural Community future land use category and the rural communities of Capitola, Chaires, Ft. Braden and Miccosukee, as designated on the future land use map.

Policy 1.1.2: [L] (REV. EFF. 12/10/91)

Improvement of capital infrastructure shall be provided within the designated urban service area and shall be phased over the life of the plan.

Policy 1.1.3: [L] (REV. EFF. 12/10/91; REV. EFF. 7/26/06)

Capital infrastructure designed to support urban density outside the Urban Service Area shall be prohibited except as described below. Capital infrastructure which is designed or intended to provide services to the population of the Urban Service Area may be located outside the Urban Service Area. This policy includes but is not limited to landfill, spray irrigation facilities, and inter-county transportation roadways.

Capital improvement projects or expenditures designed to support urban density outside of the Urban Service Area will not occur outside the designated Urban Service Area unless a demonstrated hardship can be shown to occur for existing

Policy 1.1.9: [L] (EFF. 7/26/06)

In order to achieve efficient and effective use of infrastructure and land, residential density within the USA shall average no less than 2 dwelling units per gross acre. Some future land use categories may establish higher minimum densities and minimum intensity requirements for nonresidential development. Attainment of minimum densities and intensities will be measured and reported annually and be evaluated at a minimum during subsequent Evaluation and Appraisal Reports and adjustments to the Comprehensive Plan necessary to achieve this measure will be recommended as warranted in the future.

Policy 1.1.10: [L] (EFF.7/16/90; RENUMBERED EFF. 7/26/06; FORMERLY POLICY 1.1.8.)

Compliance with the Conservation Element shall be met prior to consideration of requirements in the Land Use Element.

Policy 1.1.11: [L] (REV. EFF. 3/14/07; REV. EFF. 1/7/10)

The growth management strategy of the Tallahassee-Leon County Comprehensive Plan is designed to be implemented by a series of instruments which include:

1) An **Urban Service Area** strategy to guide and coordinate land use densities and intensities with the availability of capital infrastructure and to discourage urban sprawl.

2) A **Land Use Map** to graphically distribute broad categories of land use and allowable densities and intensities. In conjunction with the Land Use Map, an environmental overlay system has been included which depicts the general location of environmental features which are to be preserved as required by the Conservation Element, or to which development limitations will apply as identified in the Conservation Element.

3) A **Future Right-of-Way Needs Map** to graphically represent planned future transportation projects in the City of Tallahassee (City) and Leon County (County) and a table of projects indicating the project termini and access classifications. This map, table, and corresponding land development regulations are intended to provide a basis for coordinating new development with the provision of transportation facilities by designating corridors where the construction and improvement of transportation facilities is expected. Objectives and policies related to the Future Right-of-Way Needs Map are provided in the Transportation Element. (EFF. 7/1/04)

4) **Commercial Site Location** standards, which apply to certain Future Land Use Categories other than Central Core, Central Urban, Village Mixed Use, Suburban, Bradfordville Mixed Use, Planned Development and Woodville Rural Community shall be implemented through the Land Development Regulations, are intended to integrate commercial land uses into the transportation network and development patterns in order to assure accessibility by the general public. (REV. EFF. 3/14/07; REV. EFF. 1/7/10)

5) **Land Use Category Summaries** for each Future Land Use which in conjunction with the land use map provide the allowable densities and intensities of uses use on specific sites.

Policy 1.3.1: [L] (EFF. 7/16/90)

Before a development order or permit is issued, local government shall ensure that the adopted level of service standards for the affected public facilities will be maintained in accordance with the Concurrency Management System.

Policy 1.3.2: [L] (REV. EFF. 12/16/94)

Residential density and/or non-residential intensity of development allowed for individual sites shall be determined by the degree of compliance with the goals, objectives and policies of the Comprehensive Plan and the land use development matrix, which is intended to be a pictorial representation of existing policies in the plan, as implemented by the land development regulations. Overall densities and intensities should be consistent with capital facilities and services being available at the adopted level.

Policy 1.3.3: [L] (REV. EFF. 12/10/91)

Environmental and development ordinances shall include the following:

(a) Explicit and strict protection of environmentally sensitive areas, thus minimizing future costs to taxpayers by prohibiting unsound uses; and

(b) Availability and use of the conservation and preservation overlays as detailed in the Conservation Element prior to the issuance of development orders.

(c) Apportioning development costs so that those fees collected from the existing population be applied to elimination of current "deficits" in levels of service, while those fees collected in new developments are applied to maintain levels of service established by the entire community. Maintenance and enhancements to the adopted levels of service shall be the responsibility of both. This policy shall not preclude new development paying toward current deficits if such an arrangement can be worked out between the local government and the developer.

(d) Policies and procedures in the land development regulations shall ensure that the range of development types by percentage distribution are monitored and maintained.

This policy shall not preclude new development paying toward current deficits if such an arrangement can be worked out between the local government and the developer.

Policy 1.3.4: [L] (DEL. EFF. 3/14/07)

Reserved

LAND DEVELOPMENT REGULATIONS

Objective 1.4: [L] (REV. EFF. 7/20/05)

Maintain a set of specific and detailed Land Development Regulations, which implement and are consistent with the goals, objectives and policies of the Tallahassee-Leon County Comprehensive Plan.

Policy 1.4.1: [L] (REV. EFF. 12/10/91)

Density and intensity incentives shall be established within the required land development regulations to encourage growth in

(a) In those future land use categories that encourage a mixing of land uses, the land development regulations shall contain provisions that facilitate multiple land uses within the same site, the same development, or the same structure.

(b) When appropriate, the land development regulations may provide for zoning districts that allow for two or more land use types, consistent with the intent of the future land use category.

(c) The land development regulations may also provide for zoning districts that further divide any of the allowed land use types into two or more subsets.

Policy 1.4.11: [L] (EFF. 9/19/91)

The land development regulations shall include standards and criteria such as minimum open space requirements (between 25% and 10% depending on the land use and existing vegetation), internal circulation and minimum setbacks and buffers for uncomplimentary land uses. These buffer requirements will contain buffer widths between land uses, required number of trees and shrubs per linear foot of buffer, opacity of the buffer, etc. Additional buffering requirements may be related to Planned Unit Developments (PUDs).

Policy 1.4.12: [L] (EFF. 9/19/91)

(a) The intent of Site Plan and PUD planning and design requirements shall be to encourage and require the development of urban living and work spaces that minimize impacts to the natural environment. Environmental impacts shall be minimized through the development and redevelopment of compact and efficient urban land use patterns that closely integrate living and work spaces while maintaining compatibility through specified performance design criteria. Neighborhood and inter-site compatibility shall be implemented through site planning and design criteria that require objectionable impacts of particular land use activities to be internally located within site or building designs, rather than relying exclusively on standard landscape and setback buffering methods to reduce perimeter oriented objectionable impacts.

(b) Objectionable impacts of service and delivery areas, refuse and recycling collection areas, as well as the outdoor storage and work areas generally associated with commercial and residential buildings shall be planned to minimize off-site impacts.

(c) Site Plan and PUD requirements shall minimize impacts to the natural environment resulting from urban sprawl by not only identifying and protecting environmentally sensitive lands, but just as importantly by limiting urban sprawl into less environmentally sensitive lands through the implementation of compact and efficient urban development and redevelopment.

Policy 1.4.13: [L] (REV. EFF. 3/14/07)

The intent of designating roads as nonresidential is to recognize existing nonresidential development patterns and to allow for planned mixed-use or nonresidential developments. As such, street access requirements contained in the Land Use Summary Charts are waived for those streets designated as nonresidential by clearly defining areas where existing development patterns will be allowed to continue. It also serves to protect residential and residential components such as elementary schools and

Goal 2: [L] (EFF. 7/16/90; REV. EFF. 7/26/06)

Provide for a high quality of life by planning for population growth, public and private development and redevelopment and the proper distribution, location and extent of land uses by type, density and intensity consistent with adequate levels of services and efficient use of facilities and the protection of natural resources and residential neighborhoods.

RESIDENTIAL LAND USE
Objective 2.1: [L] (REV. EFF. 7/20/05)

Enhance the livability of existing neighborhoods and in new neighborhoods provide for future mixed residential areas which will accommodate growth and provide a wide choice of housing types, densities and prices as well as commercial opportunities based on performance criteria. In furtherance of this, maintain a system of land development regulations and ordinances which will facilitate the implementation of the policies adopted in relation to residential land use. These shall include but not be limited to:

1) Setback requirements from natural waterbodies and wetlands
2) Buffering requirements
3) Open space requirements
4) Landscape requirements
5) Tree protection
6) Stormwater management requirements

Policy 2.1.1: [L] (REV. EFF. 6/28/95; REV. EFF. 7/26/06)

Protect existing residential areas from encroachment of incompatible uses that are destructive to the character and integrity of the residential environment. Comprehensive Plan provisions and Land Development Regulations to accomplish this shall include, but are not limited to:

a) Inclusion of a Residential Preservation category on the Future Land Use Map.

b) Limitations on future commercial intensities adjoining low density residential areas. Such limitations are to result in effective visual and sound buffering (either through vegetative buffering or other design techniques) between the commercial uses and the low density residential uses; and are to allow only those commercial activities which are compatible with low density residential development in terms of size and appearance.

c) Limitations on future higher density residential adjoining low density residential areas. Such limitations are to result in effective visual and sound buffering (either through vegetative buffering or other design techniques) between the higher density residential uses and the low density residential uses.

d) Limitations on future light industry adjoining low and medium density residential areas. Such limitations are to result in effective visual and sound buffering (either through vegetative buffering or other design techniques) between the light industrial uses and the low density residential uses.

e) Preclusion of future heavy industrial adjoining any residential area.

FUTURE LAND USE MAP CATEGORIES

Objective 2.2: [L] (REV. EFF. 7/26/06)

To coordinate future land uses with suitable topography and soil conditions, the protection of natural resources and with the availability of adequate infrastructure through the establishment of a Future Land Use Map depicting appropriate land use categories. In order to fulfill this intent, the Land Use Plan establishes policies and guidance for the mapping of Future Land Use Categories, which are depicted on the Future Land Use Map. These categories are designed to promote a variety of land use types and patterns to meet the needs of the community.

The Tallahassee-Leon County Comprehensive Plan shall promote appropriate location of land uses and regulation of development

density and intensity based upon: (1) protection of conservation and preservation features; (2) compatibility with adjacent existing and future residential land uses; (3) access to transportation facilities in keeping with their intended function; and (4) the availability of infrastructure.

The Plan shall also establish policies and guidance for the mapping of Future Land Use Categories, which are depicted on the Future Land Use Map. These categories are designed to promote a variety of land use types and patterns to meet the needs of the community and are shown on the following maps:

NOTES APPLICABLE TO URBAN AREA FUTURE LAND USE MAP

(REV. EFF. 3/14/07)

Parcels 21-26-35-C-0010, 21-26-35-C-0020, 21-26-35-C-130 may be developed as an independent living facility for the elderly only if a Planned Unit Development is approved which includes Parcels 21-26-51-000-0040, 21-26-51-000-0050, and 21-26-51-000-120. Development intensity on the vacant parcels is limited to 45 units and 34,000 square feet and building height is limited to three stories. If the Planned Unit Development is not completed or approved, the vacant parcels shall only be developed as low-density residential development allowed under the R-1 or R-2 zoning districts.

Parcel 11-08-20-630-0000 shall only be developed with general office that may include a lending institution with a drive-through facility on the first floor. The total amount of development is limited to 30,000 square feet. The architecture and site design must be consistent with the adjacent Thomasville Road/I-10 Planned Unit Development. Site plans must be submitted to the Live Oak Plantation and Piedmont Neighborhood Associations, the 1300 Live Oak Plantation Property Owners Association, as well as the developers of the Thomasville Road/I-10 Planned Unit Development for comments prior to submitting the site plan to the City.

The area designated University Transition with hatching is subject to Transportation Element Objective 2.2, which may limit density to less than the maximum permitted by the category.

NOTES APPLICABLE TO LEON COUNTY FUTURE LAND USE MAP

(REV. EFF. 6/19/07)

The allowable density is limited to 200 single-family residential dwelling units on parcels 15-17-20-224-0000 and 15-20-20-034-0000 combined and no non-residential development is permitted on these parcels. Also, for these parcels at least 50% of the entire combined acreage must be placed in permanent open space. The permanent protection of this open space shall be further defined through the PUD process.
(Parcels) 12-02-20-602-0000 and 12-11-20-202-0000 will be developed at a cumulative density no greater than 81 residential detached units.

Appropriately sized minor commercial activities and minor offices are permitted. Industrial, office and more intensive commercial land uses are prohibited due to lack of present infrastructure services or potential negative environmental impacts. Present or future agricultural, silviculture and forestry activities may be allowed.

Policy 2.2.3: [L]

RESIDENTIAL PRESERVATION (EFF. 7/16/90; REV. EFF. 7/26/06; REV. EFF. 4/10/09)

Characterized by existing homogeneous residential areas within the community which are predominantly accessible by local streets. The primary function is to protect existing stable and viable residential areas from incompatible land use intensities and density intrusions. Future development primarily will consist of infill due to the built out nature of the areas. Commercial, including office as well as any industrial land uses, are prohibited. Future arterial and/or expressways should be planned to minimize impacts within this category. Single family, townhouse and cluster housing may be permitted within a range of up to six units per acre. Consistency with surrounding residential type and density shall be a major determinant in granting development approval.

For Residential Preservation areas outside the Urban Service area the density of the residential preservation area shall be consistent with the underlying land use category.

The Residential Preservation category shall be based on the following general criteria. For inclusion, a residential area should meet most, but not necessarily all of these criteria.

1) Existing land use within the area is predominantly residential

2) Majority of traffic is local in nature

   a) Predominance of residential uses front on local street
   b) Relatively safe internal pedestrian mobility

3) Densities within the area generally of six units per acre or less

4) Existing residential type and density exhibits relatively homogeneous patterns

5) Assessment of stability of the residential area, including but not limited to:

   a) Degree of home ownership
   b) Existence of neighborhood organizations

In order to preserve existing stable and viable residential neighborhoods within the Residential Preservation land use category, development and redevelopment activities in and adjoining Residential Preservation areas shall be guided by the following principles:

a) The creation of transitional development area (TDA) for low density residential developments.

Higher density residential developments proposed for areas adjoining an established neighborhood within the residential preservation land use category shall provide a transitional development area along the shared property line in the higher density residential development. The development density in the transitional development area shall be the maximum density allowed in the Residential Preservation land use category. Development within the transitional development area shall be designed, sized and scaled to be compatible with the adjoining residential preservation area.

Transitional development areas shall be non-mapped areas and shall be approved at the time of site plan approval. The factors cited in paragraph (e) below shall be considered when determining the size of transitional development areas. The land

development regulations shall specify development thresholds for the implementation of transitional development areas.

b) Limitation on future commercial intensities adjoining low density residential preservation neighborhoods.

New or redeveloped commercial uses adjoining residential preservation designated areas shall mitigate potential impacts by providing a transitional development area between the commercial uses and residential preservation uses and only those commercial activities which are compatible with low density residential development in terms of size and appearance shall be allowed. The factors cited in paragraph (e) below shall be used when determining the compatibility, design techniques and the size of transitional development areas. The design and layout of adjoining commercial uses shall be oriented to place the section of the development with the least potential negative impacts next to the residential preservation area.

c) Limitations on existing light industry adjoining residential preservation neighborhoods.

New, expanding or redeveloped light industrial uses adjoining low density residential areas within the residential preservation land use category shall mitigate potential negative impacts by providing a transitional development area between the light industrial uses and the low and medium density residential uses. The factors cited in paragraph (e) below shall be considered when determining compatibility, design techniques and the size of the transitional development area.

The design and layout of adjoining light industrial uses shall be oriented to place the section of the development with the least potential negative impacts in the area next to the existing and/or future low density residential area in the residential preservation land use category. New light industrial land uses shall not be designated next to a residential preservation area.

d) Additional development requirements for allowed community facilities when adjoining low density residential areas, except for cemeteries or religious facilities to be used solely for religious functions. Such development requirements will also apply to ancillary facilities when proposed in conjunction with religious facilities, and are to result in effective visual and sound buffering (either through vegetative buffering or other design techniques) between the community facilities and the adjoining residential preservation area.

e) Land use compatibility with low density residential preservation neighborhoods

A number of factors shall be considered when determining a land use compatible with the residential preservation land use category. At a minimum, the following factors shall be considered to determine whether a proposed development is compatible with existing or proposed low density residential uses and with the intensity, density, and scale of surrounding development within residential preservation areas: proposed use(s); intensity; density; scale; building size, mass, bulk, height and orientation; lot coverage; lot size/ configuration; architecture; screening; buffers, including vegetative buffers; setbacks; signage; lighting; traffic circulation patterns; loading area locations; operating hours; noise; and odor. These factors shall also be used to determine the size of transitional development areas.

f) Limitations on Planned Unit Developments in the Residential Preservation land use category.

Planned Unit Developments proposed within the interior of a Residential Preservation designated recorded or unrecorded subdivisions shall be generally consistent with the density of the existing residential development in the recorded or unrecorded subdivision. Parcels abutting arterial roadways and/or major collectors may be permitted to achieve six dwelling units per acre.

The existing predominant development density patterns in Residential Preservation are listed in paragraph (g) below. Within 18 months of adoption, the PUD regulations shall be amended to include provisions addressing the preservation of established residential preservation designated areas. Said provisions shall address any proposed increase in density and the factors cited in paragraph (e) above.

g) Limitations on resubdivision of lots within established Residential Preservation designated areas.

To protect established single family neighborhoods from density intrusions, consistency within the recorded or unrecorded subdivision shall be the primary factor in granting approval for development applications. Consistency for the purposes of this paragraph shall mean that parcels proposed for residential development shall develop consistent with the lot size and density of the recorded or unrecorded subdivision.

1. Guidance on the resubdivision of lots in recorded and unrecorded single family subdivisions shall be provided in the Land Development Code.
2. Parcels proposed for residential development shall develop at densities generally consistent with the density of existing residential development in the recorded or unrecorded subdivision with the exception of parcels abutting arterial and/or major collector roadways which may be permitted up to six dwelling units per acre.

   There may be two distinct density patterns in the Residential Preservation land use category as shown below:

Existing land use character of the subdivision	Gross residential density
Homogenous, very low density single family detached units (City Only)	0-3.6 dwelling units per acre (generally consistent with density of the subdivision)
Low density single family detached and/or non-single family detached units (including but not limited to townhomes and duplexes)	0-6.0 dwelling units per acre (generally consistent with density of the subdivision)

This section shall not be construed as to restrict the development of building types allowed by the applicable zoning district.

Policy 2.2.4: [L]

VILLAGE MIXED USE (REV. EFF. 12/23/96; REV. EFF. 7/26/06; REV. EFF. 3/14/07)

To create traditional neighborhood developments with an emphasis on low to medium density residential land use, small to medium scale commercial shopping opportunities for area residents, schools and small to moderate scale churches, and recreational and leisure-oriented amenities for the enjoyment of area residents. Development in this category shall require compliance with traditional neighborhood development standards to be established in the Land Development Regulations. New development in this category requires the establishment of a true, mixed-use project, either through buildings that integrate a mixture of uses or series of buildings that result in a compatible mix of uses. Integration includes the establishment of pedestrian connections, shared public spaces, streetscapes that focus on people before automobiles and parking designs that minimize their visibility. Commercial development shall be of a walkable scale and intensity. Residential development shall include a mix of housing densities and housing types.

Traditional neighborhood development regulations shall include specific criteria to ensure that development in this category results in walkable, mixed-use neighborhoods that satisfy a

conditions, can be found compatible with the character of the surrounding land uses and the environmental conditions of the subject land. This district may allow residential and non-residential uses that might otherwise not be allowed in the underlying land use category, subject to unique design features or other regulatory conditions adopted to promote compatibility with adjacent areas. Such features include but are not limited to recreational areas, mixed use development, buffering, and landscaping. Development within this overlay shall result in an integrated plan of development. and each adopted Planned Use Overlay District designation shall address the following: the intent of the specific overlay district designation, density and intensity; permitted uses; access and interconnectivity by car, foot, bicycle, and transit; trip generation and trip capture; identification and protection of environmental features; open space; buffering of adjacent uses when necessary; and unique design features.

Applicants seeking amendment of the Future Land Use map in order to apply this overlay district to (a) specified parcel(s) shall be required to meet with those registered neighborhood association(s), if any, within ¼ mile circumference of the amendment site prior to the first scheduled public hearing regarding the specific development proposal. This meeting shall be in addition to the normal Comprehensive Plan amendment notice procedures and requirements. Due to the requirements above, applicants shall be required to request the application of the Planned Use Overlay District prior to the relevant Comprehensive Plan amendment application deadline. Planned Unit Development zoning shall be required to implement each Planned Use Overlay District and the entitlements granted through the application of the Planned Use Overlay District may be further limited by the Planned Unit Development zoning requirements. However, the minimum size requirement for Planned Unit Development shall not apply.

In the event that the Future Land Use Map overlay district has been applied to a site and no Planned Unit Development zoning has received approval by action of the City or County within 18 months of land use designation effective date, the Planned Use Overlay District shall be deemed null and void and shall be removed from the Future Land Use Map, leaving the original and underlying land use category in place. If, subsequent to the amendment to the Planned Unit Development (PUD) zoning district, the applicant seeks to rezone the property from PUD to another zoning district, the rezoning must be consistent with the underlying and existing Future Land Use Map category unless an amendment to the Future Land Use Map is also sought and approved. In instances where rezonings to zoning districts other than the required PUD zoning district and amendments to the Future Land Use Map, if necessary, are approved the Planned Unit Overlay District shall be deemed null and void.

Policy 2.2.26: [L]

LAND USE DEVELOPMENT MATRIX (REV. EFF. 7/26/06; REV. EFF. 3/14/07; REV. EFF. 6/6/08)

The land use development matrix depicts set performance criteria from which an individual can measure the development potential of any parcel of property. In effect the matrix provides guidance as to where a parcel would fall on the permittable development ranges outlined within the future land use categories. As mentioned earlier, the relationships within the matrix are based upon the policies included within the individual elements of the plan. The matrix measures a parcel's development potential based on the following land use principles:

(1) The parcel's designation on the future land use map.
(2) Its potential compatibility with surrounding existing land use.

(3) The degree of accessibility to the parcel (commercial uses only).
(4) Potential land use in relation to the function of the road which will carry traffic resulting from any subsequent development of the parcel.
(5) Environmental constraints on site.
(6) Availability of sewer and water.

The review standards outlined above are listed across the top of the matrix. Potential land uses beginning with minor commercial and ending with heavy industrial are listed vertically and are measured in relation to the review standards listed across the top. Each cell of the matrix contains an inherent policy based on the relationship between the proposed land use for that parcel (vertical axis) and a performance standard (horizontal axis). An "X" in that cell indicates the proposed use would be allowed. Conversely, an "O" indicates that the proposed use is not allowed. All cell blocks which are applicable to a proposed land use must contain an "x" in order for the proposal to be allowed. Thus an individual would locate the proposed land use along the vertical axis and review along the row of cells next to it in a left to right direction to determine which conditions would allow or prohibit the proposed use. As stated under the performance concept, each site is individually measured for suitability in relation to performance standards. As a result, growth management guidance is provided.

(Note: The Land Use Development Matrix does not apply to Bradfordville Mixed Use, Suburban, Urban Residential 2, Village Mixed Use, Planned Development, Central Core, Central Urban, University Transition, and Woodville Rural Community.) (REV. EFF. 6/28/02; REV. EFF. 3/14/07; REV. EFF. 6/6/08; REV. EFF. 1/7/10)

Table 5: Land Use Development Matrix, Tallahassee

TALLAHASSEE *

LAND USE DEVELOPMENT MATRIX

FUTURE LAND USES

Proposed Land Use	Type	Neighborhood Boundary	Rural/Agricultural	Urban Fringe	Activity Center	Rural Community	Lake Protection	Residential Preservation	Lake Talquin	Gov Operational	Rec/Open Space	Educational	Heavy Industrial	Urban Residential	~~Residential Corridor~~	~~Residential Corridor Nodes~~
Commercial	Minor	24	X	X	X	X	19	0	X	0	0	0	X	0	~~0~~	~~26~~
	Neighborhood	0	0	0	X	X	0	0	X	0	0	0	0	0	~~0~~	~~0~~
	Community	0	0	0	X	0	0	0	0	0	0	0	0	0	~~0~~	~~0~~
	Regional	0	0	0	X	0	0	0	0	0	0	0	0	0	~~0~~	~~0~~
	Highway	0	0	0	X	0	0	0	X	0	0	0	0	0	~~0~~	~~0~~
Office	Minor	24	0	0	X	0	19	0	X	0	0	0	0	0	~~0~~	~~26~~
	Major	0	0	0	X	0	0	0	0	0	0	0	0	0	~~0~~	~~0~~
	Park	0	0	0	X	0	0	0	0	0	0	0	0	0	~~0~~	~~0~~
Residential	Low	X	X	X	0	X	X	X	X	0	0	0	12	X	~~X~~	~~X~~
	Medium	0	0	0	X	0	0	0	0	0	0	0	0	25	~~0~~	~~X~~
	High	0	0	0	X	0	0	0	0	0	0	0	0	0	~~0~~	~~0~~
Recreational	Passive	0	X	X	X	X	X	X	X	X	X	X	0	X	~~0~~	~~0~~
	Active	0	X	X	X	X	X	X	X	X	X	X	0	0	~~0~~	~~0~~
Community Facilities	Community Services	X	X	X	X	X	X	X	X	X	X	X	0	X	~~X~~	~~X~~
	Light Infrastructure	0	X	X	X	X	X	X	X	X	X	X	X	0	~~0~~	~~0~~
	Heavy Infrastructure	0	X	X	0	0	0	0	X	X	0	0	X	0	~~0~~	~~0~~
	Post-Secondary	0	X	0	X	X	0	0	X	0	0	X	0	0	~~0~~	~~0~~
Light Industrial	Minor	0	10	10	X	10	0	0	0	0	0	0	X	0	~~0~~	~~0~~
	Park	0	0	0	1	0	0	0	0	0	0	0	X	0	~~0~~	~~0~~
Heavy Industrial	Heavy Industrial	0	10	0	0	0	0	0	0	0	0	0	X	0	~~0~~	~~0~~

EXISTING ADJOINING LAND USES (A)(D)(G)

Proposed Land Use	Type	Commercial: Minor	Commercial: Neighborhood	Commercial: Community	Commercial: Regional	Commercial: Highway	Office: Minor	Office: Major	Office: Park	Res.: Low	Res.: Medium	Res.: High	Rec.: Passive	Rec.: Active	Educ.: Elementary	Educ.: Middle	Educ.: High	Community Facilities: Community Service	Community Facilities: Light Infrastructure	Community Facilities: Heavy Infrastructure	Community Facilities: Post Secondary	Lgt. Ind.: Minor	Lgt. Ind.: Park	Hvy. Ind.
Commercial	Minor	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	0	X	X	X	X
	Neighborhood	X	X	X	X	X	X	X	X	0	X	X	X	X	0	X	X	X	X	0	X	X	X	0
	Community	X	X	X	X	X	X	X	X	0	X	X	0	X	0	X	X	X	X	X	X	X	X	0
	Regional	X	X	X	X	X	X	X	X	0	0	X	0	0	0	0	X	X	X	X	X	X	X	0
	Highway	X	X	X	X	X	X	X	X	0	X	X	X	X	0	X	X	X	X	X	X	X	X	X
Office	Minor	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	0	X	X	X	13
	Major	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	1
	Park	X	X	X	X	X	X	X	X	0	X	X	X	X	0	X	X	X	X	1	X	X	X	1
Residential	Low	X	0	0	0	0	X	X	0	X	X	X	X	X	X	X	X	X	X	0	X	0	0	0
	Medium	X	X	X	9	X	X	X	X	14	X	X	X	X	X	X	X	X	X	0	X	0	0	0
	High	X	X	X	X	X	X	X	X	0	X	X	X	X	X	X	X	X	X	X	X	X	X	0
Recreational	Passive	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
	Active	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
Community Facilities	Community Services	X	X	X	X	X	X	X	X	2	X	X	X	X	X	X	X	X	X	X	X	X	X	X
	Light Infrastructure	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
	Heavy Infrastructure		X	X	X	X	0	1	1	0	0	0	0	X	0	0	0	1	X	X	0	X	X	X
	Post-Secondary	X	X	X	X	X	X	X	X	0	X	X	X	X	1	X	X	X	X	X	X	X	X	0
Light Industrial	Minor	X	X	X	X	X	X	X	X	0	0	X	X	X	0	0	0	X	X	X	X	X	X	X
	Park	X	X	X	X	X	X	X	X	0	0	X	0	X	0	0	0	X	X	X	X	X	X	X
Heavy Industrial	Heavy Industrial	X	0	0	0	X	0	0	0	0	0	0	0	X	0	0	0	X	X	X	0	X	X	X

TRANSPORTATION ACCESS (B)(J)

Proposed Land Use	Type	Intersection Location (E): Prin. Art./Prin. Art.	Prin. Art./Min. Art.	Prin. Art./Maj. Col.	Prin. Art./Min. Col.	Prin. Art./Local	Min. Art./Min. Art.	Min. Art./Maj. Col.	Min. Art./Min. Col.	Min. Art./Local	Maj. Col./Maj. Col.	Maj. Col./Min. Col.	Maj. Col./Local	Min. Col./Min. Col.	Min. Col./Local	Local/Local	Street Access (F): Principal Arterial	Minor Arterial	Major Collector	Minor Collector	Local
Commercial	Minor	0	0	X	X	23	0	X	X	23	X	X	0	X	0	0	X	X	X	X	0
	Neighborhood	X	X	23	0	0	X	23	0	0	18	0	0	0	0	0	X	X	X	15	0
	Community	X	X	0	0	0	X	0	0	0	0	0	0	0	0	0	X	X	0	0	0
	Regional	X	X	X	0	0	X	X	0	0	0	0	0	0	0	0	X	X	15	0	0
	Highway	6	6	X	0	0	6	X	0	0	0	0	0	0	0	0	X	X	X	O	0
Office	Minor	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	X	X	X	X	0
	Major	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	X	X	X	O	0
	Park	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	X	X	X	O	0
Residential	Low	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	16	16	16	X	X
	Medium	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	X	X	X	X	0
	High	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	X	X	X	O	0
Recreational	Passive	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	X	X	X	X	X
	Active	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	X	X	X	X	0
Community Facilities	Community Services	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	X	X	X	X	0
	Light Infrastructure	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	X	X	X	X	X
	Heavy Infrastructure	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	X	X	X	O	0
	Post-Secondary	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	X	X	X	O	0
Light Industrial	Minor	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	X	X	X	O	0
	Park	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	X	X	X	O	0
Heavy Industrial	Heavy Industrial	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	X	X	X	O	0

ENVIRONMENTAL CONSTRAINTS (C) / **INFRASTRUCTURE**

Proposed Land Use	Type	Floodway/Floodplain Undeveloped	Severe Grades	Significant Grades 10–20%	Wetland	Regulated Closed Basin	High Quality Successional Forest	Native Forest	Groundwater Resource Protection	Canopy Road	Sewer System	Septic Tank	Water System	Water Well
Commercial	Minor	0	0	1	0	3	1	0	X	17	X	5	X	5
	Neighborhood	0	0	0	0	3	1	0	4	11	X	0	X	0
	Community	0	0	0	0	3	1	0	0	0	X	0	X	0
	Regional	0	0	0	0	3	0	0	0	0	X	0	X	0
	Highway	0	0	1	0	3	1	0	4	0	X	0	X	0
Office	Minor	0	X	X	0	3	X	0	X	X	X	0	X	0
	Major	0	0	1	0	3	1	0	X	17	X	0	X	0
	Park	0	0	0	0	3	1	0	4	17	X	0	X	0
Residential	Low	1	X	X	0	3	X	8	X	17	X	20	X	20
	Medium	0	0	8	0	3	1	0	4	17	X	0	X	0
	High	0	0	0	0	3	1	0	0	17	X	0	X	0
Recreational	Passive	X	X	X	X	X	X	X	X	X	X	X	X	X
	Active	X	0	1	0	3	1	0	X	X	X	5	X	5
Community Facilities	Community Services	0	0	X	0	3	X	0	X	X	X	19	X	5
	Light Infrastructure	0	0	X	0	X	1	0	X	X	X	5	X	5
	Heavy Infrastructure	0	0	0	0	3	1	0	4	17	X	21	X	21
	Post-Secondary	0	0	1	0	3	1	0	X	X	X	0	X	0
Light Industrial	Minor	0	0	1	0	3	1	0	4	0	X	10	X	10
	Park	0	0	0	0	3	1	0	4	0	X	0	X	0
Heavy Industrial	Heavy Industrial	0	0	0	0	3	1	0	0	0	X	22	X	22

X – Land use is compatible/allowable
0 – Land use incompatible/not allowable
1 – PUD or site plan review
2 – Planned unit development required, except for cemetaries or for religious facilities to be used solely for religious functions. P.U.D. requirement will apply if ancillary facilities are proposed in in conjunction with religious facilities.
3 – Permitted where sufficient stormwater management capacity exists within the basin
4 – Consistent with aquifer recharge policies contained within the Conservation Element
5 – Permitted outside of Urban Service Boundary
6 – Permitted only at those intersection quadrants which previously have been developed
7 – Permitted in conjunction with mixed use project (footnote deleted)
8 – Cluster development required
9 – Intended for upper level of density range
10 – Agricultural related only
11 – No access to canopy road
12 Residence for security or caretaker personnel allowed
13 – Office use permitted if ancillary to industrial use
14 – Intended for lower level of density range
15 – Secondary access only approved in conjunction with site plan, PUD or DRI

16 – Direct access allowed outside urban service area or on previously platted lot
17 – Primary access to canopy road permitted only when alternate access to non-canopy roads is unavailable
Primary access shall be restricted to one driveway designed to mitigate impacts. Planned development required for approval.
18 – Commercial restricted to 30,000 sq ft
19 – Where sewer is not available, permitted for community services with less than 5000 sq ft or a 500 gal septic tank.
20 – Permitted on lots greater than 2 acres inside the Urban Service Area, permitted outside Urban Service Area
(Sewer Policy 2.1.3)
21 – Permitted for appropriate facilities located outside of Urban Service Area (Sewer Policy 1.3.7)
22 – May be permitted for sandmines or borrow pits (Conservation Policy 3.2.2)
23 – Commercial limited to one quadrant of the intersection
24 – Commercial restricted to 5000 sq ft of gross building floor area per parcel and 10,000 sq ft of gross building floor area per acre provided BOTH standards are met.

25–Density limited to 10 Dwelling units per acre

~~26— Commercial and office restricted to 4,000 sq. feet of gross building floor area per parcel and 8,500 sq. feet of gross building floor area per acre when developed as a single use provided both standards are met or, 10,000 sq. feet of gross building floor area per parcel and 20,000 sq. feet of gross building floor area per acre when developed as a mixed use development provided both standards are met.~~

NA Not applicable

* – To be used in conjunction with Future Land Use Map and applicable goals, objectives and policies as contained within the Comprehensive Plan

(A) – An incompatible land use may be permitted with an adequate buffer when its incompatibility with an adjoining land use is along rear property lines. This does not apply to heavy industrial adjoining residential.
(B) – Non-residential uses permitted on all streets and intersections designated as non-residential streets.
(C) – Applies to the specific environmentally significant area on site and the plan requires site specific assessment of development impact on endangered, threatened and species of special concern (plants and animals)
(D) – This portion of the matrix does not apply when existing land use is nonconforming
(E) – May be waived pursuant to land use policy 5.1.5. or if commercial contained within Mixed Use PUD or DRI development
(F) – See Transportation Policy 1.6.4
(G) – Existing adjoining land uses, access, intersection restrictions are not a factor in Activity Center as per conditions of land Use policy 1.4.22

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Note:
Matrix is intended to be a pictorial representation of existing policies in the Comprehensive Plan.

DOES NOT APPLY TO BRADFORDVILLE MIXED USE, SUBURBAN, URBAN RESIDENTIAL 2, VILLAGE MIXED USE, PLANNED DEVELOPMENT, UNIVERSITY TRANSITION, DOWNTOWN, WOODVILLE RURAL COMMUNITY, AND CENTRAL URBAN

Table 6: Land Use Development Matrix, Leon County

LEON COUNTY*

LAND USE DEVELOPMENT MATRIX

PROPOSED LAND USE	TYPE	FUTURE LAND USES: NEIGHBORHOOD BOUNDARY	RURAL	URBAN FRINGE	ACTIVITY CENTER	RURAL COMMUNITY	LAKE PROTECTION	RESIDENTIAL PRESERVATION	LAKE TALQUIN	GOV OPERATIONAL	REC. OPEN SPACE	EDUCATIONAL	HEAVY INDUSTRIAL	URBAN RESIDENTIAL	RESIDENTIAL CORRIDOR	RESIDENTIAL CORRIDOR-VERS
COMMERCIAL	MINOR	25	X	X	X	X	19	0	X	0	0	0	X	0	~~0~~	~~28~~
	NEIGHBORHOOD	0	0	0	X	Y	0	0	X	0	0	0	0	0	~~0~~	~~0~~
	COMMUNITY	0	0	0	Y	0	0	0	0	0	0	0	0	0	~~0~~	~~0~~
	REGIONAL	0	0	0	X	0	0	0	0	0	0	0	0	0	~~0~~	~~0~~
	HIGHWAY	0	0	0	X	0	0	0	Y	0	0	0	0	0	~~0~~	0
OFFICE	MINOR	25	0	Y	X	X	19	0	X	0	0	0	0	0	~~0~~	~~28~~
	MAJOR	0	0	0	X	0	0	0	0	0	0	0	0	0	~~0~~	~~0~~
	PARK	0	0	0	Y	0	0	0	0	0	0	0	0	0	~~0~~	~~0~~
RESIDENTIAL	LOW	X	X	X	0	X	X	X	X	0	0	0	12	X	~~X~~	~~X~~
	MEDIUM	0	0	0	X	0	0	0	0	0	0	0	0	27	~~0~~	X
	HIGH	0	0	0	X	0	0	0	0	0	0	0	0	0	~~0~~	~~0~~
RECREATIONAL	PASSIVE	0	X	Y	X	X	X	X	X	X	X	X	0	X	~~0~~	~~0~~
	ACTIVE	0	X	X	X	X	X	X	X	X	X	X	0	0	~~0~~	~~0~~
COMMUNITY FACILITIES	COMMUNITY SERVICES	X	X	Y	Y	X	Y	X	X	X	X	X	0	X	~~X~~	~~X~~
	LIGHT INFRASTRUCTURE	0	X	X	X	X	X	X	X	X	X	X	X	0	~~0~~	~~0~~
	HEAVY INFRASTRUCTURE	0	X	X	0	0	0	0	X	0	0	0	X	0	~~0~~	~~0~~
	POST-SECONDARY	0	X	X	X	X	0	0	X	0	0	0	X	0	~~0~~	~~0~~
LIGHT INDUSTRIAL	MINOR	0	10	10	X	10	0	0	0	0	0	0	X	0	~~0~~	~~0~~
	PARK	0	0	0	1	0	0	0	0	0	0	0	X	0	~~0~~	~~0~~
HEAVY INDUSTRIAL	HEAVY INDUSTRIAL	0	10	0	0	0	0	0	0	0	0	0	X	0	~~0~~	~~0~~

PROPOSED LAND USE	TYPE	EXISTING ADJOINING LAND USES (A)(D)(G): COMMERCIAL: MINOR	NEIGHBORHOOD	COMMUNITY	REGIONAL	HIGHWAY	OFFICE: MINOR	MAJOR	PARK	RES.: LOW	MEDIUM	HIGH	REC.: PASSIVE	ACTIVE	EDUC.: ELEMENTARY	MIDDLE	HIGH	COMMUNITY FACILITIES: COMMUNITY SERVICE	LIGHT INFRASTRUCTURE	HEAVY INFRASTRUCTURE	POST SECONDARY	LGT. IND.: MINOR	PARK	HVY IND.
COMMERCIAL	MINOR	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	0	X	X	X	X
	NEIGHBORHOOD	X	X	X	Y	X	X	X	0	X	X	X	X	X	0	X	X	X	Y	0	X	X	X	0
	COMMUNITY	X	X	X	X	X	X	X	0	X	X	0	X	0	X	X	X	X	X	X	X	X	Y	0
	REGIONAL	X	X	X	X	X	X	X	0	0	X	0	0	0	0	0	X	X	X	X	Y	X	X	0
	HIGHWAY	Y	Y	X	X	X	X	Y	0	X	X	X	X	X	0	X	X	X	X	X	X	X	X	X
OFFICE	MINOR	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	Y	0	X	Y	X	X	X	13
	MAJOR	X	X	Y	X	X	Y	Y	Y	X	X	X	X	X	Y	Y	Y	X	X	X	Y	X	X	1
	PARK	Y	Y	X	X	X	Y	Y	0	Y	X	X	Y	Y	0	Y	X	Y	Y	1	X	X	X	1
RESIDENTIAL	LOW	X	0	0	0	0	X	X	0	X	X	X	X	X	X	X	Y	X	Y	0	X	0	0	0
	MEDIUM	X	X	Y	9	X	X	X	X	14	X	X	X	Y	Y	X	X	X	Y	0	X	0	0	0
	HIGH	Y	Y	X	X	X	X	X	Y	0	X	Y	X	X	X	X	X	X	X	X	X	X	X	0
RECREATIONAL	PASSIVE	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
	ACTIVE	X	X	Y	X	X	X	X	X	X	X	X	X	X	X	X	Y	X	X	X	X	X	X	X
COMMUNITY FACILITIES	COMMUNITY SERVICES	X	X	X	X	Y	Y	Y	2	Y	Y	X	Y	X	X	X	X	X	Y	Y	Y	Y	X	Y
	LIGHT INFRASTRUCTURE	X	X	X	X	X	X	X	X	X	X	X	X	X	Y	Y	Y	X	X	Y	X	X	X	X
	HEAVY INFRASTRUCTURE	0	X	Y	Y	X	0	1	1	0	0	0	0	X	0	0	0	1	X	X	0	X	X	X
	POST-SECONDARY	X	X	X	X	X	X	Y	X	0	X	X	X	X	1	X	X	X	X	X	X	X	Y	0
LIGHT INDUSTRIAL	MINOR	X	Y	X	X	X	X	X	X	0	0	X	X	Y	0	0	0	X	X	X	X	X	X	Y
	PARK	X	X	X	X	X	X	X	X	0	0	X	0	X	0	0	0	X	X	X	X	X	X	X
HEAVY INDUSTRIAL	HEAVY INDUSTRIAL	X	0	0	0	X	0	0	0	0	0	0	X	X	0	0	0	X	X	X	0	X	X	X

PROPOSED LAND USE	TYPE	TRANSPORTATION ACCESS (B)(J): INTERSECTION LOCATION (E): PRIN. ART/PRIN. ART	PRIN. ART/MIN. ART	PRIN. ART/MAJ. COL.	PRIN. ART/MIN. COL.	PRIN. ART/LOCAL	MIN. ART/MIN. ART.	MIN. ART/MAJ. COL.	MIN. ART/MIN. COL.	MIN. ART/LOCAL	MAJ. COL/MAJ. COL.	MAJ. COL/MIN. COL.	MAJ. COL/LOCAL	MIN. COL/MIN. COL.	MIN. COL/LOCAL	LOCAL/LOCAL	STREET ACCESS (F): PRINCIPAL ARTERIAL	MINOR ARTERIAL	MAJOR COLLECTOR	MINOR COLLECTOR G	LOCAL E
COMMERCIAL	MINOR	0	0	X	Y	23	0	X	X	23	X	X	0	X	0	0	Y	X	X	Y	0
	NEIGHBORHOOD	X	X	23	0	0	Y	X	0	0	18	0	0	0	0	0	X	Y	X	15	0
	COMMUNITY	X	Y	0	0	0	X	0	0	0	0	0	0	0	0	0	X	X	0	0	0
	REGIONAL	X	X	X	0	0	X	X	0	0	0	0	0	0	0	0	X	X	15	0	0
	HIGHWAY	6	6	X	0	0	6	X	0	0	0	0	0	0	0	0	X	X	X	O	0
OFFICE	MINOR	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	X	X	X	X	0
	MAJOR	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	X	X	X	O	0
	PARK	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	X	X	X	O	0
RESIDENTIAL	LOW	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	16	16	16	X	X
	MEDIUM	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	X	X	X	X	0
	HIGH	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	X	X	X	O	0
RECREATIONAL	PASSIVE	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	X	X	X	X	X
	ACTIVE	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	X	X	X	X	0
COMMUNITY FACILITIES	COMMUNITY SERVICES	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	X	X	X	X	24
	LIGHT INFRASTRUCTURE	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	X	X	X	X	X
	HEAVY INFRASTRUCTURE	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	X	X	X	O	0
	POST-SECONDARY	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	X	X	X	O	0
LIGHT INDUSTRIAL	MINOR	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	X	X	X	O	0
	PARK	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	X	Y	X	O	0
HEAVY INDUSTRIAL	HEAVY INDUSTRIAL	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	X	X	X	O	0

PROPOSED LAND USE	TYPE	ENVIRONMENTAL CONSTRAINTS (C): FLOODWAY/FLOODPLAIN UNDERWATER	SEVERE GRADES	SIGNIFICANT GRADES 15-20%	WETLAND	REGULATED CONTAMINANT	HIGH QUALITY SUCCESSIONAL FOREST	NATIVE FOREST	GROUNDWATER RESOURCE PROTECTION	CANOPY ROAD	INFRA-STRUCTURE: SEWER SYSTEM/ PACKAGE PLANT	SEPTIC TANK	WATER SYSTEM	WATER WELL
COMMERCIAL	MINOR	0	0	1	0	3	1	0	X	17	X	X	X	X
	NEIGHBORHOOD	0	0	0	0	3	1	0	4	11	X	0	X	0
	COMMUNITY	0	0	0	0	3	1	0	0	0	X	0	X	0
	REGIONAL	0	0	0	0	3	0	0	0	0	X	0	X	0
	HIGHWAY	0	0	1	0	3	1	0	4	0	X	0	X	0
OFFICE	MINOR	0	X	X	0	3	X	0	X	X	X	X	X	X
	MAJOR	0	0	1	0	3	1	0	X	17	X	0	X	0
	PARK	0	0	0	0	3	1	0	4	17	X	0	X	0
RESIDENTIAL	LOW	1	X	X	0	3	X	8	X	17	X	20	X	X
	MEDIUM	0	0	8	0	3	1	0	4	17	X	0	X	0
	HIGH	0	0	0	0	3	1	0	0	17	X	0	X	0
RECREATIONAL	PASSIVE	X	X	Y	X	X	X	X	X	X	X	X	X	X
	ACTIVE	X	0	1	0	3	1	0	X	X	X	X	X	5
COMMUNITY FACILITIES	COMMUNITY SERVICES	0	0	X	0	3	X	0	X	X	X	X	X	5
	LIGHT INFRASTRUCTURE	0	0	Y	0	X	1	0	X	X	X	X	X	5
	HEAVY INFRASTRUCTURE	0	0	0	0	3	1	0	4	17	X	21	X	21
	POST-SECONDARY	0	0	1	0	3	1	0	X	X	X	0	X	0
LIGHT INDUSTRIAL	MINOR	0	0	1	0	3	1	0	4	0	X	10	X	10
	PARK	0	0	0	0	3	1	0	4	0	X	0	X	0
HEAVY INDUSTRIAL	HEAVY INDUSTRIAL	0	0	0	0	3	1	0	0	0	X	22	X	22

X – Land use is compatible/allowable
0 – Land use incompatible/not allowable
1 – PUD or site plan review
2 – Planned unit development required, except for cemeteries or for religious facilities to be used solely for religious functions. P.U.D. requirement will apply if ancillary facilities are proposed in in conjunction with religious facilities.
3 – Permitted where sufficient stormwater management capacity exists within the basin
4 – Consistent with aquifer recharge policies contained within the Conservation Element
5 – Permitted outside of Urban Service Boundary
6 – Permitted only at those intersection quadrants which previously have been developed
7 – Permitted in conjunction with mixed use project (footnote deleted)
8 – Cluster development required (Max. 12 DU/AC)
10 – Agricultural related only
11 – No access to canopy road
12 – Residence for security or caretaker personnel allowed
13 – Office use permitted if ancillary to industrial use
14 – Intended for lower level of density range
13 – Secondary access only approved in conjunction with site plan, PUD or DRI
16 – Direct access allowed outside urban service area or on previously platted lot
17 – Primary access to canopy road permitted only when alternate access to non-canopy roads is unavailable. Primary access shall be restricted to one driveway designed to mitigate impacts. Planned development required for approval
18 – Commercial restricted to 50,000 sq ft
19 – Permitted in county portion of category (Residuals runoff must be retained on site) P.U.D required
20 – Permitted on lots greater than ½ acre (Sewer Policy 2.1.3)
21 – Permitted for appropriate facilities located outside of Urban Service Area (Sewer Policy 1.3.7)
22 – May be permitted for sandmines or borrow pits (Conservation Policy 12.2)
23 – Commercial limited to one quadrant of the intersection
24 – Access allowed outside the Urban Service Area for Community Services operated by public agencies
25 – Commercial restricted to 5000 sq ft of gross building floor area per parcel and 10,000 sq ft of gross building/floor area per acre provided BOTH standards are met
26 – Minor Offices permitted access onto local streets within Neighborhood Boundary category only
27 – Density limited to 10 Dwelling units per acre
28 – ~~Commercial and office restricted to 4,000 sq feet of gross building floor area per parcel and 3,500 sq feet of gross building floor area per acre when developed as a single use provided both standards are met or 10,000 sq feet of gross building floor area per parcel and 20,000 sq feet of gross building floor area per acre when developed as a mixed use development provided both standards are met.~~

NA = Not applicable
* = To be used in conjunction with Future Land Use Map and applicable goals, objectives and policies contained within the Comprehensive Plan

(A) – An incompatible land use may be permitted with an adequate buffer when its incompatibility with an adjoining land use is along rear property lines. This does not apply to heavy industrial adjoining residential.
(B) – Non-residential uses permitted on all streets and intersections designated as non-residential streets.
(C) – Applies to the specific environmentally significant area on site and the plan requires the specific assessment of development impact on endangered, threatened and species of special concern (plants and animals)
(D) – This portion of the matrix does not apply when existing land use is nonconforming
(E) – May be waived pursuant to land use policy 1.1.5, or if commercial contained within Mixed Use PUD or DRI development
(F) – See Transportation Policy 1.6.4
(G) – Existing adjoining land uses, access, intersection restrictions are not a factor in Activity Center as per conditions of land Use policy 1.4.22

Effective 06-6-08
Cycle 2007-2

Note:
Matrix is intended to be a pictorial representation of existing policies in the Comprehensive Plan.

DOES NOT APPLY TO BRADFORDVILLE MIXED USE, SUBURBAN, URBAN RESIDENTIAL 2, VILLAGE MIXED USE, PLANNED DEVELOPMENT, UNIVERSITY TRANSITION, DOWNTOWN, WOODVILLE RURAL COMMUNITY, AND CENTRAL URBAN

MOBILITY

GOALS, OBJECTIVES AND POLICIES

Overall Goal (EFF. 12/15/11)

Establish a safe, energy efficient multi-modal transportation system that provides mobility for pedestrians, bicyclists, transit users, motorized vehicle users, users of rail and aviation facilities, supports public health through active living, and is sensitive to the cultural and environmental amenities of Tallahassee and Leon County.

Goal 1: [M] (EFF. 12/15/11)

MOTORIZED, BICYCLE, AND PEDESTRIAN CIRCULATION

Establish and maintain a safe, convenient, energy efficient, and environmentally sound automobile, transit, bicycle and pedestrian transportation system, capable of moving people of all ages and abilities as well as goods.

Objective 1.1: [M] (EFF. 12/15/11)

LAND USE AND TRANSPORTATION COORDINATION

Coordinate transportation and land use systems that foster vibrant communities with compact urban forms and a mixture of uses to minimize travel distances, reduce vehicle miles traveled and greenhouse gases, and to enhance pedestrian and bicycle mobility and transit accessibility.

Policy 1.1.1: [M] (EFF. 12/15/11)

Identification and programming of new road projects or substantial improvements to existing roads shall be consistent with the Future Land Use Element of the Comprehensive Plan and specifically the Urban Service Area strategy to promote urban infill and discourage urban sprawl.

Policy 1.1.2: [M] (EFF. 12/15/11)

Designate energy efficiency districts in areas that are intended for greater densities and intensities to support frequent transit service and where primary priority is to be placed on providing a safe, comfortable and attractive environment for pedestrians and cyclists. For each district:

1. evaluate and modify, if necessary, the zoning and land development regulations to ensure standards that will support compact, walkable, mixed-use development; and
2. adopt and maintain a connectivity plan identifying needed bicycle, pedestrian, roadway, and transit projects to increase connectivity and safety, minimize travel distances for pedestrians and cyclists, and provide connections to other parts of the City, County, and Capital Region;
3. Coordinate with the Capital Region Transportation Planning Agency to include the Mobility District Plan priorities in Long Range Transportation Plan updates.

Policy 1.1.3: [M] (EFF. 12/15/11)

Promote the Downtown as an 18-hour activity center by supporting development of housing, restaurants, and cultural activities to encourage use beyond working hours.

Policy 1.1.4: [M] (EFF. 12/15/11)

Promote neighborhood parks to reduce the need for long distance trips for recreation.

Policy 1.1.5: [M] (EFF. 12/15/11)

Maintain a Greenways Master Plan that integrates pedestrian and bicycle mobility into a linear park and open space system that connects local, regional, and state facilities, with specific emphasis on connections within Downtown and energy efficiency districts.

Policy 1.1.6: [M] (EFF. 12/15/11)

A functional transportation network shall be coordinated and maintained with the Florida State University, Florida A&M University, and Tallahassee Community College master plans to link those educational institutions and provide access to transit and surrounding supporting land uses.

Policy 1.1.7: [M] (EFF. 12/15/11)

The City of Tallahassee and Leon County shall adopt and maintain ordinances providing for safe and convenient on-site traffic flow, considering motorized and non-motorized vehicle parking.

Policy 1.1.8: [M] (EFF. 12/15/11)

Development projects shall contribute to providing a safe, convenient, comfortable and aesthetically pleasing transportation environment that promotes walking, cycling, and transit use. Appropriate improvements or enhancements to the multimodal network shall be required as a condition of development approval, such as, but not limited to, the following:

a) Full accommodations for pedestrian access and movement, including shaded sidewalks, benches and enhanced crossings;
b) Full accommodations for bicycles, including lockers, showers, and racks;
c) Direct connections to the regional bicycle/pedestrian network;
d) Installation of shared use paths in accordance with FDOT recognized standards;
e) Well-designed accommodations for transfer of passengers at designated transit facilities;
f) Preferential parking for rideshare participants;
g) Well-designed access for motor vehicle passenger drop-offs and pick-ups at designated transit facilities and at commercial and office development sites;
h) Full accommodation for the mobility impaired, including parking spaces, sidewalks and ramps for handicapped access;
i) Weather protection at transit stops.

Policy 1.1.9: [M] (EFF. 12/15/11)

Designation of Multimodal Transportation District (MMTD). In accordance with the provisions of Florida Statute 163.3180(15), the City of Tallahassee and Leon County hereby establish a

Policy 1.2.2: [M] (EFF. 12/15/11)

Safe and convenient facilities for pedestrians, cyclists and transit users shall be evaluated for all new road and road widening projects. Specifically, all road projects, including resurfacing projects, shall be evaluated for the addition of bicycle lanes or paved shoulders, and transit shelters where they did not previously exist.

Policy 1.2.3: [M] (EFF. 12/15/11)

Establish and maintain a safe and effective system of bicycle lanes, sidewalks, and shared-use paths in conjunction with existing and planned roadways and the Greenways Master Plan. Where design criteria allow and safe operation will occur, separate bicycle and pedestrian traffic from vehicular traffic. Provide adequate and secure bicycle parking facilities at major destinations.

Policy 1.2.4: [M] (EFF. 12/15/11)

In coordination with the Capital Region Transportation Planning Agency, maintain a bicycle and pedestrian master plan and pursue implementation funding.

Policy 1.2.5: [M] (EFF. 12/15/11)

Designate preferred entrance corridors into and connecting Tallahassee and Leon County, and adopt and maintain land development regulations to convert them into shaded pedestrian ways over time.

Policy 1.2.6: [M] (EFF. 12/15/11)

Require a scenic roadway assessment, environmental assessment, and landscape component in the planning and construction of new roads, and in the improvement of existing roads.

Policy 1.2.7: [M] (EFF. 12/15/11)

Require that all new or rebuilt multi-lane (four or six-lane) arterial and major collector streets be constructed with grassed and/or landscaped medians where sufficient right-of-way can be obtained, unless limited by environmental constraints.

Policy 1.2.8: [M] (EFF. 12/15/11)

Provide a safe, accessible environment and support active living for students by: developing and maintaining programs to increase biking and walking to schools; prioritizing sidewalk and bicycle infrastructure within a two mile radius of primary schools; and continuing to identify, fund and build Safe Routes to Schools projects.

Policy 1.2.9: [M] (EFF. 12/15/11)

Special consideration shall be given to areas with concentrations of students, seniors, low-income families or others that are more dependent on modes other than the automobile to provide a safe, accessible environment.

Policy 1.4.1: [M] (EFF. 12/15/11)

Require vehicular, pedestrian, and bicycle interconnections between adjacent, compatible development; and require these interconnections between adjacent, incompatible developments if it has the potential to reduce the vehicular traffic on the external street system without negatively impacting either development.

Policy 1.4.2: [M] (EFF. 12/15/11)

Utilize context sensitive roadway design and traffic calming to allow connectivity while mitigating the effects of through traffic on neighborhoods.

Policy 1.4.3: [M] (EFF. 12/15/11)

Within the Urban Service Area, require private developers to include bikeways and pathways or sidewalks within proposed developments and connecting to surrounding land uses.

Policy 1.4.4: [M] (EFF. 12/15/11)

All development plans shall contribute to developing a local and collector street and unified circulation system that will allow multimodal access to and from the proposed development, as well as access to surrounding developments.

Policy 1.4.5: [M] (EFF. 12/15/11)

All development plans shall incorporate and continue all sub-arterial streets stubbed to the boundary of the development plan by previously approved development plans or existing development.

Policy 1.4.6: [M] (EFF. 12/15/11)

Connections to and from energy efficiency districts. The transit, bike, and pedestrian networks within energy efficiency districts shall recognize the districts as activity nodes and thus logically interconnect with and service the surrounding areas.

Policy 1.4.7: [M] (EFF. 12/15/11)

Energy Efficiency District Network and Connectivity. Energy efficiency districts shall have a dense, interconnected network of local and collector streets, sidewalks, bikelanes, and shared-use paths in accordance with the following:

1. The street, bicycle, and pedestrian network shall be comprised of a system of interconnected and direct routes with a connectivity index of 50 or more polygons per square mile;
2. For areas with a connectivity index below 50, the missing links in the network shall be identified and eliminated where feasible through the development and capital improvement process;
3. Prioritization of connectivity projects shall recognize the importance of areas with high concentrations of pedestrian activity and of areas where connections are needed to ensure easy access between transportation modes, with particular attention to bicycle and pedestrian access to schools, transit stops and regional greenway or trail systems.
4. Direct bicycle and pedestrian connections shall be provided within and between residential areas and supporting community facilities and services, such as

CONSERVATION ELEMENT *
GOALS, OBJECTIVES AND POLICIES

**See Generalized Environmental Map Series (Land Use - Addendum)*

Goal 1: [C] (EFF. 7/16/90)

Preserve, protect and conserve the ecological value and diversity of natural resources in Tallahassee and Leon County.

ENVIRONMENTAL MAPPING
Objective 1.1: [C] (EFF. 7/16/90)

Local government shall compile and maintain maps describing the natural resources of the county and information denoting environmental constraints to future development and use. The areas to be mapped shall include but not be limited to areas designated as conservation and preservation.

Policy 1.1.1: [C] (EFF. 12/7/99)

Upon adoption of this comprehensive plan, local government shall designate an appropriate entity responsible for the inventory of natural resources, the compilation of the maps, the maintenance and update of the information, and monitoring of the continued viability of conservation and preservation area. No rezoning or development shall be undertaken until the area included in the request is mapped and natural resources noted by either local government or the applicant and presented to the various commissions or committees required to act on the request.

Policy 1.1.2: [C] (EFF. 7/26/06)

Environmental features which have been delineated for special protection are broken into two categories—Conservation and Preservation. Environmental features within these two categories have more stringent development design or performance criteria associated with them. Conservation and Preservation features are intended to be depicted on the Future Land Use Map through a series of overlays. Large scale generalized environmental features maps are included within the data and analysis portion of the Conservation Element (Vol. 3) and the addendum of this Land Use Element. Smaller scale and more detailed environmental overlays are available for review and purchase at the Planning Department. Specific mapping of environmental features on-site shall be required prior to any development approval. (Conservation Element Policy 1.1.1.)

INTERGOVERNMENTAL COORDINATION
Objective 1.2: [C] (EFF. 7/16/90)

State and regional agencies shall coordinate and participate with local government on environmental planning, regulations and management techniques that affect the conservation and preservation of area natural resources.

Policy 1.2.1: [C] (EFF. 7/16/90)

Local government shall work with all applicable private, local, state and federal programs such as the Conservation and Recreation Lands program, Save Our Rivers, Surface Water Improvement and Management (SWIM), Land Acquisition Trust Fund program and others in the acquisition and maintenance of

unique vegetative communities, as well as protecting and enhancing surface and groundwater.

Policy 1.2.2: [C] (EFF. 7/16/90)

By 1991, involve other area governments, such as adjacent counties, regional, state and federal agencies, in the review process regarding ordinances and policies that affect surface waters and unique environmental communities shared by other jurisdictions.

Policy 1.2.3: [C] (EFF. 6/14/00; REV. EFF. 4/10/09)

In conjunction with the appropriate state, federal and regional agencies and property owners, local government shall implement, maintain, and promote land management practices that enhance fire protection, wildlife habitat and sustainable silviculture practices. These practices shall include, but not be limited to, the use of prescribed burns, the creation of defensible space buffers, vegetative maintenance, and the control or removal of invasive exotics.

In areas of wildfire hazard, the land development regulations shall require the provision of defensible space buffers surrounding new developments and multiple exits from large developments. To further the effectiveness of these practices, public awareness programs will be developed by 2010 to inform and educate existing and new property owners that these practices, prescribed burns in particular, may be regularly employed nearby and may affect their property.

ENVIRONMENTAL REVIEW CRITERIA

Objective 1.3: [C] (City of Tallahassee only) (REV. EFF. 12/10/91)

By 1991, local government shall provide for the protection of natural resources by incorporating into the land development code stringent requirements for development within or adjacent to conservation and preservation areas.

Objective 1.3: [C] (Leon County only) (EFF. 7/16/90)

By 1991, local government shall provide for the protection of natural resources by incorporating into the land development code conservation and preservation environmental overlay districts which have more stringent requirements for development within or adjacent to them.

CONSERVATION AREAS

Policy 1.3.1: [C] (REV. EFF. 6/07/01; REV. EFF. 7/19/13)

The following natural features shall be identified and mapped prior to rezoning or development and be regulated as conservation areas:

a) Altered floodplains and floodways,
b) Altered watercourses and improved elements of the primary drainage system;
c) Altered wetlands;
d) Closed basins;
e) Significant grade areas 10%–20% (only required outside the Urban Service Area);
f) High quality successional forests;
g) Areas exhibiting active karst features;
h) Designated canopy road corridors.

Policy 1.3.2: [C] (REV. EFF. 7/1/04; REV. EFF. 7/26/06; REV. EFF. 1/7/10; REV. EFF. 7/19/13)

Potential development within areas of the conservation overlay district shall exhibit best environmental management practices with the emphasis on designing with nature. Assessed impact upon natural resource determines density and/or intensity within a prescribed range within which the parcel is located. Planned development is required for approval. Strict performance requirements will be applied. The major criterion for approval shall be the continued functioning, with minimum disturbances, of the ecosystem, which the development is impacting.

Conservation area development criteria are as follows:

a) **Altered floodplains and floodways** – Development will be allowed in these areas as long as it does not impede water flow or displace volume (development will be allowed at the density consistent with the land use category). Density can be transferred out of these areas at a density reflective of the density permitted by the existing land use category.

b) **Altered watercourses and improved elements of the primary drainage system** – No development allowed in these areas, development density will be transferred out of these areas at a density reflective of the density permitted by the existing land use category.

c) **Altered Wetlands (City of Tallahassee Only)** – May only be used for a stormwater treatment facility if wetlands are degraded. Design of any stormwater facility shall result in the re-establishment of the undisturbed portion of the wetland.

d) **Closed basins** – These areas will be permitted to develop only to the extent that there is sufficient stormwater capacity within the basin. Development will be permitted reflective of the density allowed by the existing land use category.

e) **Significant grade areas (10-20%)** – The intent of protecting sloped areas of ten percent and above is to maintain local topography, prevent erosion, protect water quality, and maintain existing vegetation. However, in order to help direct development and growth to inside the Urban Service Area and further the protection of lands outside of the Urban Service Area, significant grade regulations are not required by the Comprehensive Plan within the Urban Service Area. Land development regulations may provide protection appropriate for more compact urban development inside the Urban Service Area for significant grades near wetlands, water bodies, watercourses, floodways, floodplain, and karst.

Areas outside the Urban Service Area shall be regulated by this policy and development will be allowed at a density reflective of the density permitted by the existing land use category. Development density can be transferred to areas that are not environmentally sensitive at the density allowed by the existing land use category. It is not the intent of this policy to regulate man made slopes. Development outside the Urban Service Area will be permitted provided the following are done:

(1) Minimize any topographical changes. Minimal grade changes typically associated with site development include those necessary for the safety of a building, parking area, road right-of-way, handicapped access, or associated utilities, including stormwater management system.

(2) A minimum of 50% of the grade must be left undisturbed or have an approved vegetation management plan and shall be placed so as to provide downhill buffers, protect forested areas, and buffer other conservation or preservation areas.
(3) Small areas (¼ acre or less) of severe grade areas located within significant grades may be regulated using the criteria for significant grades.
(4) The implementing LDRs shall address erosion, local topography, water quality and existing vegetation as appropriate.

f) **High quality successional forest** – If the entire site is high quality successional forest, the site may be developed at the allowed density with no more than 20% disturbance of the site. Those areas designated to remain natural shall be selected in a manner that protects or enhances adjacent or other on-site natural features. Development density can be transferred to non-environmentally sensitive areas at the density allowed by the existing land use category. If the transfer option is not used, development may be permitted at a density of one (1) unit per two (2) acres.

g) **Areas exhibiting active karst features (sink holes)** – No untreated stormwater will be allowed to enter active karst features. Stormwater discharged to active karst features must meet the following criteria:

(1) Runoff must be treated to comply with Sec. 17-25.700(2) F.A.C.;
(2) Discharge rate and volume shall not exceed predevelopment rate and volume;
(3) The area within the uppermost contour of an active sink, as determined by standard geotechnical evidence in consideration of soil types, slopes, vegetation, topography and geologic features shall remain natural. A transitional buffer from the uppermost contour may also be required;
(4) There will be no discharge of water to an active karst feature from any land use, which uses, produces or generates as waste any listed Resource Conservation and Recovery Act material or listed Environmental Protection Agency priority pollutant.

h) **Designated canopy roads** (REV. EFF. 6/28/02) – Development can be permitted at a density consistent with the density allowed by the existing land use category, provided that the following are done:

(1) No clearing may occur in the canopy road zone (CPZ) (100 feet from center line of the road) unless authorized for legal access (provided no other alternative exists), or for the health, safety or welfare of the public or, for linear sidewalk improvements when practical given the unique attributes of the particular site as approved by the local government provided they meet the following criteria:
    (a) Clearing in the canopy road zone will be kept to a minimum.
    (b) A variety of surfaces will be evaluated for use in the sidewalk/pathway through the CPZ based on impact to the resource (CPZ trees and vegetation), location of the sidewalk/pathway, and anticipated use.
    (c) Sidewalks may not always be required in the CPZ given the impact to the CPZ or encroachment on other conservation or preservation features.
(2) Any part of the canopy road zone that is cleared or has trees removed from it must be widened by the same amount that was removed;

(3) A full analysis of the impact of a development on the affected canopy road must be submitted at the time of development review;

(4) Joint access to canopy roads will be utilized unless there is no alternative. New cuts into canopy roads must be designed to serve more than one property development

Conservation Areas Summary Chart (REV. EFF. 1/7/10; REV. EFF. 7/19/13)

Table 15: Conservation Areas Summary Chart

	Transfer	Develop
Altered Floodplains and floodways	Density per land use category	Density per land use if (1)*
Altered Wetlands (City only)	Density per land use category	May only be used for storm-water treatment facility if wetlands are degraded **
Altered watercourses, improved elements of primary drainage system	Density per land use	None
Closed basin	Density per land use	Density per land use if (2)*
Significant grades (6) (10-20%)	Density per land use	Density per land use if (3)* or 1 unit per acre
High quality successional forest	Density per land use	Density per land use if (4)* or 1 unit per acre
Active karst features	Density per land use. No untreated storm-water, *meet all additional criteria.	Density per land use. No untreated stormwater, *meet all additional criteria.
Designated Canopy Roads	Density per land use	Density per land use if (5)* or 1 unit per acre. 100 ft. zone applies.

*footnotes
(1) Provided it does not increase flow or displace volume.
(2) There must be sufficient stormwater capacity within the closed basin.
(3) Provided:
  a) Topographical changes are minimized.
  b) 50% of grade left undisturbed (or under approved vegetation management plan)
  c) Small areas of severe grades within significant grades may be treated as significant grades.
(4) Provided development is clustered and there is no more than 20% disturbance of the site.
(5) Provided all requirements are met, i.e., 100 foot zone, authorized access with no alternative or health safety and welfare of public, analysis of impact, joint access.
(6) The Comprehensive Plan only regulates significant grades outside of the Urban Service Area.
**Design of the stormwater facility shall result in the re-establishment of the undisturbed portion of the wetland.

Policy 1.3.3: [C] (EFF. 7/26/06; REV. EFF. 7/19/13)

In all cases the transfer of development to non-environmentally sensitive areas is preferable. Density transfer shall be within the parcel; no off-site transfer is permitted. Transfer of development density to non-environmentally sensitive areas will be allowed up

to the density permitted by the future land use category in which the parcel is located. The amount of density transfer may be limited by other applicable requirements and ordinances implemented during the development review process, such as requirements for stormwater retention, open space and landscaping, buffer, setbacks, parking, transportation access and any concurrency requirements. If there is no area on the site suitable for transfer, development will be allowed at one unit per acre unless otherwise stated. Where open space requirements are part of the land development code, 50% credit may be given for conservation areas that are preserved. In no case can the density on the developable portion of the site be more than double the allowed density of the Land Use category in which the parcel is located.

PRESERVATION AREAS

Policy 1.3.4: [C] (REV. EFF. 12/10/91; RENUMBERED EFF. 7/26/06, REV. EFF. 7/19/13)

The following natural features shall be identified and mapped prior to rezoning or development and be regulated as preservation areas:

a) Wetlands and waterbodies and water courses;
b) Severe grades over 20% (only required outside of the Urban Service Area);
c) Native forests;
d) Undisturbed/undeveloped 100 year floodplain; and
e) Areas of environmental significance
f) Habitats of endangered, threatened and species of special concern.

Policy 1.3.5: [C] (REV. EFF. 12/10/91; RENUMBERED EFF. 7/26/06; DEL. EFF. 7/19/13)

Reserved

Policy 1.3.6: [C] (REV. EFF. 12/7/99; REV. EFF. 7/26/06; REV. EFF. 7/19/13)

Development approval within the preservation areas shall be restricted to extremely low density and intensity type projects due to the environmental constraints present. Alteration due to development would result in destruction or severe degradation of the natural resource function. As a result, these areas are unsuitable for all but extremely low-density development for one or more of the following reasons:

(1) To prevent degradation of water quality.
(2) To prevent degradation of freshwater storage capabilities.
(3) To prevent the degradation of biological productivity.
(4) To prevent damage to property and loss of life due to flooding.
(5) To prevent degradation of the viability and diversity of native plants and animals and their habitats.
(6) To assure the conservation of irretrievable or irreversible resources.

Preservation areas development criteria are as follows

Table 16: Preservation Areas Development Criteria

Preservation Areas	Transfer	Develop
Wetlands, water bodies, water courses*	Density per land use	1 unit per 40 acres
Severe grades (only required outside of the Urban Service Area)	Density per land use	1 unit per 40 acres**
Native forest	Density per land use	1 unit per 40 acres

Preservation Areas	Transfer	Develop
Areas of environmental Significance	Density per land use	1 unit per 40 acres
Undisturbed/undeveloped 100 year floodplains	Density per land use	1 unit per 40 acres
Habitat of endangered, threatened, or species of special concern	Density per land use	1 unit per 40 acres, management plan

* Footnote: Any portion of a site within a water body, which is also a preservation area, shall be excluded when calculating a transfer.

**Footnote: When an area of significant grades contains within its boundaries small fragments of severe grades, the criteria for development within significant grades may be authorized. (EFF. 6/07/01)

Policy 1.3.7: [C] (REV. EFF. 9/19/91; RENUMBERED EFF. 7/26/06)

Development must be clustered away from preservation areas on to non-environmentally sensitive portions of the site. Clustering development outside conservation areas shall be the preferred option and shall be implemented through the use of density incentives to be applied on-site.

Policy 1.3.8: [C] (REV. EFF. 7/1/04; RENUMBERED EFF. 7/26/06; DEL. EFF. 7/19/13)

Reserved

Policy 1.3.9: [C] (EFF. 7/26/06)

When preservation features are present, the transfer of density to non-environmentally sensitive portions of the site will be required. Development can be transferred at the same density allowed by the existing land use category. If there is no area suitable for density transfer, development can be allowed at one (1) unit per 40 acres. In no case, can the density on the developable portion of the site be more than double the allowed density of the land use category in which the parcel is located. The amount of density may also be limited by other applicable requirements and ordinances such as the requirements for stormwater retention, open space and landscaping, buffers, setbacks, parking, transportation access and any concurrency requirements. This may result in substantially less density than the maximum density allowed by the land use category in which the parcel is located.

Policy 1.3.10: [C] (REV. EFF. 7/16/90; RENUMBERED EFF. 7/26/06)

A site plan review will be required for all projects which have 40% or more of their acreage located in the preservation or conservation overlay districts. The land development code shall include procedures for public notification and comment on such development plans.

Policy 1.3.11: [C] (REV. EFF. 6/7/01; RENUMBERED EFF. 7/26/06)

A procedure will be developed as part of the land development regulations that will allow minor deviation, not to exceed 5%, from development standards associated with conservation and preservation overlay districts where the applicant can demonstrate to the satisfaction of the Commissions or their designee that the functions of the preservation or conservation area are not substantially impacted and all reasonable efforts have been made to incorporate or design around the protected resource. This procedure will include provisions for

meet local standards or state standards if no local standards are designated.

Policy 2.2.1: [C] (EFF. 7/16/90)

Protect and conserve the natural function of wetlands by limiting wetland destruction and adverse impacts.

Policy 2.2.2: [C] (EFF. 7/16/90)

Require the density and intensity of developments permitted adjacent to wetlands to be at a level consistent with the continued natural functions of the resource.

Policy 2.2.3: [C] (EFF. 7/16/90)

Allow some redevelopment in floodplains that have been altered, while severely limiting alterations in undeveloped floodplains, by restriction vegetation removal and limiting fill. Altered floodplains may be redeveloped as long as the redevelopment does not impede water flow or displace volume.

Policy 2.2.4: [C] (EFF. 7/16/90)

Require additional restrictions in drainage basins that have been identified through scientific studies as having significant surface water degradation as defined by declining surface water systems, loss of aquatic plant and animal species, and an increase in the level of the parameters that define polluted water.

Policy 2.2.5: [C] (REV. EFF. 8/17/92)

Development in closed basins will be permitted only to the extent there is sufficient stormwater capacity within the basin. Inter-basin transfer of stormwater run-off from closed basins, shall not be allowed except where conditions a) and c), or b) and c) identified below are met:

a) The inter-basin transfer is necessary for a public sector project, or a private/public joint venture, either of which must benefit a broad segment of the community;
b) the inter-basin transfer mitigates an existing stormwater problem;
c) a detailed assessment has been made indicating minimal negative impacts to the receiving water shed relative to water quality, quantity, and rate of discharge.

All stormwater treatment requirements regarding water quality must also be met.

Policy 2.2.6: [C] (EFF. 7/16/90)

By 1992, develop and implement an ongoing surface water quality monitoring program to establish a bank of baseline data.

Policy 2.2.7: [C] (REV. EFF. 9/19/91)

Continue and refine the on-going studies of designated lakes to determine existing water quality in area lakes and develop management plans for the continued function of area lakes with minimum impact from development.

GLOSSARY

ACCESS: (EFF. 6/25/96) The means of vehicular entry to or exit from property to or from a public or private road.

ACLF: (EFF. 7/16/90) Means adult congregate living facility as defined in Section 400.402 of the Florida Statutes.

ACQUISITION: (EFF. 7/16/90) Includes purchase, land exchange, donation, easement, assisting private owners in obtaining tax advantages, etc. "Purchase" shall include all acquisition costs, such as surveying and title insurance.

ACTIVE RECREATION FACILITY: (EFF. 7/16/90) Means those recreation lands and improvements that are facility oriented, i.e. swimming pools, ball fields, tennis courts.

ADJOINING LAND USES: (EFF. 8/17/92) Land uses on parcels which are touching or contiguous to each other, as distinguished from lying near to or adjacent. For purposes of this Plan, land uses on parcels that are separated from each other by a local or a minor collector street or roadway shall also be considered adjoining; land uses on parcels that are separated by a major collector or an arterial street or roadway or by a railroad right of way shall not be considered adjoining.

ADVANCED WASTEWATER TREATMENT: (EFF. 4/10/09) Treatment of sewage that goes beyond the secondary or biological wastewater treatment stage and includes the removal of nutrients such as phosphorus and nitrogen and a high percentage of suspended solids and biochemical oxygen demand.

AFFORDABLE HOUSING: (REV. EFF. 7/20/05; REV. EFF. 12/24/10) Housing that costs no more than 33% of the annual income of a household earning 80% or less of area median income (AMI) for homeownership and 60% AMI or less for rental housing, adjusted for the number of people in the household, as defined by the U.S. Department of Housing and Urban Development (HUD) annually.

AGRICULTURE: (EFF. 7/6/15) The production, keeping or maintenance, for sale, lease or personal use, of plants and/or animals useful to humans, including, but not limited to, the growing of crops, dairying, grazing, the raising and maintenance of poultry and other livestock, horticulture, nursery, forestry, and sod farms. Commercial feed lots, the raising of furbearing animals, riding academies, livery or boarding stables or dog kennels are not considered to be normal agricultural uses.

AGRITOURISM: (EFF. 7/6/15) Any agricultural related activity consistent with a bona fide farm or ranch or in a working forest which allows members of the general public to view or enjoy activities related to farming, ranching, historical, cultural or harvest-your-own attractions for recreational, entertainment or educational purposes.

ALTERED FLOODPLAINS: (EFF. 7/16/90) Areas within the 100 year floodplain that have been either ditched, drained, filled or have had structures built on them, any of which have diminished the flood storage capacity of the floodplain.

ALTERED WETLANDS: (EFF. 8/17/92) Wetlands that have been degraded to the extent their ecological function has been detrimentally impaired and the likelihood that they cannot be re-established except through a distinct program of man-made

to" facilities that are also accessible to bicyclists and pedestrians shall be included.

CONSERVATION: (EFF. 7/16/90) Allowing only carefully planned development activities to occur on a site; development activities must be compatible with the perpetuation of the ecological resources on the site.

CONSERVATION SUBDIVISION: (EFF. 7/1/04) A residential or mixed-use development that has been developed utilizing a design approach in which a significant fraction of the parent tract(s) is reserved as permanently protected open space and the remaining fraction of the land is developed. Under this design approach, development is clustered or concentrated on the least environmentally or otherwise significant portions of the development site.

COUNTYWIDE PARK: (EFF. 7/16/90) Means those park facilities that serve the entire county population, including but not limited to regional parks, boat landings and parks, golf courses, state parks, including university recreation areas, and national forest lands.

DENSITY: (EFF. 12/7/99) *see* Gross Density

DENSITY NEUTRAL: (EFF. 7/1/04) As applied to Conservation Subdivisions, means that the allowable density achieved through the utilization of the conservation subdivision design approach shall not exceed the maximum density established for the Future Land Use Map category and base zoning district applicable to the subject property or properties.

DEVELOPMENT: (EFF. 7/16/90) Any proposed change in the use or character of the land, including but not limited to, land clearing or the placement of any structure or site improvement on the land except for silviculture activities employing best management practices.

DILAPIDATED: (EFF. 7/16/90) Means a structure which does not provide safe and adequate shelter in its present condition and endangers the health, safety and well-being of the occupants. A structure in the dilapidated classification cannot be economically repaired. A house is dilapidated when it has one or both of the following conditions:

1) Inadequate original construction such that it does not provide adequate protection against the elements;
2) Defects which would cost over 50% of the total value of the shelter to repair.

DRAINAGE BASIN: (EFF. 12/7/99) The area defined by topographic boundaries which contributes stormwater to a watershed or drainage system, including all areas artificially added to the basin.

ECOTOURISM: (EFF. 7/6/15) Tourism that focuses on the appreciation of natural areas, wildlife, or cultural and historical resources and strives to minimize ecological impact or damage. This nature-based tourism involves education and interpretation of the natural environment and is managed to be ecologically sustainable. Activities may include cycling, camping, fishing, hunting, paddling, hiking, birding, visiting scenic byways, agritourism, and wildlife viewing.

ENDANGERED SPECIES: (EFF. 7/16/90) Are defined based on the same criteria and analogous to the state and federal list: Any species of fish and wildlife or plant naturally occurring in Florida, whose prospects of survival are in jeopardy due to modification or loss of habitat; over utilization for commercial, sporting,

which is not used for off-street parking, streets, drives, refuse storage or other utility or building purposes.

GROSS DENSITY: (EFF. 7/16/90) Means the number of dwelling units per gross acre, an area of land containing forty three thousand, five hundred sixty (43,560) square feet including rights-of-way, common areas and the like. All residential densities referred to in the plan shall be gross densities unless otherwise noted.

GROUNDWATER RESOURCE PROTECTION: (EFF. 7/16/90) Areas determined to have high recharge to the aquifer and/or area where the potential for groundwater contamination is high.

GROUP HOME: (EFF. 7/16/90) Means a facility which provides a living environment for unrelated residents who operate as the functional equivalent of a family, including such supervision and care as may be necessary to meet the physical, emotional and social needs of the residents. Adult congregate living facilities comparable in size to group homes are included in this definition. It shall not include rooming or boarding homes, clubs, fraternities, sororities, monasteries or convents, hotel, residential treatment facilities, nursing homes, or emergency shelters.

HAZARD: (EFF. 4/10/09) Means a condition that exposes human life or property to harm from a man-made technological, or natural disaster.

HAZARD MITIGATION: (EFF. 4/10/09) Means any action taken to reduce or eliminate the exposure of human life or property to harm from a man-made or natural disaster.

HAZARDOUS WASTE: (EFF. 7/16/90) Means solid waste, or a combination of solid wastes, which because of its quantity, concentration, or physical, chemical, or infectious characteristics, may cause, or significantly contribute to, an increase in mortality or an increase in serious irreversible or incapacitating reversible illness, or may pose a substantial present or potential hazard to human health or the environment when improperly transported, disposed of, stored, treated, or otherwise managed.

HEAVY INDUSTRIAL: (EFF. 7/16/90) The use of land for the manufacture of material or products from extracted or raw material; the extraction of mineral resources, except water; processing of wood to lumber or wood pulp, or wood pulp to paper; any refinement or distillation of petroleum resources, and conversion or smelting of ores to metals. Also, Heavy Industrial Use shall include any manufacturing, distribution, wholesaling or storage of any raw-material or product—finished or unfinished—which is characterized by one or more of the following:

1) Producing impacts detectable off-site from smoke, dust, dispersion of particulate matter, noxious or odorous gases, or any other pollution of the air;
2) Producing water pollution detectable off-site, including thermal pollution;
3) The storage, manufacture, processing or distribution of any radioactive waste, explosive, or flammable materials;
4) The creation of noise or vibration not compatible with residential, agricultural, or commercial activities.
5) Any use generating or storing over 1000 KG/MO hazardous waste.

Heavy Industrial Uses have considerable impacts upon infrastructure and utilities. Heavy Industrial Uses require access and facilities for truck and/or rail delivery and pickup. Loading and off-loading is frequently accomplished by truck or rail,

RESIDENTIAL RECREATIONAL FACILITIES: (EFF. 7/1/04) Facilities located within and associated with residential developments.

PUBLIC FACILITY: (EFF. 7/16/90) Means capital facilities that are owned by a governmental entity.

RECREATIONAL:

PASSIVE: (EFF. 7/16/90) Natural resource oriented, (hiking trails, boat landings, neighborhood parks).

ACTIVE: (EFF. 7/16/90) Facility oriented, (swimming pools, ball fields, tennis courts).

REGIONAL PARK: (EFF. 7/16/90) Means a large resource based area which serves the entire county. Such a park should serve a minimum of 100,000 population and be within a 30 minute driving time of that population.

REGULATED CLOSED BASINS: (EFF. 7/16/90) A naturally depressed portion of the earth's surface, at least 10 acres in size, for which there is no natural outlet for runoff other than percolation, evaporation, or transpiration.

REHABILITATION: (EFF. 7/16/90) The act or process of returning a property to a state of utility through repair or alteration which makes possible an efficient contemporary use while preserving those portions or features of the property which are significant to its historical, architectural, and cultural values.

RESIDENTIAL: (REV. EFF. 6/25/96) Land that is used for or proposed to be used for the principal purpose of providing dwelling unit(s) for human habitation.

LOW: (EFF. 7/16/90) 0-8 dwelling units per acre

MEDIUM: (EFF. 7/16/90) 8-16 dwelling units per acre

HIGH: (EFF. 7/16/90) 16-50 dwelling units per acre

URBAN: (EFF. 1/19/02) 51 units to 150 units

RESPONSIBLE MANAGEMENT ENTITY: (EFF. 4/10/09) A legal entity that has the technical, managerial, and financial capacity to ensure viable long-term, cost-effective, centralized management, operation, and maintenance of decentralized wastewater systems in accordance with appropriate regulations and generally accepted accounting principles. Viability is defined as the capacity of a responsible management entity to provide adequate technical, managerial, and financial resources to protect the public health and the environment consistently, in perpetuity, and at a minimal cost to taxpayers.

SANITARY SEWER FACILITIES: (EFF. 7/16/90) Means structures or systems designed for the collection, transmission, treatment, or disposal of sewage and includes trunk mains, interceptors, treatment plants and disposal systems.

SANITARY SEWER SERVICE: (EFF. 7/16/90) Means sewer service provided by sanitary sewer designed to serve a large service area and usually more than one land use type. These facilities have the intent and potential for expansion of their service areas.

SCHOOLS: (EFF. 6/26/98) Facilities intended primarily for the education of children pre-kindergarten through twelfth grade, children identified as exceptional regardless of age or grade, or for the vocational or community education of high school age students and adults. Unless otherwise stated elsewhere in the Plan, this term refers to public and private schools.

Leon County, Florida, Land Development Code Excerpts on Procedure

Leon County Code of Laws, Chapter 10

Subdivision 1. - Generally

Sec. 10-2.301. - Development review committee.

(a) There is hereby established a development review committee (DRC) whose primary purpose is to provide professional, informed review of proposed development with respect to design, adequacy of public facilities, services and utilities and consistency with the Comprehensive Plan, this chapter, and other applicable land development regulations.

The DRC shall advise the Board of County Commissioners, the planning commission, the department of development support and environmental management director, or designee, and the county administrator or designee concerning applications for site and development plan approvals, platting, and other development approval, and shall prepare studies and make recommendations on such matters as are requested by the planning commission. The members of the DRC shall attend meetings of the planning commission and Board of County Commissioners, as required.

(b) The DRC shall be composed of the department directors or their respective designee of the following county departments:

(1) Tallahassee-Leon County Planning Department;

(2) Public works department; and

(3) Department of development support and environmental management.

The DRC may direct the application to other departments or agencies for review and comment based on the type and complexity of the development proposed as set forth in the written direction by the DRC.

(c) The DRC shall meet at least monthly to review and render written decisions on development proposals as prescribed in this chapter.

(d) The DRC shall adopt and publish bylaws consistent with this Code for implementing its meetings, except where in direct conflict with this Code, in which case the provisions of this Code shall prevail.

(Ord. No. 07-20, § 2, 7-10-07; Ord. No. 14-10, § 2, 6-10-14)

Sec. 10-7.401. - Purpose and intent.

The purpose of this division is to establish provisions pertaining to site and development plan review and approval.

This division shall allow for variable levels of review based on project complexity, characteristics, and potential impacts. No more than one site and development plan application shall be pending for review and development on any one parcel of land, and only one approved site and development plan shall be in effect for any one parcel of land at any time.

(Ord. No. 07-20, § 2, 7-10-07)

Sec. 10-7.402. - Development review and approval system.

The development review and approval system shall consist of the following elements:

1. *Permitted use verification process.* A permitted use verification certificate (PUV) shall be used to determine eligibility for either subdivision of property, development of land, or change in use, based upon applicable land development regulations and site-specific conditions. A residential compliance certificate (RCC) shall be used to determine eligibility for small residential uses or structures. The fee for a RCC may be applied to fees for a subsequent project status determination application (PSD) or an administrative streamlined approval process (ASAP) application associated with the proposed residential development tendered within one year of the issuance of the RCC. PUVs and RCCs shall not be construed to be development order approvals.
2. *Project status determination.* For any development proposal not required to comply with the provisions of article VII, the applicant must request a project status determination (PSD) from the development support and environmental management department prior to submitting an application for development approval. This PSD will indicate on what basis the proposed development is excepted from either the procedural or substantive provisions of this article and shall verify compliance with any applicable previously approved development order and land development code, as may be applicable. Applications for PSDs shall be reviewed, and if appropriate, approved by the county administrator or designee.
3. *Pre-submittal conference (optional for Type A, B, and C; required for Type D).* The pre-submittal conference is intended to set forth the specific application requirements once a development review track is identified.
4. *Development review types.* There are four different review types of development review, Type A, B, C, and D review. The applicable level of review for proposed subdivision or site and development plan application depends upon the type and intensity of development, the extent of environmental constraint, and zoning district in which the development site is located. Table 10-7.1, below, specifies the applicable review level for development qualifying for administrative streamlined application process, and Type A through Type C site and development plan review applications. Table 10-7.1 specifies the review level by zoning district, for residential, nonresidential, and institutional land uses. Type D site and development plan review is required for any new planned unit development concept plan application, and for any application determined, by the State of Florida, to require an application for development approval, substantial deviation to a development of regional impact (DRI) or Florida quality development (FQD). Type C applications consist of any application where the scale of development proposed exceeds the upper limit of the thresholds listed in the table for Type B site and development plan review, but not required to undergo Type D review.

The thresholds set out in Table 10-7.1 may be modified as follows:

(a) *Incentive for mixed use development.* The review threshold for any Type A—Type C site and development plan application proposing a mixture of residential and office or retail/service commercial use shall be equivalent to 100 percent of the residential unit threshold plus 100 percent of the office or retail/service commercial use; however, the thresholds for Type A and Type B site and development plan applications proposing a mixture of residential and office or retail/service commercial use may be increased to 125 percent of the residential unit threshold plus 125 percent of the office or retail/service use, so long as the following criteria are met: (1) the application must include a minimum of four residential dwelling units per gross acre of site area; and, (2) the application must include a minimum of 10,000 gross square feet of nonresidential use.

(b) *Incentive for quality design—Nonresidential use.* The review threshold for any Type A—Type C site and development plan application proposing any nonresidential or institutional use, and proposing the following design elements may be increased by the corresponding percentage:

(1) Threshold increased by ten percent, for a building footprint of no greater than 50,000 square feet of enclosed floor area;

(2) By 15 percent, for utilization of a planted "green roof" over no less than 40 percent of roof surface area, or a rain garden, which reduces stormwater runoff by no less than 60 percent;

(3) By 15 percent, for developments with access to an arterial road and having ≥100,000 gross square feet of office or commercial retail floor area (also referred to as equivalent to 100 percent commercial base standard) and ≥ 100 dwelling units (equivalent to 100 percent of the residential base standard) or, any combination of these uses wherein the square footage of office or commercial floor space exceeds 20,000 and the number of residential units exceeds 25 and the cumulative total of the base standards exceeds 200 percent;

(4) By 15 percent, for developments having ≥100,000 of office or commercial retail gross square footage floor area that provide a transit stop consisting of surface area for bus access, a shelter to provide weather protection, bench or seating for the shelter, and pedestrian access to the stop;

(5) By 25 percent, for developments locating no less than 90 percent of provided parking spaces behind the front building facade line;

(6) By ten percent, for structures having ground floor window glazing along building frontages adjacent to streets or publicly-accessible parking areas ≥20 percent of facade area on the ground floor principal frontage and ≥15 percent of the area of each other applicable ground floor facade;

(7) By 15 percent, for developments where the number of spaces provided ≤80 percent of the standard number of parking spaces set out in schedule 6-2; and,

(8) By 15 percent, for developments having a density of connectivity of ≥.4 per acre.

(c) *Incentive quality design—Residential use.* The review threshold for any Type A—Type C site and development plan application proposing residential use site and proposing the following design elements may be increased by the corresponding percentage:

(1) Threshold increased by ten percent, for utilization of a planted "green roof" over no less than 40 percent of roof surface area, or a rain garden, which reduces stormwater runoff by no less than 80 percent;

(2) By ten percent, for developments with access to an arterial road having ≥200 dwelling units that provide a transit stop of surface area for bus access, a shelter to provide weather protection, bench or seating for the shelter, and pedestrian access to the stop;

(3) By 15 percent, for having ≥.25 accessory dwelling unit for every residential dwelling unit;

(4) By 15 percent, for having ≥50 percent of all principal dwelling units served by side- or rear-loaded garages;

(5) By 15 percent, for developments having a density of connectivity of ≥.4 per acre;

(6) By 15 percent, for developments having an index of interconnectivity of ≤.5.

(d) *Incentive for development in the Southern Strategy Area.* The review threshold for any Type A, B or C site and development plan proposed within the Southern Strategy Area, as identified in the Tallahassee-Leon County Comprehensive Plan, shall be increased 25 percent.

(e) *Incentive for development in the Gum Road Target Planning Area.* The review threshold for any Type A, B or C site and development plan proposed within the Gum Road Target Planning Area, as adopted by the Leon County Board of County Commissioners, shall be increased 25 percent.

(f) *Incentive for providing access to multiple businesses within a safe and convenient pedestrian pathway through facade design.* The threshold is increased by 25 percent, when all proposed nonresidential building facades are less than 100 feet in length; and, each facade abutting a street frontage, public open space, parking area, or pedestrian corridor, has no less than 40 percent surface area coverage by windows, display areas, or doorways, or, in those instances where the facade exceeds 100 feet in length, the following criteria are met:

1. Structure with a single facade longer than 100 feet shall be divided into individual tenant spaces and shall not be used solely by a single business. Individual tenant spaces shall have no more than 60 feet of horizontal frontage along that facade. Tenant spaces shall be separated by vertical elements on the facade at intervals no greater than 60 feet, coinciding with the dimensions of tenant spaces. Vertical elements shall include columns, posts, or pilasters; reveals, recesses and other shadow-casting devices; variations in material, texture or color; recessed entrances; or, other methods of architectural articulation.

2. Every individual business establishment located along the facade of greater than 100 feet shall have it's own public entrance located on the facade or on a diagonal at each building corner having two street frontages, with one of them being the facade.

3. The facade shall have windows, display areas or doorways spanning no less than 75 percent of the length of the facade and covering no less than 40 percent of the surface area of the facade. No blank walls shall face street frontages, public open spaces or pedestrian corridors along any building side.

4. The area directly adjacent to the facade length shall include a pedestrian walkway of at least eight feet in width.

5. The applicant may utilize alternative design approaches to qualify for this incentive by demonstrating to the county administrator or designee tha fulfills the design objective of providing access to multiple businesses within a safe and convenient pedestrian pathway.

(g) *Incentive for conservation subdivisions.* The review threshold for any Type A, B or C site and development plan proposed within the Lake Talquin Recreation Urban Fringe or Urban Fringe zoning district, accomplished as a conservation subdivision, shall be increased 50 percent.

(h) *More rigorous review to protect environmental features.* Any application otherwise qualifying for administrative streamlined application process or Type A site and development plan review per this section, and proposing development on a site inside the urban services area with 75 percent or more site coverage by conservation or preservation areas as defined by the Comprehensive Plan or outside of the urban services area with 40 percent or more coverage by conservation or preservation areas, shall require review as Type B site and development plan application. Sites of three acres or larger wherein all buildings, attendant parking facilities, streets, and access facilities will be located outside of conservation and preservation areas shall be exempt from this requirement.

(i) *Combination of threshold modifications.* A combination of threshold modifications (a)—(e) may be cumulatively applied to Type A—Type C site and development plan applications, as applicable.

(j) *Limitation on degree of site and development plan review level reduction.* The incentives provided above may be used to reduce what would otherwise be a Type C site and development plan application to a Type B or Type A site and development plan application, to reduce what would otherwise be a Type B site and development plan application to a Type A site and development plan application, and a Type A site and development plan application to an administrative streamlined application. Modifications (a)—(f) shall not be applicable to any Type D application, including those establishing a planned unit development concept plan, or for development of regional impact, or Florida quality development.

Review Level	Zoning District → Type of use ↓	R, UF, LTR/UF	RC, WC	RP, RA, OS	LP	R-1, R-2, R-3, R-4, R-5	MH	BOR, OR-1, OR-2, C-1, BC-1, BC-2, BCS	MCR, MCN, LPN	NBO
Administrative Streamlined	Residential	≤2 dwellings or lots for dwellings		≤2 dwellings or lots for dwellings		≤2 dwellings or lots for dwellings		≤2 dwellings or lots for dwell		
	Nonresidential	See Note**		N/A	See Note**; only for lawfully established existing uses	N/A	See Note**	See Note**	See Note**	See Note
	Institutional	See Note**		See Note**		See Note**		See Note**		
Type A	Residential	≤10 dwellings		3—14 dwellings		≤24 dwellings	Addition of ≤99 dwellings to an existing MH Park	≤34 dwellings		≤24 dwel

	Nonresidential	≤14,999 gross building square feet	≤49,999 gross building square feet	N/A	Expansion of lawfully established existing use by ≤5,000 square feet gross building area no greater than; or, an increase in total impervious surface area on the subject parcel of ≤15 percent	N/A	N/A	≤19,999 gross building square feet		≤9,9 gros buil squa feet
	Institutional	≤14,999 gross building square feet	≤49,999 gross building square feet	Expansion of existing use by ≤5,000 square feet gross building area no greater than; or, an increase in total impervious surface area on the subject parcel of ≤15 percent	Expansion of lawfully established existing use by ≤5,000 square feet gross building area no greater than; or, an increase in total impervious surface area on the subject parcel of ≤15 percent	Expansion of existing use by ≤5,000 square feet gross building area no greater than; or, an increase in total impervious surface area on the subject parcel of ≤15 percent	Expansion of existing use by ≤5,000 square feet gross building area no greater than; or, an increase in total impervious surface area on the subject parcel of ≤15 percent	≤19,999 gross building square feet		≤9,9 gros buil squa
Type B	Residential	11—74 dwellings		15—99 dwellings		25—149 dwellings	Addition of 100—199 dwellings to an existing mhp	35—199 dwellings	35—74 dwellings	25— dwel

	Nonresidential and Institutional	15,000—149,999 gross building square feet	50,000—99,999 gross building square feet	New use of ≤5,000 square feet gross building area; expansion of existing use by ≤7,500 square feet gross building area; or, an increase in total impervious surface area on the subject parcel of ≤25 percent	Expansion of lawfully established existing use by ≤7,500 square feet gross building area; or, an increase in total impervious surface area on the subject parcel of ≤25 percent	New use of ≤5,000 square feet gross building area; expansion of existing use by ≤7,500 square feet gross building area; or, an increase in total impervious surface area on the subject parcel of ≤25 percent	New use of ≤5,000 square feet gross building area; expansion of existing use by ≤7,500 square feet gross building area; or, an increase in total impervious surface area on the subject parcel of ≤25 percent	20,000—179,999 gross building square feet	20,000—79,999 gross building square feet	10,0 59,9 gros buil squa feet
Type C	Residential	75 dwellings—DRI threshold	75 dwellings—DRI threshold	100 or more dwellings—DRI threshold*		150 dwellings—DRI threshold*	Establishment of a new manufactured home park; addition of 200 or more dwellings to an existing mhp, not to exceed—DRI threshold*	200 dwellings—DRI threshold	75 dwellings—DRI threshold	50 dwel —DF thre
	Nonresidential and Institutional	150,000 gross building square—DRI threshold	100,000 gross building square feet—DRI threshold	Any development in excess of Type B level, not determined to be a PUD or DRI	New institutional use or expansion of a lawfully established non-residential use greater than 7,500 gross square feet	Any development in excess of Type B level, not determined to be a PUD or DRI		180,000 gross building square feet—DRI threshold	80,000 gross building square feet—DRI threshold	60,0 gros buil squa feet- thre

Type D	Residential	Generally, Any Development determined to be a DRI or FQD*	Generally, Any Development determined to be a DRI or FQD*		Generally, Any Development determined to be a DRI or FQD*	Generally, Any Development determined to be a DRI or FC
	Nonresidential and Institutional	Any Development determined to be a DRI or FQD	N/A	Optional	N/A	Any Development determine FQD

*Generally, in Leon County, a development of 2,000 or more dwellings is presumed to be a DRI or FQD. The Florida Statutes and Florida Administrative Code establish a variety of exceptions.

;rn0;9;**Administrative Streamlined Application Process (ASAP) limited to applications proposing one or more of the following: Gross building area of no greater than 1,000 square feet; or, an increase in total impervious surface area on the subject parcel of no greater than ten percent.

5. *Development review tracks.* Proposed development projects that have been determined through the PUV process to require Type A, B, or C subdivision or site and development plan approval, shall be required to select at the option of the applicant from two review tracks. These review tracks are as follows:

   (a) *Concept plan approval (CPA) review track.* The CPA review track is an available option for all proposed projects that have been determined through the PUV process to require review and approval of a Type A or Type B level subdivision or site and development plan. The CPA review track option is intended to expedite the review process by reducing the requirement for permitting level information while providing the applicant the assurance that the development entitlements reflected on the concept plan can be realized on the subject site. Subsequent to CPA, the applicant would be required to complete the environmental permitting process for the project prior to initiating onsite development. The CPA review track shall include the following sequential steps:

      (1) Completion of a PUV in support of the proposed project.

      (2) Submittal and approval of a natural features inventory (NFI) for the subject property.

      (3) Approval of an environmental impact analysis (EIA) in support of the proposed development project. The EIA submittal requirements shall be limited to a conceptual analysis and discussion of the proposed project's stormwater management system and shall include information outlining how onsite conservation and/or preservation features as identified in the project's approved NFI will be protected and/or preserved including how all anticipated impacts to these features will be mitigated in the design of the proposed development project. Permitting level information shall be deferred to the project's associated environmental permit review process and will not be required for the CPA review track.

      (4) Completion and approval of a concurrency management application to address the anticipated impacts to public and other facilities from the proposed development.

      (5) Scheduling and participating in an application review meeting on the proposed development project. A pre-submittal meeting is optional.

      (6) Submittal of a completed subdivision or site and development plan application.

   (b) *Final design plan approval (FDPA) review track.* The FDPA review track is an available option for all proposed projects that have been determined through the PUV process to require review and approval of a Type A, B, or C level subdivision or site and development plan. The FDPA review track option is intended to expedite the review process by providing for the concurrent review of a proposed project's subdivision or site and development plan and associated environmental permit. Under the FDPA review track option, subsequent to completion of the associated review process, the applicant would receive land use and environmental permitting approval concurrently. The FDPA review track shall include the following sequential steps:

      (1) Completion of a PUV in support of the proposed project.

      (2) Submittal and approval of a natural features inventory (NFI) for the subject property.

      (3) Submittal of an environmental management permit (EMP) application in support of the proposed development project. The EMP shall include the conceptual EIA components outlined in subsection 10-7.402.5(a)(3) and all engineering and design level information required to demonstrate compliance with all environmental and stormwater related requirements applicable to the subject site.

      (4) Completion and approval of a concurrency management application to address the anticipated impacts to public and other facilities from the proposed development.

      (5) Scheduling and participating in an application review meeting on the proposed development project. A pre-submittal meeting is optional.

      (6) Submittal of a completed subdivision or site and development plan application.

      (7) For Type B and Type C level subdivision or site and development plan proposals scheduling the review of the proposed project by the development review committee. Additionally, all Type C level projects will require final disposition by the Board of County Commissioners.

6. *Exception to site and development plan review.* The following shall be exceptions to those review types set forth in subsection 4., above:

(a) The construction or modification of one single-family dwelling unit; a two-, three-, or four-family dwelling unit; or a manufactured home; or the constru accessory building to such a dwelling on a lot or parcel with legal access. For properties proposing residential use, a completed school impact analysis provided.

(b) Commencement of home occupations as defined in and in accordance with this Code.

(c) Development of nonresidential or multiple use development providing for not more than 1,000 square feet of total gross floor area after construction or ten percent increase of total on-site impervious area. This exemption applies to additions to existing structures and uses and to new construction and uses on a noncumulative basis. Nonresidential development of less than 1,000 square feet that would increase the total gross floor area of a development by 20 percent or more shall require that the applicant demonstrate, through the completion of an application for exception to site plan, that such development will not result in an increase in total on-site impervious area of ten percent or greater.

(d) Changes in tenancy in already built space (existing structure), provided that the conversion requires no substantial modification to the exterior of the structure or modifications to the associated parking area. Type A review applies to those changes of tenancy involving substantial modification to the exterior of the building or modification to the associated parking area, as determined by the county administrator or designee.

(e) The development or alteration of any building used exclusively for agriculture, horticulture, or floriculture located in the rural land use district; provided, however, that construction of dwellings units, not otherwise exempt, or commercial or industrial facilities to process agricultural, horticultural or floricultural beyond harvest, storage or sale of the raw materials is not exempt from this article.

(f) Change of occupancy. The establishment, exclusively through change of occupancy, of new uses in an existing structure shall not be subject to Type A site and development plan review; but, shall be required to meet all other applicable development standards of this chapter. However, Type A review shall apply to those changes of occupancy involving substantial modifications to the exterior of the building or modification to the associated parking area, as determined by the county administrator or designee.

(g) Industrial development. New or expansion of existing industrial uses or development of up to 10,000 square feet, if site is zoned industrial and infrastructure extensions to the subject site are not required.

(h) Exceptions specified under the definition of subdivision in section 10-1.101. Any and all landowner(s) of a parcel that is divided or developed pursuant to this exception shall file an affidavit, on a form approved by the county attorney, with the clerk of the court in the public records of the county. The affidavit shall specify that the property has been modified or subdivided, the number of new parcels, if any, created, the exemption type used for this action, the legal description of the original location of the parcel(s), and the metes and bounds descriptions of each new parcel.

7. *Review process for exceptions.* The development listed in the table set out as parts (a) and (b) of this subsection shall be excepted from Type A—D site and development plan review, as set forth in subsection 4., above.

(a) The following chart provides a range of development and changes of use excepted from site and development plan application. The chart specifies appropriate criteria for approval, applicable review process, notice requirements and other applicable substantive or procedural requirements. Omission of a particular requirement from the chart shall not be construed so as to alleviate requirement for compliance.

Proposed Use or Development	Criteria for Approval	PUV or RCC Required	Review Required for Approval	Notice Requirements	Public Meeting Requirements	Application Content Requirements

Single-family (attached or detached) residential dwelling unit, manufactured home, duplex residential units on any vacant existing parcel; any structures accessory to these residential units, including garages, pavilions, kiosks, gazebos, or other similar structures accessory as determined by the county administrator or designee.	Precedent development order, such as, approved plat or site plan, Otherwise as required in the Land Development Code	No, RCC is optional.	PSD	None	No	PSD; scaled sketch plan accessory buildings in this category require affidavit of nonhabitable structure; project-specific environment permits as applicable
Home occupation in an existing residence	Home occupation standards; Life-safety code	No, RCC is optional	None	None	No	RCC (optional); project-specific environment permits as applicable
Agricultural, horticultural, floriculture, and silviculture-related bldgs in a zoning district allowing agricultural as a principal use; structure size ≤5,000 s.f.	As required in the Land Development Code	No	PSD	None	No	Affidavit of nonhabitable structure; project-specific environment permits as applicable

Agricultural, horticultural floriculture and silviculture-related bldgs in a zoning district allowing agricultural as a principal use; structure size ≥5,000 s.f.	As required in the Land Development Code	Yes	ASAP	Ad for PUV	No	Affidavit of nonhabitable structure; project-specific environment permits as applicable
Principal industrial use within a district allowing heavy or light Industrial use as a Principal Use; structure size ≤300 s.f.	As required in the Land Development Code	Yes	PSD	Ad for PUV	No	Sketch plan; project-specific environment permits as applicable
Principal industrial use within a district allowing heavy or light Industrial use as a Principal Use; structure size >300 s.f. and ≤10,000 s.f.	As required in the Land Development Code	Yes	ASAP	Ad for PUV	No	Site plan; project-specific environment permits as applicable
Proposed use or development	Criteria for approval	PUV or RCC required	Review required for approval	Notice requirements	Public meeting requirements	Application content requirements
Change in tenancy without expansion or functional modification	N/A	Yes, to verify that use was originally properly established and allowed in zoning district	None	Ad for PUV	No	N/A
Change of use without expansion or functional modification, to another use allowed within the zoning district, ≤1,000 s.f.	Zoning district; life-safety health codes	Yes	None, unless a special exception or restricted use	Ad for PUV	No	Project-specific environment permits, as applicable

Change of use without expansion or functional modification, to another use allowed within the zoning district, >1,000 s.f.	Zoning district; life-safety health codes	Yes	ASAP, unless a special exception or restricted use	Public notice of approval or denial	No	Project specific environmental permits, as needed.
Additional dwelling unit without subdivision	Approved plat or site plan, otherwise as required in the Land Development Code	No, RCC optional	PSD	None	None	Affidavit; project specific environment permits as applicable
Accessory dwelling unit without subdivision	Approved plat or site plan, otherwise as required in the Land Development Code	RCC required	PSD	Ad for RCC	Presubmittal (optional)	Scaled sketch plan; documentation demonstrating compliance with section 10-6.803; notarized affidavit for accessory dwelling unit shall be recorded prior to issuance of building permit.
Miscellaneous residential accessory structures	Approved plat or site plan, otherwise as required in the Land Development Code	No	PSD	None	None	PSD requires scaled sketch plan; project specific environment permits as applicable.

Other development determined to be below the type A site and development plan review threshold and ≤300 s.f.; and structures accessory to other than single-family, manufactured home, or duplex residential dwellings and ≤300 s.f.	Approved plat or site plan, and otherwise as required in the Land Development Code	Yes, except for accessory structures	PSD	Ad for PUV	No	Scaled sketch plan; information demonstration compliance with Land Development Code standards; project specific environment permits as applicable.
Other development determined to be below the Type A site and development plan review threshold and >300 s.f.; and structures >300 s.f. accessory to other than single-family, manufactured home, or duplex residential dwellings	Approved plat or site plan, otherwise as required in the Land Development Code	Yes	ASAP	Ad for PUV	Presubmittal (optional)	Site plan; project specific environmental permits, as applicable.

(b) Exceptions specified under the definition of subdivision in Section 10-1.101. Any and all landowner(s) of a parcel that is divided or developed pursuant to this exception shall file an affidavit, on a form approved by the county attorney, with the clerk of the court in the public records of the county. The affidavit shall specify that the property has been modified or subdivided, the number of new parcels, if any, created, the exemption type used for this action, the legal description of the original location of the parcel(s), and the metes and bounds descriptions of each new parcel. A judicial exception based on a court order shall be excepted from site and development plan application but may be required to comply with the Land Development Code. Review of development proposed pursuant to such orders shall be through a process determined by the county administrator or designee.

(c) Requirements for administrative streamlined application process (ASAP).

(1) *1:2 subdivision/lot split, inside the urban service area.* All ASAP applications for 1:2 subdivision/lot split shall demonstrate compliance with article IV, environmental management, article VI, zoning, and division 5 of article VII, substantive standards and criteria, subdivision and site and development plan regulations. Review and determination of compliance shall be conducted by the county administrator or their designee. Review may include consultation with other county and affiliated agency technical staff. Applications shall include a site plan or survey of the subject property along with sufficient information to demonstrate compliance with applicable standards. The application should furnish sufficient information to clearly demonstrate legal access, utility service connections, compliance with zoning district standards, and adequate protection of environmental resources.

(2) *Other administrative streamlined applications process applications.* All other ASAP applications shall demonstrate compliance with article IV, environmental management; article VI, zoning; and division 5 of article VII, substantive standards and criteria, subdivision and site and development plan regulations. Review and determination of compliance shall be conducted by the county administrator or their designee. Review may include

consultation with other county and affiliated agency technical staff. Applications shall include a site plan or survey of the subject property along with sufficient information to demonstrate compliance with applicable standards. The application should furnish sufficient information to clearly demonstrate legal access, utility service connections, compliance with zoning district standards, and adequate protection of environmental resources. Applications shall be required to furnish a natural features inventory, as set out in article IV, and provide calculations demonstrating compliance with applicable stormwater management standards; waiver or modification of these requirements may be provided by the county administrator or designee. The application should furnish sufficient information to clearly demonstrate compliance with zoning district standards and any precedent development order.

8. *Review process application.* Except for any exception or exemptions specified in this chapter, a site and development plan application is required for review Types A, B, C, and D site and development plans. Application submittal requirements for Types A, B, and C site and development plans are as set forth in section 10-7.402. Application submittal requirements for Type D site and development plans are as set forth in section 10-7.406. The difference between the review types shall also be affected by the level of detail as determined by the county administrator or designee and technical assistance staff, which may be determined at the presubmittal meeting (optional) or quick check. The submittal requirements for site and development plan review are listed below. The county administrator or designee is authorized to waive or modify specific submittal requirements for any site and development plan proposal based on review type, site conditions, and characteristics of the proposed development. When site and development plan applications are to be submitted to the county administrator or designee, the county administrator or designee is also authorized to waive any specific submittal requirements as deemed appropriate.

(a) The requirement for "planned development review" for development of properties abutting a designated canopy road segment shall mean compliance with the site and development plan regulations set forth in this chapter.

(b) Submittal requirements.

(1) An applicant shall provide for the preapplication meeting the required information on a form approved by the county administrator or designee.

(2) The following information shall be required for a site and development plan application, unless the county administrator or designee waives a requirement, with documentation, as inapplicable to the particular development;

(i) A site and development plan for the parcel or parcels which are the subject of the application. A proposed plat, if the parcel or parcels are to be subdivided, and the depiction of the site and development plan, shall be prepared as a single map, if the information conveyed remains clear. The proposed plat and site and development plan shall include, consistent with the provisions of this section:

a. A title block containing the following:

1. The proposed development.

2. Date of preparation.

3. Scale of the site and development plan, both written and graphic.

b. A legal description and boundary survey of the parcel which shall be signed and sealed by a professional surveyor licensed to practice in the state.

c. Tax identification number(s) for parcel or parcels that are subject of application.

d. Total acreage of the parcel or parcels, and, if the development is on a portion of a larger parcel, the acreage of the larger parcel and of the portion to be developed.

e. A scaled vicinity map with north arrow.

f. Names, addresses, and telephone numbers of all owners of the parcel or parcels, developers, optionees, and agents.

g. Location and type of proposed easements, including legal access.

h. Dimensions of the lots, to the nearest foot.

i. Lot and block numbers, if applicable. If a resubdivision of an existing plat is proposed, the numbering must be consistent with the existing system.

j. A circulation diagram showing vehicular and pedestrian movements including location and dimensions of access points, sidewalks, any special engineering features and traffic control devices, if any.

k. Proposed changes to existing topography.

l. Location of stormwater management facilities, including all conveyances and drainage easements.

m. Location and type of buffers and conservation easements to be provided.

n. Number of spaces and location of parking facilities or other impervious surfaces. A calculation of the square footage of parking facilities and other impervious surfaces.

o. Location and depth of setbacks. This information may be provided in tabular form.

p. Location and use of temporary structures as defined in section 10-7.109.

q. Location and generalized footprint of each building existing or to be constructed by the applicant. For nonresidential structures, a calculation of the gross square footage for each, including floor area ratios and height of any structure proposed.

r. Location and footprint of each type of infrastructure to be constructed.

s. Areas to be protected by a conservation easement, preservation easement, or other means acceptable to the county.

t. If the development fronts on a street or roadway, include each street or roadway and street or roadway name.

u. Street plans, locations, designs, and names assigned in accordance with county regulations shall be depicted and described.

v. If the applicant will construct them, location and description of all structures to be built by the developer, and, if common facilities are to be constructed, how those common facilities will be maintained.

w. Location and type of recreation facilities.

x. Refuse collection areas, and location and type of screening, if proposed.

y. Where the site and development plan covers only a portion of the landowner's entire parcel, a map depicting all of the landowner's contiguous property and proposed use for the balance of the parcel or parcels not including in the site which is the subject of the application.

z. Proposed build-out date of the infrastructure for the development in its entirety, and, if the development will be built in phases, a development scheduled and proposed buildout date for each phase.

aa. A utility service plan addressing proposed water supply, power supply, and method and location of sewage disposal.

bb. All lot lines, parcel tax identification numbers, roads, access easements on the subject parcel, structures, and paved areas within 300 feet of the parcel boundaries.

(ii) A site map depicting the existing natural and developed features on the parcel or parcels which are the subject of the application shall also be submitted. The information submitted shall include consistent with the provisions of this section:

a. Location of the wooded areas, differentiating between native forests, high quality successional forests, and mature successional forests.

b. Location of listed species, as defined by the EMA, occurrences, and their habitats.

c. For multifamily residential and all nonresidential site plans, identify trees defined as protected by the EMA which are impacted by the proposed development.

d. Location of wetlands.

e. Conservation and preservation areas as set forth in the Comprehensive Plan.

f. Location of sinkholes.

g. Location of all water bodies, watercourses, drainage ditches, canals, and other surface water features.

h. Location and type of known hazardous materials, hazardous waste and underground storage tanks.

i. Location of 100-year floodplain.

j. Location of other natural features.

k. A scaled aerial photograph showing the location of the site and adjacent properties within 300 feet of the site. The boundary of the subject property shall be outlined or highlighted on the aerial photograph.

l. A conceptual landscaping plan, including a planting plan for public right-of-way, common areas, and buffers or open space areas showing types, sizes, and spacing of trees and other vegetation.

m. Location of closed basins and natural drainage divides.

n. Proposed covenants, grants, easements, dedications, and restrictions to be imposed on the land, buildings, and/or structure, including proposed easements for public utilities and instruments relating to the use and maintenance of common natural areas, open spaces, private streets, and other private infrastructure shall be furnished with an application. All such documents shall be subject to review and approval by the county attorney as to form and sufficiency, prior to action on this application. Such instruments shall allow access of public vehicles for public safety or maintenance purposes.

(iii) For nonresidential development, the applicant also shall provide the following information consistent with the provisions of this section:

a. Names and amounts of hazardous or toxic materials or wastes to be used or produced on-site.

b. Types and amounts of radioactive materials or wastes, explosives, or flammable materials to be used or produced on-site.

c. Types and amounts of smoke, dust, particulate matter, noxious or odorous gases or other pollution of the air produced on-site.

d. Types and amounts of materials identified above in subsections a, b, and c above, which can be expected to be moved off-site.

e. Noise levels expected at the site boundaries.

f. The types of manufacturing, production, processing or other industrial activities which will take place.

(iv) Additional information as may be required by the county to clarify relevant points.

(Ord. No. 07-20, § 2, 7-10-07; Ord. No. 08-03, § 17, 1-29-08; Ord. No. 08-24, § 3, 11-25-08; Ord. No. 09-04, § 1, 1-15-09; Ord. No. 09-24, §§ 1—3, 7-14-09; Ord. No. 10-07, § 4, 3-23-10; Ord. No. 10-28, § 1, 10-12-10; Ord. No. 11-01, § 1, 1-18-11; Ord. No. 13-06, § 12, 3-12-13; Ord. No. 14-10, § 29, 6-10-14; Ord. No. 16-10, § 3, 6-14-16; Ord. No. 17-01, § 13, 1-24-17)

Sec. 10-7.404. - Type B review.

Type B review shall be applied to the types of site and development plans listed in Table 10-7.1. For the purpose of this section, nonresidential site and development plans include, but are not limited to, commercial, office, institutional, and industrial development.

Review requirements.

(a) *Preapplication.* The applicant may schedule a presubmittal meeting with the county administrator or designee to discuss the application, the procedures for and approval, and the applicable regulations and requirements for the review type. The county administrator or designee may modify or eliminate any requ information submittals, after documentation, based upon consideration of the complexity of the proposed site and development plan, environmental const existing site conditions, or other relevant submittal items required for review and approval of site and development plans.

(b) *Application.* The applicant shall select the proposed project's development review track from the options outlined in subsection 10-7.402 5. and proceed accordingly. The applicant shall submit the required site and development plan to the county administrator or designee for distribution to the DRC. Notice of the application shall be as set forth in subsection 10-7.402 6.(d).

(c) *Determination of completeness.* Within ten working days after receipt of the application for site and development plan approval, the county administrator or designee shall determine whether the application contains all require information at the required level of detail; and shall advise the applicant of all areas of deficiency. This notification shall specify the additional information and level of detail required in order to meet the requirements of this section. In the event that an applicant fails to submit the required additional information within 30 calendar days of the date of the notice of deficiency, the county administrator or designee shall consider the application to be withdrawn. The county administrator or designee may grant extensions of up to 30 days at the request of the applicant; provided any such request for an extension is received prior to the expiration of the relevant time period. Upon a determination of completeness, the county administrator or designee shall refer the application to the DRC.

(d) *Public notice of application.* Public notice of the Type B application shall be published consistent with the provisions of [F.S. §] 125.66(4)(b)2. and 3. within seven calendar days of receipt of application and mailed to each property owner, based upon the most current tax rolls in the Office of the Leon County Property Appraiser, owning property within 800 feet of the project and to registered home owners associations and business associations of property within 800 feet of the project. Notice of the application must be prominently posted at the job site. Notice of the application must clearly delineate that an aggrieved or adversely affected person has the right to request a quasi-judicial hearing before a special master, must explain the conditions precedent to the appeal of any development order rendered on the application, and must specify where written procedures can be obtained that describe the process to appeal the decision of the county. Required notices may be provided in combination with other notices.

(e) *DRC meeting notice.* Public notice of the DRC meeting shall be given at least seven calendar days in advance of the meeting by publication in a newspaper of regular and general circulation in the county. In addition, written notice shall be mailed at least five calendar days in advance of the DRC meeting to the current address (based upon the most current tax rolls in the office of the Leon County Property Appraiser) of each property owner within 800 feet of the project and to registered neighborhood and business associations of property located within 800 feet of the project. Notices shall advise such persons of the application, and specify that the application will be reviewed by staff at a public DRC meeting and provide the date, time, and place of that meeting. The public notice shall also advise that no testimony may be heard by the DRC at their meeting since it is an administrative review and not subject to quasi-judicial provisions. Notices must state that an aggrieved or adversely affected person has the right to request a quasi-judicial hearing, and must also include a statement that, as a condition precedent to filing an appeal, one must submit written comments regarding the application to the clerk of the DRC prior to the adjournment of the DRC meeting at which the written preliminary decision on the development application is made. Required notices may be provided in combination with other notices.

(f) *DRC meetings.* No testimony shall be received from any applicant or member of the public during the course of the DRC meeting, although written comments may be provided to the DRC and the meetings shall be open to public attendance. Each member of the DRC is responsible for providing proposed written findings which identify whether a development meets the applicable criteria and standards of this chapter and those imposed by other applicable ordinances, regulations and/or adopted standards of the county. The proposed written findings shall be transmitted to other members of the DRC, the applicant, and made available for public inspection at least one working day prior to consideration by the DRC. The proposed written findings shall be the basis for a recommendation by each DRC member for the DRC as a whole to issue a written preliminary decision to approve, approve with conditions, or deny the application. Absent a written preliminary decision, the DRC may continue consideration of an application to a date and time certain.

(g) *DRC review.* The DRC shall review the application at any scheduled meeting, and shall prepare and submit to the county administrator or designee a written preliminary decision including an itemized list of findings of fact which support the preliminary decision of approval, approval with conditions, or denial of the application; or shall request additional material and data determined to be necessary to undertake the required review and continue its review to a date and time certain. Within five calendar days of the decision, notice of the written preliminary decision shall be provided to the applicant and persons who submitted written comments, provided the person's mailing address is readily ascertainable on the face of the written comments provided. The written preliminary decision of the DRC shall include a statement that an aggrieved or adversely affected person may request a quasi-judicial hearing pursuant to paragraph (h) herein.

(h) *Conditional approval.* Subsequent to the action of the DRC to approve a Type B site and development plan subject to conditions, the applicant shall furnish for review and verification by the DRC or their designee, a revised site and development plan application, demonstrating compliance with all conditions. The revised site and development plan shall be submitted to the DRC or their designee within 90 days of the date of approval entity's action; however, the applicant may, upon demonstration of good faith effort and hardship that is not self-created, be granted a 90-day extension by the DRC or designee. Subsequent 90-day extensions may be requested and granted, based on the same criteria. Failure to comply with these time limits shall render the site and development plan application approval expired.

(i) *Appeals.* The written preliminary decision of the DRC shall become final 15 calendar days after it is rendered unless a person who qualifies as a party, as defined in section 10-7.414, and who has filed written comments with the department of development support and environmental management prior to the adjournment of the meeting at which the decision was rendered files a notice of intent to file an appeal of a decision on a site and development plan application. Subsequent to the filing of a notice of intent, a petition must be filed within 30 calendar days from the date of rendition of the DRC's decision. Petitions shall be made in writing and directed to the clerk of the DRC, and shall include the project name, application number, a description of the facts

upon which the decision is challenged, and all allegations of inconsistency with the Comprehensive Plan and land development regulations, and any argument in support thereof. Failure to file both a notice of intent and a petition is jurisdictional and will result in a waiver of the hearing. Hearings before a special master will be conducted in accordance with the procedures outlined in section[s] 10-7.414 and 10-7.415

(Ord. No. 07-20, § 2, 7-10-07; Ord. No. 08-03, § 17, 1-29-08; Ord. No. 08-23, § 5, 11-25-08; Ord. No. 10-28, § 3, 10-12-10; Ord. No. 11-01, § 3, 1-18-11; Ord. No. 11-23, § 3, 10-11-11; Ord. No. 14-10, § 31, 6-10-14)

Sec. 10-7.414. - Procedures for quasi-judicial hearings before a special master.

(A) *Appointment of a special master.* From time to time the Board of County Commissioners shall appoint and retain special masters or shall contract with the Florida Division of Administrative Hearings for administrative law judges to conduct quasi-judicial proceedings regarding site and development plan applications. Each special master shall be a licensed attorney with the Florida Bar who has practiced law in Florida for at least five years, and who has experience in land use law, real estate law, local governmental law, or administrative law. None of the special masters or the law firms with which they may be associated shall be representing clients before any agency of the county government or any agency of any municipality in the county during the period in which they serve as special master.

(B) *Term, compensation.* Each special master appointed and retained by the Board of County Commissioners shall serve at the pleasure of the board and shall be compensated at a rate or rates to be fixed by the board.

(C) *Ex parte communication.*

(i) No county employee, elected official, or other person who is or may become a party to a proceeding before a special master shall engage in an ex parte communication with the special master. However, the foregoing does not prohibit discussions between the special master and county staff that pertain solely to scheduling and other administrative matters unrelated to the merits of the matter before the special master.

(ii) If a person engages in an ex parte communication with the special master, the special master shall place on the record of the pending case all ex parte written communications received, all written responses to such communications, a memorandum stating the substance of all oral communications received and all oral responses made, and shall provide the memorandum to all parties and advise all parties that such matters have been placed on the record. Any party desiring to rebut the ex parte communication shall be entitled to do so, but only if such party requests the opportunity for rebuttal within ten days after receipt of notice of such communication. If the special master deems it necessary due to the effect of an ex parte communication, the special master may withdraw from the case.

(iii) After the filing of a notice of intent, no party to the hearing may engage in any ex parte communication with a member of the Board of County Commissioners regarding the pending application for site and development plan or the issues in the pending hearing.

(D) *Prohibition from acting as agent or attorney for subject matter.* A special master, and any firm with which he or she is or may become associated, is prohibited for a period of three years, after issuance of the decision on the application which was the subject of a quasi-judicial hearing in which he or she presided, from acting as an agent or attorney on any matter involving property which was the subject of the proceeding in which the special master hearing officer presided. Violations of this subsection shall be prosecuted in the manner provided by general law.

(E) *Timeliness of requests for quasi-judicial hearings and standing determinations.* All determinations on the timeliness of notices of intent and petitions and all determinations of standing will be made by the special master.

(F) *Standing.* Parties to the proceedings shall be limited to the county, the applicant, and any aggrieved or adversely affected person who has timely filed both a notice of appeal and a petition to challenge a development order. The term "aggrieved or adversely affected party" shall mean any person or local government that will suffer an adverse effect to an interest protected or furthered by the local government Comprehensive Plan, including interests related to health and safety, police and fire protection service systems, densities or intensities of development, health care facilities, equipment or services, and environment or natural resources. The alleged adverse interest may be shared in common with other members of the community at large but must exceed in degree the general interest in community good shared by all persons.

(G) *Powers of special masters.* The special masters who conduct quasi-judicial proceedings pursuant to this section shall have the powers of special masters enumerated in F.S. § 120.569(2)(f), as well as to issue other orders regarding the conduct of the proceedings and the power to compel entry upon the land that is subject to the application at issue.

(H) *Mediation.* Parties are encouraged to agree to formal mediation when an appeal is filed pursuant to this article. If agreed upon, mediation shall be completed within 45 calendar days of the filing of the petition, unless extended by stipulation of the parties to the appeal. Such mediation shall be conducted in accordance with the Florida Rules of Civil Procedures regarding mediation, and the county appellate proceedings shall run concurrent with mediation.

(I) *Prehearing requirements.* At least seven days prior to the date set for the hearing, the parties shall exchange a list of names and addresses of witnesses planned to testify at the hearing, and a list of exhibits planned to be introduced at the hearing, as well as produce the physical exhibits for inspection by the parties. Each party is entitled to depose witnesses scheduled to testify at the final hearing.

(J) *Hearings.*

(i) All hearings shall be commenced within 60 calendar days of the date the petition was filed. Requests for continuance by any party, either before or during the hearing, may be considered and granted upon good cause shown.

(ii) All hearings shall be open to the public and shall be advertised in a newspaper of general circulation not less than 15 calendar days to the date of the hearing.

(iii) The participants before the special master shall be the applicant, the applicant's witnesses, if any, county staff, and other parties as the term "party" is defined in this section, and witnesses of the parties, if any, and members of the public desiring to enter comments pursuant to subparagraph (v)d. of this

section. Any party who is not the applicant or county staff who participates at the hearing shall provide his or her mailing address to the special master.

(iv) Testimony and evidence shall be limited to matters directly relating to the application and development. Irrelevant, immaterial or unduly repetitious testimony or evidence may be excluded.

(v) All testimony shall be under oath. The order of presentation of testimony and evidence shall be as follows:

a. The party challenging the DRC's written preliminary recommendation and his or her witnesses, if any.

b. The applicant, if not the party challenging the DRC's written preliminary decision, and the applicant's witnesses, if any.

c. The county, and its witnesses, if any, including county staff.

d. Comments by members of the public, if any.

(vi) To the maximum extent practicable, the hearings shall be informal. All parties shall have the opportunity to respond, to present evidence and argument on all issues involved which are related to the development order, and to conduct cross-examination and submit rebuttal evidence. During cross examination of witnesses, questioning shall be confined as closely as possible to the scope of direct testimony. The special master may call and question witnesses or request additional evidence as he or she deems necessary and appropriate. To that end, if during the hearing the special master believes that any facts, claims, or allegations necessitate review and response by any party or parties, then the special master may order the hearing continued until a date certain, but no longer than 15 days after the start of the hearing. The special master shall decide all questions of procedure and standing.

(vii) The standard of review applied by the special master in determining whether a proposed development order is consistent with the Comprehensive Plan shall be strict scrutiny in accordance with Florida law. The standard of review to determine whether the proposed development order is consistent with applicable Land Development Regulations shall be in accordance with Florida law.

(viii) The special master shall render a recommended order on the application to the Board of County Commissioners within 30 calendar days after the hearing concludes, unless the parties waive the time requirement. The recommended order shall contain written findings of fact, conclusions of law, and a recommendation to approve, approve with conditions, or deny the application. A copy of the recommended order shall be served on all parties and any member of the public who participated at the hearing. Service of copies may be made by electronic communication.

(K) *[Exceptions.]* The parties shall have ten calendar days from the date of the recommended order is served to file specific, written exceptions to the recommended order with the clerk of the Board of County Commissioners. Exceptions shall include appropriate references to the record before the special master.

(L) *Action by Board of County Commissioners.* Upon receipt of the special master's recommended order, the board shall take up the matter pursuant to section 10-7.415 of this Code.

(Ord. No. 07-20, § 2, 7-10-07; Ord. No. 11-01, § 5, 1-18-11; Ord. No. 11-23, § 5, 10-11-11)

Editor's note— Section 5 of Ord. No. 11-23, adopted Oct. 11, 2011, changed the title of § 10-7.414 from "Procedures for hearings before a special master" to "Procedures for quasi-judicial hearings before a special master."

Leon County, Florida, Land Development Code Excerpts

Leon County Code of Laws, Chapter 10

Sec. 10-1.101. - Definitions.

The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning.

Abandoned well shall mean a well which is no longer in use for its intended purposes, and/or is not constructed to state standards and for which no valid Northwest Florida Water Management District (NWFWMD) permit has been issued.

Abutting property shall mean property that is immediately adjacent or contiguous to property that is subject to review under these regulations.

Access improvements shall mean improvements designed and constructed to provide safe and adequate ingress and egress from a road impact construction, which include, but are not limited to, rights-of-way, easements, paving of adjacent or connecting roadways, turn lanes, deceleration and acceleration lanes, traffic control devices, signage and markings, and drainage and utilities.

Access, legal shall mean the right, created by fee simple ownership, insurable right of access, deed, or easement recorded in the public records providing for perpetual ingress to and egress rights from the premises to a public or private street.

Accessory building shall mean a detached, subordinate building, the use of which is clearly indicated and related to the use of the principal building or use of the land and which is located on the same lot as the principal building or use.

Accessory dwelling unit shall mean an additional, ancillary dwelling unit located on the same lot or parcel as a principal dwelling unit. The accessory dwelling unit may be attached or detached; its use is secondary to the principal use of the property.

Accessory use or *structure* shall mean a use or structure on the same lot with, and of a nature customarily incidental and subordinate to, the principal use or structure and, which comprises no more than 1/3 of the floor area of the principal use or structure, except as otherwise permitted herein.

Acquisition shall mean purchase, land exchange, donation, easement, assisting private owners in obtaining tax advantages and other similar endeavors. Purchase shall include all acquisition costs, including such costs as surveying and title insurance.

Acre shall mean an area of land containing 43,560 square feet.

Acre, gross shall mean an area of land containing 43,560 square feet including rights-of-way, common areas, or easements.

Acre, net shall mean the amount of usable land area exclusive of undevelopable areas within conservation or preservation areas.

DBH, diameter at breast height means the diameter of a tree measured at a height of 54 inches above the naturally occurring ground level. Trees with gross abnormalities or buttressing at breast height should be measured above and immediately adjacent to the irregularity. Trees that fork at breast height should be measured below breast height and recorded as a single trunk. Trees that fork below breast height will be recorded as separate DBH for each stem.

Dead-end street shall mean a street terminated at the end by a vehicular turnaround, such as a cul-de-sac or T-turnaround.

Dedication shall mean the intentional appropriation of land by a property owner to some public use. Such appropriation of land shall not be considered a dedication for purposes of this chapter unless and until it is accepted by the Board of County Commissioners.

Density, gross shall mean the number of dwelling units per gross acre; an area of land containing 43,560 square feet including easements, rights-of-way and common areas. All residential densities referred to in the plan and zoning code shall be gross densities unless otherwise noted.

Density, gross project shall be applicable to projects containing only residential uses. In such cases gross project density will be the same as gross density. If projects contain land uses other than residential and designated open space, gross residential density (see below) is the more appropriate measure of development density.

Density, gross residential shall mean the number of units per gross acre of land designated for residential purposes, including land that will be devoted to street rights-of-way and designated open space after development. "Gross residential density" shall not include area covered by permanent water bodies or area to be utilized for other nonresidential land uses.

Density, net shall mean the number of units per acre computed after subtraction of the acres in street rights-of-way and designated open space from the gross residential area defined in the definition of gross residential density.

Density neutral shall mean that the gross density of a parcel to be developed shall not exceed the maximum permitted density established for the land use category and base zoning applicable to the subject parcel.

Density of connectivity shall mean, for a given development, number of street access connections to adjacent properties and off-site streets divided by the developments size in acres. An easement to extend a street for connection in the future shall be considered an access connection for purpose of this definition. The higher the density of interconnectivity, the greater the degree of external connectivity.

Department shall mean the department or departments designated by the county administrator to administer, interpret, and enforce this chapter.

Designated city road shall mean a road within the city street system which is listed for improvement in the impact fee study or subsequently added pursuant to section 10-578 [Art. VI, Div. 7].

Designated county road shall mean a road within the county road system which is listed for improvement in the impact fee study or subsequently added pursuant to section 10-578 [Art. VI, Div. 7].

(1) *Front lot line.* The lot line fronting the street right-of-way.

(2) *Rear lot line.* The lot line opposite the front lot line. In the case of a lot irregularly shaped or pointed at the rear, the rear lot line shall be an imaginary line within the lot, not less than ten feet long, parallel to and at the maximum distance from the front lot line.

(3) *Side lot line.* Any lot line other than the front lot line or rear lot line. A side lot line separating a lot from a street right-of-way is a street side lot line. A side lot line separating a lot from another lot or lots is an interior side lot line.

Lot perimeter protection zone shall mean all areas of a development site which fall between a property line and the minimum building setback corresponding to that property line as required by Article VI (zoning).

Lot, through (double frontage) shall mean any lot, not a corner lot, having both the front and rear property lines adjacent to a public street.

Lot width shall mean the horizontal distance between the side lot lines measured at right angles to the lot depth at the front building setback line.

Lounge shall mean a building or portion of a building wherein alcoholic beverages are sold by the drink and consumed on the premises.

Low density residential zoning districts shall mean zoning districts that allow a maximum gross density of six dwelling units per acre or less.

Lowest floor or *finished floor* shall mean the lowest floor of the lowest enclosed area (including basement). An unfinished or flood-resistant enclosure, usable solely for parking of vehicles, building access or storage, in an area other than a basement area, is not considered a building's lowest floor, provided that such enclosure is not built so as to render the structure in violation of the applicable nonelevation design requirements of this chapter.

Managed buffer shall mean a vegetated area to be preserved or maintained in a natural or landscaped condition which serves to reduce impacts between land uses, and within which the removal of intrusive species, or addition of plants or other landscape material for enhancement of the area, may be allowed.

Manufactured building shall mean a building which conforms to the definition of manufactured building found in F.S. § 553.36(11), and which has received approval by the state department of community affairs.

Manufactured home shall mean any dwelling unit constructed to the Manufactured Home Construction and Safety Standards promulgated by the U.S. Department of Housing and Urban Development (24 CFR §3280), or as such standards may be amended; and which are built in the controlled environment of a manufacturing plant and are transported in one or more sections on a permanent chassis.

Manufacturing shall mean establishments engaged in the mechanical or chemical transformation of materials or substances into new products, including the assembling of component parts, the creation of products, and the blending of materials, such as lubricating oils, plastics, resins, or liquors.

Marquee shall mean a canopy or covered structure projecting from and supported by a building when such canopy or covered structure extends beyond the building line or property line.

Sec. 10-3.105. - Concurrency generally.

(a) No final development order shall be issued by the county unless there is sufficient available capacity of concurrency facilities to meet the standards for level of service for the existing population, vested development, and for the proposed development according to the following deadlines:

(1) For the public facilities set forth in this subsection the capacity must meet the standards or the applicant must provide the county with acceptable financial assurances or other assurances which guarantee that the facility will be improved in order to operate at the adopted levels of service prior to the issuance of a building permit (or any other permit which authorizes development where a building permit is not required). All other final development orders shall be conditioned on the requirement that building permits shall not be issued for the subject property until the capacity of the public facilities set forth in this subsection meet the standards for level of service of concurrency facilities. The public facilities for this subsection are:

a. Potable water.

b. Sanitary sewer.

c. Solid waste.

d. Stormwater management.

(2) For arterial and collector roads, the capacity necessary to meet the standards must be available, or scheduled, through inclusion in the adopted five-year schedule of capital improvements, to be in place or under actual construction not more than one year after issuance of the subject final development order. The schedule of capital improvements may recognize and include transportation projects included in the first year of the adopted Capital Regional Transportation Planning Agency approved Transportation Improvement Program.

(3) For parks and recreation facilities, the capacity must meet the standards within 12 months of the issuance of the subject final development order.

(4) For mass transit facilities within the designated urban service area, the capacity must meet the standards within 12 months of the issuance of the subject final development order.

(5) On-site potable water wells and septic tanks which meet all applicable standards and regulations shall be determined to be concurrent for purposes of this article.

(b) A concurrency review and a reservation of capacity must occur prior to the approval of a preliminary development order.

(c) An applicant shall have the option of paying all applicable city sewer and water systems charges at the time of issuance of a building permit or a tap, whichever is first.

(d) Approved plans of development exempt from, or determined to be vested from, the Comprehensive Plan by the county pursuant to applicable ordinances shall not be subject to concurrency requirements unless the exemption or vesting has been eliminated, waived, expired or withdrawn pursuant to law. The concurrency facilities capacity for plans of development exempt from, or determined to be vested from, the Comprehensive Plan shall be reserved in accordance with the following methodology:

1. When a vested project starts to obtain permits, the number of trips permitted will be subtracted from the total amount of trips that were considered to be vested, and transferred to a committed trips status accordingly. The percentage of capacity reservation associated with the vested project will be reevaluated consistent with the specifies of each final development order issued by the county for a component of a vested project.

2. For vested nonresidential developments, a methodology for estimating trip generation will be based on a land use conversion table that corresponds with the most recent version of the Institute of Transportation Engineers Manual (ITE). The Leon County Land Use Conversion Data Table shall represent a maximum build out depending on the type of land use determined for the nonresidential use. At the time of permitting, if the vested nonresidential development is anticipated to impact roadways at a higher or lower level than the amount of capacity that has been reserved for that particular development, the reservation of roadway capacity will be adjusted accordingly.

(e) A concurrency management policy and procedures manual shall be developed by the county to define the concurrency requirements in the Comprehensive Plan; to outline the requirements and procedures that must be followed by applicants for new development in order to satisfy concurrency requirements; and to outline the procedures to be followed by the county to maintain the concurrency management system. This concurrency policy and procedures manual shall be separately approved by the Board of County Commissioners.

(f) For school concurrency, the capacity necessary to meet the standards must be available, or contracted to be under construction within ten years of the subject final development order, or consistent with the provisions of F.S. § 163.3180, as same may be amended from time to time.

In those instances when it has been determined by the Leon County School Board that mitigation is required, no final development order nor any final certificate of concurrency shall be issued unless and until documentation has been furnished to the county administrator or designee, that the Leon County School Board or their designated representative has accepted and executed a school proportionate fair-share mitigation development agreement that addresses any anticipated impacts to the level of service of Leon County Schools. When it has been determined by the Leon County School Board that mitigation is not required, the Leon County School Board shall furnish documentation so stating, to the county administrator or designee, in a timely manner.

(Ord. No. 07-20, § 2, 7-10-07; Ord. No. 08-24, § 1, 11-25-08)

Sec. 10-6.104. - Policy.

(a) It is the policy of the county to permit development of land that is consistent with and in conformance with the goals, objectives, and policies established in the Comprehensive Plan through the use of this article.

(b) The official zoning map districts shall be consistent with the land uses as depicted on the adopted future land use plan map of the Comprehensive Plan.

(c) No development of land shall be permitted unless in compliance with the concurrency requirements as established in Article III.

(d) This article shall complement and be coordinated with the enforcement of the provisions and standards contained in building and housing codes, the provisions Articles IV and VII, and other related and applicable codes.

(e) The implementation and interpretation of this article shall be governed by the policies stated in the Comprehensive Plan.

(Ord. No. 07-20, § 2, 7-10-07)

Sec. 10-6.617. - Residential preservation.

(a) *Purpose and intent.* The residential preservation district is characterized by existing homogeneous residential areas within the community predominantly accessible by local streets. The primary function is to protect existing stable and viable residential areas from incompatible land uses and density intrusions. Commercial, retail, office, and industrial activities are prohibited. Certain nonresidential activities may be permitted, such as home occupations consistent with the applicable provisions of section 10-6.803; community services and facilities/institutional uses consistent with the applicable provisions of section 10-6.806; and churches, religious organizations, and houses of worship. Single-family, duplex residences, manufactured homes, and cluster housing may be permitted within a range of zero to six units per acre. Compatibility with surrounding residential type and density shall be a major factor in the authorization of development approval and in the determination of the permissible density.

(1) In residential preservation areas outside the urban service area, the density of the nonvested development in residential preservation areas shall be consistent with the underlying land use category.

(2) In residential preservation areas inside the urban services area, new residential development densities shall be consistent with those within the developed portions of the recorded or unrecorded subdivision in which they are located. Consistency for the purposes of this paragraph shall mean that proposed lots shall not be smaller than the smallest lot that was created by the original subdivision plat or any subsequent replat that may have occurred consistent with county land development regulations in effect at the time.

(3) When new residential development inside the urban services area is proposed for an area not located within a recorded or unrecorded subdivision, densities shall be permitted in the range of zero to six dwelling units per acre consistent with the availability of central water and sewer service to accommodate the proposed development. If central water and sewer service is not available, density shall be limited to a maximum of two dwelling units per acre consistent with all applicable provisions of the Environmental Management Act.

(4) Notwithstanding the provisions of subsection 10-6.617(a)(2) above, existing lots in a recorded or unrecorded residential subdivision zoned residential preservation may be resubdivided up to a maximum density of six dwelling units per acre provided that the parent lot directly abuts an existing arterial or major collector roadway that was not constructed as part of the subdivision's roadway network. This provision shall not apply to lots whose current designated primary access is from a street internal to the recorded or unrecorded subdivision zoned residential preservation. Existing lots of record with no current frontage on a major collector or arterial roadway, as specified above, cannot be aggregated to benefit from the provision of this section.

The following factors shall be used to determine the maximum allowed number of lots per acre created pursuant to this subsection: a) the availability of water and sewer to accommodate the proposed development as cited in subsection 10-617(a)(3) above; b) compliance with applicable local and/or Florida Department of Transportation (FDOT) roadway connection standards c) the mitigation of any adverse impacts on the transportation network, and d) compliance with any other applicable provisions of the Land Development Code, including those pertaining to environmental protection. Acceptable mitigation for impacts to the transportation network include a common ingress/egress access point for all newly created lots, frontage roadways, or any other solution that mitigates the adverse impacts on the transportation network as determined by the director.

(5) Allowable development type shall be construed to mean the following:

a. Parcels proposed for residential which are located in a recorded or unrecorded subdivision shall develop consistent with the type of residential development pattern located inside the recorded or unrecorded subdivision.

b. Parcels proposed for residential which are located inside the urban service area and not in a recorded or unrecorded subdivision shall develop consistent with the type of residential development pattern located adjacent to the vacant parcel.

c. Parcels proposed for residential development surrounded by a mix of conventional single-family homes and manufactured homes, shall be developed for conventional single-family homes.

d. Parcels proposed for residential development surrounded by a mix of single-family and duplex development shall be developed for single-family use, unless duplex residential development is the predominant type.

e. The placement of standard design manufactured homes and mobile homes shall be allowed in manufactured home parks, in subdivisions platted explicitly for allowing manufactured homes, or as a replacement unit for any lawfully existing manufactured home consistent with the provisions of article XII of this chapter.

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

(1) Low-density residential.

(2) Passive recreation.

(3) Active recreation.

(4) Community services.

(5) Light infrastructure.

(c) *List of permitted uses.* Some of the uses on these schedules are itemized according to the Standard Industrial Code (SIC). Those uses or activities permitted through special exception shall require review and approval by the Board of County Commissioners consistent with the provisions of section 10-6.611.

Allowable uses, appropriate permit level and applicable development and locational standards in the residential preservation district are as follows:

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

Legend					
LR	=	Low-density residential	CS	=	Community services
PR	=	Passive recreation	LI	=	Light infrastructure
AR	=	Active recreation			

		Development and Locational Standards				
SIC Code	Name of Use	LR	PR	AR	CS	LI
	RESIDENTIAL					
	Dwelling, one-family	P				
	Dwelling, two-family	R				
	Dwelling, mobile home	P				
	Mobile home park	S				
	SERVICES					
	Elementary and secondary schools legally established and in existence as of July 1, 2015, including expansions to existing facilities				S	
	Religious organizations				S	
	PUBLIC ADMINISTRATION					
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			P		
	Field sports			P		

Placement of new mobile homes are limited to the following areas: existing mobile home parks; and platted mobile home subdivisions. New mobile homes shall also be allowed as replacements of lawfully existing mobile homes in other locations. New mobile home parks may be established as per the provisions set forth in section 10-6.807.

(d) *Development standards.* All proposed development shall meet the applicable buffer zone standards as outlined in section 10-7.522. For residential development in recorded or unrecorded subdivisions, the development standards including front, rear, side, and side corner yard setbacks for new residential development shall be consistent with the developed portions of the recorded or unrecorded subdivision in which it is located. For new residential development in residential preservation areas not located in recorded or unrecorded subdivisions, the applicable development standards including, but not limited to front, rear, side, and side corner yard setbacks shall be established at the time of subdivision and site and development plan review.

(Ord. No. 07-20, § 2, 7-10-07; Ord. No. 16-07 , § 4, 5-10-16; Ord. No. 17-01 , § 5, 1-24-17)

Sec. 10-7.103. - Authority.

(a) Fla. Const. art. VIII vested county governments with powers of self-government as provided by general and special law.

(b) The Local Government Comprehensive Planning and Land Development Regulation Act [F.S. § 163.3161 et seq.] requires each local government to adopt a local Comprehensive Plan, and the county has adopted the Comprehensive Plan, as amended, pursuant to these statutory provisions and other authority.

(c) The statutory provisions and the Comprehensive Plan require that land development regulations be adopted to implement the Comprehensive Plan and that no development of land shall take place which is inconsistent with the Comprehensive Plan.

(d) F.S. § 125.01 vests counties with the power to establish, coordinate, and enforce business regulations, building, housing, and related technical codes and regulations as are necessary for the protection of the public and to perform other acts not inconsistent with laws which are in the common interest of the people of the county and to exercise all powers and privileges not specifically prohibited by law.

(e) F.S. §§ 125.01, 336.02, and 336.08, provide that counties have the power and authority to establish new roads and locate and change the same.

(f) F.S. ch. 163 authorizes the Board of County Commissioners to adopt, prescribe and promulgate rules and regulations governing the filing of plats and development of subdivisions, in order to aid in the coordination of land development and to implement the local Comprehensive Plan.

(g) F.S. ch. 177, pt. I [§ 177.011 et seq.] authorizes the Board of County Commissioners to require, regulate, and control the platting of lands.

(h) It is in the public interest to ensure that adequate and necessary public facilities and services are properly installed whenever land is developed.

(i) It is in the public interest to establish procedures and minimum standards for the subdivision, development, and improvement of lands within the unincorporated area of the county.

(Ord. No. 07-20, § 2, 7-10-07)

Sec. 10-7.104. - Purposes.

The purposes of this article are to:

(1) Protect and provide for the public health, safety, and general welfare of the residents of the county.

(2) Establish procedures and standards for the subdivision of real property within the county.

(3) Establish procedures and standards for the siting and development of real property within the county.

(4) Ensure proper legal description, identification, documentation and recording of subdivisions.

(5) Ensure consistency with the Comprehensive Plan.

(6) Provide for coordination between review of development and subdivision proposals with Articles III and IV and other applicable county requirements.

(7) Provide for adequate light, air, and privacy, to secure safety from fire, flood, and other danger, and to prevent overcrowding of the land and undue congestion of population.

(8) Encourage the orderly and beneficial development of all unincorporated parts of the county.

(9) Protect and conserve the value of land, buildings, and improvements throughout the county.

(10) Guide public policy and private action in order to provide adequate and efficient transportation, water, sewerage, schools, parks, playgrounds, recreation and other public facilities and services.

(11) Establish reasonable standards of design and procedures for subdivisions and replats, in order to further the orderly layout and use of land, and to insure proper legal descriptions, monumenting and recording of subdivided land.

(12) Preserve the local natural and historical features and resources in order to protect the integrity, stability, and beauty of the community and the value of the land.

(13) Provide that the citizens and taxpayers of the county will not have to bear the costs resulting from haphazard development or subdivision of land and the lack of mechanisms to require installation by the developer of adequate and necessary physical improvements and infrastructure.

(14) Provide a greater degree of assurance to the purchasers of land in a development or subdivision that necessary improvements of lasting quality have been or will be installed and maintained.

(Ord. No. 07-20, § 2, 7-10-07)

Sec. 10-7.107. - Compliance.

(a) No subdivision of any lot, tract, or parcel of land shall be effected, no street, sanitary sewer, septic tank, wells, storm sewer, water main, or other facilities in connection therewith shall be laid out, constructed, opened, or dedicated for public use or travel, or the common use of occupants of buildings abutting thereon, nor site development commenced, except in strict accordance with the provisions of this article and applicable Florida Statutes.

(b) No person, developer, applicant or any other legal entity or association shall create a subdivision of land or develop any lot within a previously approved subdivision or undertake development on a parcel anywhere in the unincorporated area of the county except in conformity with this article. No subdivision shall be platted or recorded unless such subdivision meets all the applicable county ordinances, and those of any applicable laws of the state, and has been approved in accordance with the requirements of this article.

(c) A site and development plan, and subdivision if applicable, approved pursuant to this article may be transferred in total to a subsequent fee owner of the property which is the subject of the site plan, and subdivision if applicable. The transfer shall become effective only when the subsequent landowner notifies the county administrator, along with proof of title. Site and development plan approval shall run with the land, which includes all conditions and requirements which are part of the site and development plan approval.

(Ord. No. 07-20, § 2, 7-10-07)

Sec. 10-7.108. - Consistency with Comprehensive Plan.

(a) All proposed subdivisions or development shall be designed to be consistent with the adopted Comprehensive Plan, as amended.

(b) All proposed subdivisions or development shall be designed to comply with at least the county zoning, building regulations, concurrency, and environmental management ordinances, and such other applicable land development regulations, ordinances, and policies, for the area in which the proposed subdivisions or development shall be located.

(c) In accordance with this article and other applicable requirements of the local Comprehensive Plan and county ordinances, land, proposed subdivision or site and development plans shall be suitable for the characteristics of the underlying land. Sites where topographic features, flooding potential, drainage, soil type or other site specific features are likely to harm neighboring landowners, future users of the subject property, natural resources or public infrastructure demand, shall not be developed and/or subdivided, unless adequate methods of mitigation or correction of the harm area formulated by the developer and accepted by the county.

(d) Any applicant subdividing land shall record an approved final plat in accordance with the requirements of this chapter.

(e) The adequacy of necessary public or private facilities and services for traffic and pedestrian access and circulation, solid waste, waste water disposal, potable water supply, storm water management, parks and recreation and similar public facilities and services, shall be considered in the review of all subdivision or development site and development plan proposals to assure the concurrency requirements of the local Comprehensive Plan and county ordinances are met.

(f) Unless installation of a required improvement is waived pursuant to Division 6, no final plat or certified survey shall be recorded until a site and development

plan, as required by this article, has been approved, the required infrastructure or development improvements which are applicable to the subject parcel or parcels are completed or an appropriate surety instrument, as approved in advance by the county attorney, is posted, in accordance with the requirements of this article, and the terms and conditions of any applicable development order have been fulfilled.

(g) No parcel shall be approved for platting for any purpose unless it is suitable for a use permitted by article VI. No parcel shall be approved for development unless it is consistent with the local Comprehensive Plan and contains an adequate development site, both in size for the use intended and in its relationship to abutting land uses.

(Ord. No. 07-20, § 2, 7-10-07)

Sec. 10-7.407. - Site and development plan review criteria.

In deciding whether to approve, approve with conditions, or deny a site and development plan application, the county shall determine:

1. Whether the applicable zoning standards and requirements have been met.
2. Whether the applicable provisions of the Environmental Management Act have been met.
3. Whether the requirements of this chapter and other applicable regulations or ordinances which impose specific requirements on-site and development plans and development have been met.

(Ord. No. 07-20, § 2, 7-10-07)

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 multifamily development shall be designed to require vehicular and pedestrian cross access to adjacent commercial, office, multifamily, 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 paragraphs (2)(e)(i) and (2)(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 paragraphs (2)(e)(i) and (2)(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, multifamily, 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.

(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 off-site 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 sit separated from the development site by a drainage channel, transmission easement, survey gap, or similar property condition. Right-of-way shall be pı the property line to provide for future development, and shall be in locations that will not prevent the adjoining property from developing consistent w 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 paragraphs (b)(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. New residential lots created pursuant to subsection 10-6.617(a)(4) may have direct driveway access to a major collector or arterial roadway as long as the adverse impacts to the transportation network are mitigated as provided in subsection 10-6.617(a)(4).

(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 multifamily, 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 four-inch by four-inch and extend at least six 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.

(Ord. No. 07-20, § 2, 7-10-07; Ord. No. 08-03, § 19, 1-29-08; Ord. No. 09-20, § 7, 7-14-09; Ord. No. 10-08, § 8, 3-23-10; Ord. No. 17-01 , § 14, 1-24-17)

Sec. 10-7.505. - General principles of design relating to impacts on nearby streets and property owners.

Each development shall be designed to:

(1) Be as compatible as practical with nearby development and characteristics of the land.

(2) Minimize adverse environmental impacts both on-site and off-site.

(3) Provide boundary buffers between the proposed development and differing land uses on abutting property as required by article IV.

(4) Reduce any adverse environmental and visual impact of parking lots by buffer fences or retaining natural vegetation and trees, or providing landscaping along the edges and within the parking lot.

(5) Provide fencing and vegetative screens in locations where potential health or safety hazards may arise, such as, but not limited to, waste storage or collection areas, stormwater ponds, sewage treatment facilities, and immobile exposed machinery.

(6) Maintain roadside trees, which are important to the character of the county, through careful siting of buildings, parking lots and access points.

(7) In rural areas, control the height, location and intensity of lighting to maintain rural character and to prevent undue amounts of light shining beyond the development onto abutting properties.

(8) Site buildings, parking lots, and other structures by taking into account the topography of the site and avoiding development in environmentally sensitive areas where feasible.

(9) Take into account the local Comprehensive Plan's goals, objectives and policies regarding affordable housing.

(10) Preserve open space and provide recreational opportunities including pedestrian and bike paths where appropriate to the type of development.

(11) Provide in accordance with this article for the ongoing operation and maintenance of supporting infrastructure which will remain in private ownership.

(Ord. No. 07-20, § 2, 7-10-07)

Sec. 10-7.521. - Stormwater management.

Swales or other nonstructural means to direct stormwater may be used in developable areas. The storm drainage and surface water drainage system used shall be installed in accordance with Article IV and other requirements and specifications of the county.

(Ord. No. 07-20, § 2, 7-10-07)

Sec. 10-7.522. - Buffer zone standards.

(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																						
EXISTING DEVELOPMENT		PROPOSED DEVELOPMENT Land Use Code Number																				
		NONURBAN			RESIDENTIAL					COMMERCIAL					OFFICE USES				INDUSTRIAL			
L/U Code Number	Land Use Activity	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21
	NONURBAN LAND USES																					
1	Agriculture	NR	NR	NR	A	A	A	A	A	NR	NR	NR	NR	NR	NR	NR	NR	NR	NR	NR	NR	NR
2	Commercial forestry	NR	NR	NR	A	A	A	A	A	NR	NR	NR	NR	NR	NR	NR	NR	NR	NR	NR	NR	NR
3	Mining	NR	NR	NR	D	D	D	D	D	B	B	B	B	B	C	C	C	C	B	C	NA	B
	RESIDENTIAL LAND USES																					
4	Single-family detached	NR	NR	D	A	A	B	B	C	B	C	C	D	B	A	B	A	B	C	D	D	D
5	Two-family, attached; duplexes	NR	NR	D	A	NR	B	B	B	B	C	C	D	B	A	B	A	B	C	D	D	D
6	Townhouse; single-family attached	NR	NR	D	B	B	NR	B	C	B	C	C	D	B	A	B	A	B	C	C	D	D
7	Multifamily	NR	NR	D	B	B	B	NR	C	B	B	C	C	B	A	B	A	B	C	D	D	D

8	Manufactured mobile home park	NR	NR	D	B	B	B	C	NR	B	B	C	C	B	A	B	A	B	C	D	D	D
	COMMERCIAL LAND USES																					
9	<20,000 sf	NR	NR	B	B	B	B	B	B	NR	NR	NR	NR	NR	NR	A	NR	NR	B	B	C	B
10	20,000—100,000 sf	NR	NR	B	B	B	B	B	B	NR	NR	NR	NR	NR	NR	B	NR	NR	B	B	C	B
11	100,000—200,000 sf	NR	NR	B	B	B	B	B	B	NR	NR	NR	NR	NR	NR	B	NR	NR	B	B	C	B
12	200,000—1,000,000 sf	NR	NR	B	B	B	B	B	B	NR	NR	NR	NR	NR	NR	C	NR	NR	B	B	C	B
13	Retail w/ outside storage, notwithstanding square feet	NR	NR	B	D	D	D	D	D	B	B	B	B	B	B	B	A	A	NR	C	C	A
	OFFICE AND PERSONAL SERVICES LAND USES																					
14	Minor offices	NR	NR	B	B	B	B	B	B	NR	NR	NR	NR	NR	NR	NR	NR	NR	B	B	C	B
15	Office park	NR	NR	B	B	B	B	B	B	A	B	B	C	B	NR	NR	NR	NR	B	B	C	B
	Office buildings																					
16	Personal services	NR	NR	B	B	B	B	B	B	NR	NR	NR	NR	NR	NR	NR	NR	NR	B	B	C	B
17	Major	NR	NR	B	B	B	B	B	B	NR	NR	NR	NR	NR	NR	NR	NR	NR	A	B	C	B
	HEAVY COMMERCIAL/INDUSTRIAL LAND USES																					
18	Warehousing/distribution	NR	NR	B	D	D	D	D	D	B	B	B	B	B	B	B	A	A	NR	A	C	A
19	Light industrial	NR	NR	C	D	D	D	D	D	B	B	B	B	B	B	B	A	B	A	NR	C	A
20	Heavy industrial/heavy infrastructure	NR	NR	NA	D	D	D	D	D	C	C	C	C	C	C	D	B	C	B	C	NR	B
21	Transportation/ utilities	NR	NR	B	D	D	D	D	D	B	B	B	B	B	B	B	A	B	A	C	B	NR
	COMMUNITY SERVICE FACILITIES AND INSTITUTIONAL USES																					
22	Elementary and/or secondary schools	NR	NR	D	D[2]	D[2]	D[2]	D[2]	D[2]	B	B	B	B	B	B	B	B	B	B	B	B	B

KEY:

A, B, C, and D indicate accompanying Landscape Standards that must be used.

NR indicates that no buffering is required.

[1] indicates that no buffering is required, except when the proposed development is adjoining a single-family detached dwelling unit located within the RP zoning district, whereupon, the proposed development must provide buffering meeting no less than the Type A landscape standard.

[2] indicates that a ten-foot Type "B" buffer with an eight-foot (height) opaque wooden fence may be utilized as an alternative for a required Type "D" buffer. Expansions to existing schools that do not qualify for a major modification, pursuant to section 10-7.411, shall not be subject to the buffer zone standards.

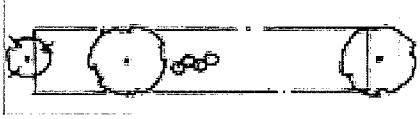
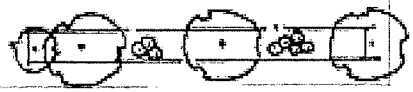
NOTES: To determine the required buffer:

(1) Locate "Existing" adjacent use on left side of table;

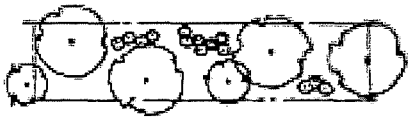
(2) Locate "Land Use Code Number" of proposed use at top of table;

(3) Read down in row of Existing Adjacent Use in final buffer requirement.

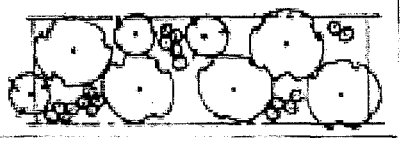
TYPE "A" LANDSCAPE BUFFER

PLANT MATERIAL REQUIRED PER 100' OF LANDSCAPE BUFFER	MINIMUM BUFFER WIDTH	ILLUSTRATION
1.2 CANOPY 0.4 UNDERSTORY 4 SHRUBS	20'	
1.6 CANOPY 0.6 UNDERSTORY 6 SHRUBS	15'	
2.4 CANOPY 0.8 UNDERSTORY 8 SHRUBS	10'	

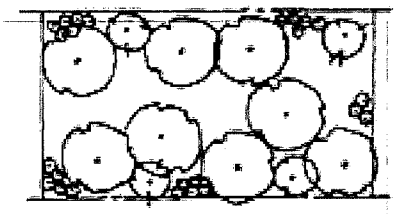
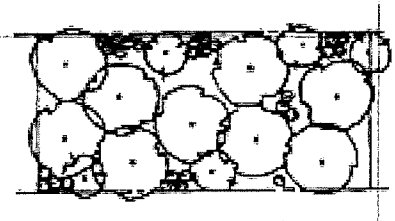
TYPE "B" LANDSCAPE BUFFER

PLANT MATERIAL REQUIRED PER 100' OF LANDSCAPE BUFFER	MINIMUM BUFFER WIDTH	ILLUSTRATION
3.5 CANOPY 1.4 UNDERSTORY 14 SHRUBS	25'	
4 CANOPY 1.6 UNDERSTORY 16 SHRUBS	20'	
4.5 CANOPY 1.8 UNDERSTORY 18 SHRUBS	15'	
5 CANOPY 2 UNDERSTORY 20 SHRUBS	10'	

TYPE "C" LANDSCAPE BUFFER

PLANT MATERIAL REQUIRED PER 100' OF LANDSCAPE BUFFER	MINIMUM BUFFER WIDTH	ILLUSTRATION
4.8 CANOPY 2.4 UNDERSTORY 19 SHRUBS	35'	
5.4 CANOPY 2.7 UNDERSTORY 22 SHRUBS	30'	
6 CANOPY 3 UNDERSTORY 24 SHRUBS	25'	
6.6 CANOPY 3.3 UNDERSTORY 26 SHRUBS	20'	

TYPE "D" LANDSCAPE BUFFER

PLANT MATERIAL REQUIRED PER 100' OF LANDSCAPE BUFFER	MINIMUM BUFFER WIDTH	ILLUSTRATION
8 CANOPY 4 UNDERSTORY 24 SHRUBS	80'	
8 CANOPY 4.5 UNDERSTORY 27 SHRUBS	50'	
10 CANOPY 5 UNDERSTORY 30 SHRUBS	40'	
12 CANOPY 6 UNDERSTORY 36 SHRUBS	30'	

(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 nonresidential 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 requirements. 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.

(Ord. No. 07-20, § 2, 7-10-07; Ord. No. 08-03, § 18, 1-29-08; Ord. No. 09-20, § 8, 7-14-09; Ord. No. 13-06, § 13, 3-12-13; Ord. No. 16-07 , § 18, 5-10-16; Ord. No. 17-01 , § 16, 1-24-17)

Sec. 10-7.523. - Public water supply.

(a) Potable water facilities, where required, shall be installed in accordance with standards, specifications, and policies of the county and the service provider except in the urban service area, where such facilities shall be installed in accordance with standards and specifications at least equal to those of the City of Tallahassee for water quality.

(b) New potable water service, within the urban service areas, shall be provided in a manner which promotes orderly, compact urban and cost efficient growth, and prevents leapfrog development, while optimizing the use of existing facilities.

(c) Connection and user fees shall be set at levels sufficient to equitably finance the water infrastructure projects in the capital improvements element of the Comprehensive Plan where "equitably" is defined as users paying their fair share of infrastructure projects.

(d) On or after May 1, 1993, all new developments within the urban service area shall be required to connect to a central water system, if such system is made available within 1,000 feet of the subject property along an existing right-of-way or easement or proposed dedicated right-of-way or easement and within 180 days of the approval of the site and development plan, or issuance of development order, whichever comes first; or within 365 days if right-of-way or easements must be acquired to accomplish the extension. The City of Tallahassee within its franchise area and the public works department in all other unincorporated portions of the urban service area shall determine based on the above criteria, whether central water service is available and shall require a developer to finance, design, and build an off-site extension to serve a proposed development in order to meet the 180 or 365-day availability criteria.

If the system is not available as defined in the above paragraph, then the property owner shall be allowed to install private wells on individual lots, or community water system with central well(s) and distribution systems for potable water on no less than one-half acre lots. If a community water system is within the City of Tallahassee franchise area, upon completion of the construction of a central well(s) for a community water system, it shall be dedicated to the city, and the city shall then be responsible for its operation. The distribution system associated with such community water system shall be constructed and then dedicated to the city in the same manner as any other distribution system in the city system.

(Ord. No. 07-20, § 2, 7-10-07)

Sec. 10-7.524. - Public sanitary sewer or on-site sewage disposal systems.

(a) Sanitary sewer facilities shall be installed in accordance with the requirements, policies, and specifications of the county and service provider and those treatment standards of the Florida Department of Environmental Regulation. On-site sewage disposal systems shall be installed in accordance with the requirements, policies and specifications of the county.

(b) Needed sanitary sewer facilities will be provided in a manner which promotes orderly, compact urban and cost efficient growth while optimizing the use of existing facilities.

(c) In the urban fringe and the rural land use categories, package plants can only be constructed to serve:

(1) Environmental problem areas; or

(2) Allowable industrial activities; or

(3) Community services.

(d) Heavy infrastructure facilities which do not generate a demand for central sanitary sewer service and which are traditionally located far from urban development because of their off-site impacts, shall not be required to have central sanitary sewer service or potable water service. Examples of such uses are

waste-to-energy facilities, power generating plants, landfills, sanitary sewer sprayfields, and materials recovery facilities.

(e) In this section "heavy infrastructure" shall mean government operational facilities which have significant off-site impacts. "Heavy infrastructure" shall include such facilities operated by semi-public or private utility providers. These facilities shall include but are not limited to:

(1) Waste-to-energy facilities.

(2) Materials recovery facilities.

(3) Sanitary sewer sprayfields.

(4) Sanitary sewer percolation ponds.

(5) Sewage treatment plants.

(6) Airports.

(7) Electric generating facilities.

(8) Landfill.

(9) Sludge disposal facilities.

(10) Incinerators.

(11) Correctional facilities.

(12) Water treatment plants.

(13) Outdoor storage facilities.

(14) Vehicle maintenance facilities.

(15) Solid waste transfer station.

(f) Connection and user fees shall be set at levels sufficient to equitably finance the sewer infrastructure projects in the CIE where "equitably" is defined as users paying their fair share of the infrastructure projects.

(g) On or after May 1, 1993, all developments within the urban service area shall be required to connect to a central sewer system, if such system is made available within 1,000 feet of the subject property along an existing right-of-way or easement or proposed dedicated right-of-way or easement and within 180 days of the approval of the site and development plan, or issuance of development order, whichever comes first; or within 365 days if right-of-way or easements must be acquired to accomplish the extension. The City of Tallahassee within its franchise area and the public works department in all other unincorporated portions of the urban service area shall determine based on the above criteria whether central sewer service is available and shall require a developer to finance, design, and build an off-site extension to serve a proposed development in order to meet the 180 or 365-day availability criteria.

If the system is not available as defined in the above paragraph, then the property owner shall be allowed to install septic tanks on no less than one-half acre lots, or construct a small wastewater treatment facility. Any such wastewater treatment facility shall be constructed by the developer and designed to meet DER treatment standards. Such design and construction cost shall be borne exclusively by the developer. If such facility is within the City of Tallahassee franchise area, upon completion of the construction of the facility, it shall be dedicated to the city, and the city shall then be responsible for its operation. By the year 2010, within the City of Tallahassee franchise area, the city shall be obligated to connect any wastewater treatment facilities authorized by this section to its central wastewater treatment system. The distribution or collection system associated with such treatment facility shall be constructed and then dedicated to the city in the same manner as any other distribution or collection system in the city system.

Any land developed within the City of Tallahassee franchise area in the urban service area with septic tanks under this provision at a residential development level of seven units or more with lots smaller than one acre, or a nonresidential development that is estimated to generate a wastewater flow of 900 gallons or less per day, will be subject to:

a. Payment of city system charges.

b. Dedicating easements/rights-of-way for future installation of water and sewer lines.

c. Connecting to central water and sewer service, when it is available.

d. County assessment of the on-site water and sewer installation costs within the area at the time the provider is ready to provide the water and/or sewer service.

e. A requirement that the developer include a deed restriction requiring the property owner to connect to central water and sewer as well as a notice to the buyer of lots in the subdivision.

No nonresidential development that is estimated to generate a wastewater flow of 900 gallons or more per day, except community facilities as authorized in Policy 2.1.3[SS] of the Comprehensive Plan, shall be allowed to be developed with septic tanks under this section.

(Ord. No. 07-20, § 2, 7-10-07; Ord. No. 12-01, § 4, 1-24-12; Ord. No. 13-06, § 14, 3-12-13)

Sec. 10-7.526. - Electric service.

All development approved pursuant to this article shall be provided with electrical services prior to the issuance of certificate of occupancy. Electrical service shall be installed and necessary easements provided in accordance with the requirements, policies, and specifications of the service provider.

(Ord. No. 07-20, § 2, 7-10-07)

Sec. 10-7.527. - Fire protection facilities.

(a) All development approved pursuant to this article which is within the urban fringe which are served by public water supply systems of sufficient size and water pressure to serve hydrants shall also be required to afford fire protection by means of hydrants installed in accordance with the requirements and specifications of the county and the service provider. The service provider shall determine the number, placement, and location of fire hydrants.

(b) All development approved pursuant to this article which is within the Urban service area shall be required to afford fire protection by means of hydrant placement and fire flow in accordance with the requirements and specifications of the City of Tallahassee.

(Ord. No. 07-20, § 2, 7-10-07)

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 section 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 subsection 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 lo 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 ti 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; Ord. No. 15-10 , § 3, 7-7-15)

Sec. 10-7.545. - Number of off-street parking spaces.

(a) The standard number of off-street parking spaces required for specific land uses is established in schedule 6-2, below. The actual number of parking spaces provided in association with any proposed use may, at the developer's discretion, be equivalent to a range of number of parking spaces based upon the zoning district in which the development is located, pursuant to the following table:

Zoning District	Allowed Number of Parking Spaces
R, UF, LTRUF, RC, WC, LP, RP, RA, OS, OA-1	95%—100% of standard in schedule 6-2; up to 5% may be allowed over the standard, but shall be of an approved pervious material.
R1, R2, R3, R4, R5, OR-1, MH, MCR	85%—100% of standard in schedule 6-2; up to 10% may be allowed over the standard, but shall be of an approved pervious material.
OR-2, MR-1, C-1, BC-1, BOR, M-1, I, MCN, NBO	80%—100% of standard in Schedule 6-2; up to 15% may be allowed over the standard, but shall be of an approved pervious material.
AC, BC-2, BCS, OR-3, CM, C-2, CP, IC, UP-1, UP-2, LPN	75%—100% of standard in schedule 6-2; up to 15% may be allowed over the standard, but shall be of an approved pervious material.
DRI, PUD	Development-specific schedule to be included in approved development application.

Any deviation from the range of required parking established within the table above, would require approval or approval with conditions by the parking standards committee.

Surface parking areas in excess of the standard identified in schedule 6-2 of this division shall be of an approved pervious material, unless determined that pervious material would be more damaging to the environment or would not comply with accessibility requirements.

SCHEDULE 6-2

Required Parking Spaces

	Use	Minimum Off-Street Parking Requirement	Ratio of Full Size to Compact Parking Spaces (Full/Compact)	Required Bicycle Spaces	Notes
			RESIDENTIAL		
1.	Conventional detached	1,2 and 3 bedrooms: 1.5 spaces/unit* ** 4 bedrooms: 2 spaces/unit* **	100/0	0	* If on-street parking is not permitted or is restricted on the unit's street frontage, then 1 visitor parking space shall be required. The visitor space shall be located not more than 100 feet from the unit's street frontage. ** Resident parking spaces may be tandem.
2.	Cluster/multifamily development: -Resident parking*	1 Studio/bedroom: 1 space/unit 2, 3 or more bedrooms: 1.5 spaces/unit	100/0	0.10 per required parking space	* Resident parking spaces may be tandem. ** On-street parking provided in accordance with the dimensions required for parallel spaces may count toward visitor parking requirements. These spaces must be located within the maximum distances specified in section 10-7.544(d)(2).
	Visitor parking**	0.5 space/unit	50/50		
3.	Housing for the elderly	To be determined by the parking standards committee*			* Developer shall submit a parking study.
4.	Mobile home parks				* Resident parking spaces may be tandem.
	-Resident parking*	1.5 spaces/unit	100/0	0	

	-Visitor parking**	0.25 spaces/unit	50/50		** On-street parking provided in accordance with the dimensions required for parallel spaces may count toward fulfilling visitor parking requirements. These spaces must be located within the maximum distances specified in section 10-7.544(d)(2).
COMMERCIAL					
5.	Uses located in commercial shopping centers	1 space/350 square feet of gross floor area	70/30	0.10 per required parking space	
6.	Auto repair/service station	2 per service bay plus 1 per 2,000 square feet of gross floor area	70/30	0	
7.	Auto sales	1 space/400 square feet of gross floor area*	70/30	0	* Areas for vehicle display shall utilize pervious material to the greatest extent possible.
8.	Auto washing	1 space/washing stall	70/30	0	
9.	Barbershops or beauty parlors	1 space/250 square feet of gross floor area	70/30	0.10 per required parking space	
10.	Bank, savings and loan	1 space/400 square feet of gross floor area	70/30	0.10 per required parking space	
11.	Hotel, motel	.75 space per unit	70/30	0	
12.	Lumberyards, nurseries	1 space/350 square feet of gross floor area for retail sales plus 1 space/2,000 square feet of outdoor area devoted to displays and storage	70/30	2	
13.	Offices:			0.10 per required parking space	* For on-site parking facilities containing 1,000 or more parking spaces, the parking requirement shall be 1 space per 500 square feet of gross floor area for parking spaces required in excess of 1,000.
	-Administrative business and professional	1 space/350 square feet of gross floor area*	50/10		
	- Government	1 space/350 square feet of gross floor area*	50/50	0.05 per required parking space	

14.	Restaurants: -All restaurants except fast food	1 space/200 gross square feet of floor area up to 6,000 gross square feet plus 1 space/150 gross square feet of floor area over 6,000 square feet	70/30	0.10 per required parking space	
	-Fast food restaurant	1 space/350 square feet of gross floor area	70/30	0.25 per required parking space	
15.	Retail, general (i.e. department stores, markets, etc.)	1 space/350 square feet of gross floor area	70/30	0.10 per required parking space	
16.	Retail, furniture and appliance	1 space/1000 square feet of gross floor area	70/30	0.05 per required parking area	
17.	Elementary and junior high schools	1.5 spaces/classroom	70/30	5.00 per required parking space*	* Bicycle spaces for teachers and visitors should be separate from spaces for students.
18.	Senior high schools	3.25 spaces/classroom	70/30	2.50 per required parking space	
19.	Colleges	3.25 spaces/classroom	70/30	3.00 per required parking space	
20.	Convenience food stores	1 space/300 square feet of gross floor area	70/30	0.10 per required parking space	
HEALTH SERVICES					
21.	Convalescent and nursing homes	1 space/4 beds	70/30	0.10 per required parking space	
22.	Medical and dental offices and clinics, veterinary hospitals and clinics	1 space/250 square feet of gross floor area	70/30	0.5 per required parking space	
INDUSTRIAL USES					

23.	Manufacturing	1 space/750 square feet of gross floor area devoted to manufacturing for the first 20,000 square feet plus the required parking for area devoted to other uses; 1 space/2,000 square feet for the second 20,000 square feet. 1 space/4,000 square feet for floor area in excess of 40,000 square feet	50/50	0.10 per required parking space	
24.	Warehouse	1 space/1,000 square feet of gross floor area for the first 20,000 square feet devoted to warehousing plus the required footage devoted to other uses. 1 space/2,000 square feet for the second 20,000 square feet. 1 space/4,000 square feet for floor area in excess of 40,000 square feet	50/50	.05 per required parking space	
25.	Reserved				
ENTERTAINMENT AND RECREATION					
26.	Arcades, games	1 space/300 square feet of gross floor area	70/30	0.20 per required parking space	
27.	Bowling alleys, billiard halls	3 spaces/alley plus 1.5 for each billiard table plus required parking for other uses on the site	70/30	0.20 per required parking space	
28.	Commercial stables	1 space/5 stalls boarded on the site	70/30	0.10 per required parking space	
29.	Driving range (golf)	1 space/tee plus required parking for any other uses on the site	70/30	0.10 per required parking space	
30.	Golf course (regulation)	5 spaces/hole plus required parking for any other uses on the site	70/30	0.10 per required parking space	
31.	Miniature golf	1 space/3 holes plus required parking for any other uses on the site	70/30	0.10 per required parking space	

32.	Parks (public or private)	To be determined by the parking standards committee*	70/30		* Developer must submit a parking study.
33.	Skating rinks	1 space/300 square feet of gross floor area	70/30	0.25 per required parking space	
34.	Tennis, handball and racquetball facilities	2 spaces/court plus required parking for additional uses on the site	70/30	0.25 per required parking space	
35.	Health club	1 space/ 200 square feet of gross floor area*	70/30	0.25 per required parking space	* Swimming pool shall be counted as floor area.
36.	Theaters, movies: - Single screen	1 space/4 seats	70/30	0.10 per required parking space	
	-Multiscreen	1 space/4 seats			
			MISCELLANEOUS		
37.	Auditoriums	1 space/200 square feet of gross floor area	70/30	0.10 per required parking space	
38.	Churches and other spaces of public assembly	1 space/200 square feet of chapel, sanctuary or assembly area*	70/30	0.10 per required parking space	* May be all pervious material unless determined by parking standards committee to require impervious parking
39.	Day care, preschools, nursery schools	1 space/300 square feet of gross floor area, if adequate drop-off facilities are provided*	70/30	0.10 per required parking space	* Drop-off facilities must be designed to accommodate a continuous flow of passenger vehicles to load and unload children safely. The adequacy of drop-off facilities shall be determined by the transportation engineer based on standard traffic safety principles.
40.	Model home	2 spaces/model home plus 1 space/salesperson * **	100/0	0	* Salesperson space may be a vacant garage space in the model home. ** On-street parking adjacent to the site frontage may count toward fulfilling required parking if doing so does not produce a shortage or residential parking or obstruct traffic.

41.	Utilities	To be determined by the parking standards committee*			* Developer must submit a parking study.
42.	Libraries	To be determined by the parking standards committee*	70/30	0.20 per required parking space	* Developer must submit a parking study.

(b) For any use not listed in schedule 6-2, the county administrator or designee, upon review of the proposed use, shall specify the required number of loading spaces to be provided, using generally accepted traffic engineering practices and standards.

(Ord. No. 07-20, § 2, 7-10-07; Ord. No. 08-03, § 21, 1-29-08; Ord. No. 13-25, § 3, 12-10-13; Ord. No. 14-10, § 36, 6-10-14; Ord. No. 17-01 , § 17, 1-24-17)

Sec. 10-7.610. - Plats containing streets and subdivision improvements not dedicated to the public.

1. If a proposed plat contains streets, roads, alleys, rights-of-way, common areas, utility, conservation and drainage or other easements not dedicated to the public, the applicant, prior to plat approval, shall file with the county attorney certified copies of the executed and filed articles of incorporation and the bylaws of a homeowners' or property owners' association, or other corporate entity, together with restrictive covenants applicable to the property, approved by the county attorney as to form, content, and manner of execution, providing enforceable assessment procedures for financing the maintenance of the streets or roads, alleys, rights-of-way, common areas and facilities, utility and drainage or other easements. The plat shall not be submitted to the Board of County Commissioners until the articles, bylaws, and restrictive covenants have been approved as to form and manner of execution by the county attorney. At a minimum, the restrictive covenants shall:

(a) Provide to each lot owner legal access to a public street by way of private streets or roads in the subdivision.

(b) Designate a property owners' association, or other corporate entity, as the responsible agency for maintaining the private streets or roads, drainage facilities, and other facilities specified above which are located within the subdivision.

(c) Establish a procedure requiring such association, or other corporate entity, to assess lot owners a proportionate share of the costs of such maintenance, including repairs and replacements of facilities and the management or protection of common areas including, but not limited to, open spaces, natural areas or environmentally sensitive areas, and enabling it to obtain liens on individual lots for unpaid assessments and to foreclose upon such liens

(d) Provide that lot owners, at all times, shall be allowed to elect all directors of the association, or other corporate entity, on a one-vote-per-lot basis and that the first election shall be held before more than 50 percent of the lots have been sold or deeded away by the developer.

(e) Provide for an award of attorneys' fees to the prevailing party in litigation to require the association, or other corporate entity, to perform its obligations in regard to annual assessments and the maintenance or repair of streets and other common facilities.

(f) Provide for an award of attorneys' fees to the prevailing party in litigation to require the developer to incorporate the association or to perform any other action or obligation imposed on the developer pursuant to the restrictive covenants.

(g) Include a signed estimate prepared by the engineer of record of the reasonably expected annual and total maintenance and replacement costs for private streets or roads and other common area facilities within the subdivision, based upon the life expectancy of the facilities as designed.

(h) Require the developer to deed the private streets or roads, drainage facilities, and other required common area improvements to the property owners' association or other responsible corporate entity before more than 70 percent of the subdivision lots have been sold or deeded away by the developer.

(i) Require the property owners' association, or other corporate entity, to dedicate to public use any street or road in the subdivision whenever two-thirds of the owners of two-thirds of the property abutting such street or road present a signed petition proposing such dedication to the county or a successor local government and such local government agrees to accept for maintenance the subject street or road as a public right-of-way.

(j) Prohibit the property owners' association from dedicating to the public use any street or road in the subdivision unless such dedication is agreed to by two-thirds of the owners of two-thirds of the property abutting such street or road in a signed petition proposing such dedication which is presented to the county or a successor local government and such local government agrees to accept such dedication.

(k) Require at least annual assessments to begin within one year after construction of private streets or roads or other common facilities, which assessments shall include both maintenance costs and a reasonable contribution to a reserve account for future major repairs or replacement.

(l) Permit amendments to the restrictive covenants, and to the corporation's articles and bylaws, by a percentage of the lot owners not less than 66 2/3 percent and not more than 80 percent.

(m) Require that developer-owned lots be subject to that portion of the assessment representing maintenance costs when more than 50 percent of the lots have been sold or deeded away by the developer and to that portion of the assessment representing the contribution to a reserve account when more than 75 percent of the lots have been sold or deeded away by the developer.

(n) Prohibit the amendment of the required provisions set forth in subsections 10-7.610 1.(a) through 1.(m), above, without the written consent and joinder of the county, which consent and joinder may be given by the county attorney provided the minimum requirements of this section have been fully complied with.

(o) Include an iteration of all restrictions, easements or development conditions which apply to the subdivision.

2. The required restrictive covenants may apply by phase, and may provide for a separate property owners' association or other corporate entity for each phase, when a development is approved by the county to be developed in separate, identifiable phases.
3. The restrictive covenants shall be recorded along with the plat, and a copy thereof shall be provided by the seller of any lot in the subdivision to a prospective buyer prior to execution of a contract for sale and purchase.
4. The owner of any lot in a subdivision having private streets or roads shall, prior to the complete execution of a contract for the purchase and sale of such lot, obtain from the prospective purchaser a signed receipt that a copy of the restrictive covenants applicable to such subdivision has been received, read, and understood. Failure of a seller to provide a copy of the restrictive covenants in advance of complete execution of a contract for purchase and sale shall, unless a signed receipt is obtained from the buyer as provided herein, create a rebuttable presumption that the seller has failed to disclose a fact materially affecting the value of the property.
5. A certified copy of the recorded restrictive covenants for any private street subdivision approved hereunder shall be filed with the county administrator or designee within 30 calendar days after recorded for all recorded subdivisions, or prior to the sale or conveyance of any lot for previously approved but unrecorded subdivisions.
6. The applicant shall post and maintain signs of a size prescribed by the county which designate the streets as: "Streets Not Publicly Maintained."
7. The final plat on its face, in boldface letters, shall contain a statement substantially in the following language:

   "All roads, street, common areas and facilities, easements including drainage easements, and rights-of-way providing ingress and egress to the property hereon described, except for the following:(if none, insert none), shall be maintained by _____ and Leon County is not responsible for the maintenance of the above."
8. Private street subdivisions shall have all infrastructure completed prior to plat recordation.
9. The final plat shall contain a dedication executed by the owner or owners of record of the lands subdivided in the same manner in which deeds are required to be executed. In addition, all mortgagees and any other persons, corporations, or entities having a record interest in the lands subdivided shall execute, in the same manner in which deeds are required to be executed, a separate instrument joining in and ratifying the plat and all dedications and reservations thereon. The dedication shall be substantially as follows:

   STATE OF FLORIDA

   COUNTY OF LEON

   Know all persons by these presents that _____ (a corporation organized and existing under the laws of the State of Florida), the owner(s) fee simple of the land shown hereon platted as _____ (name of subdivision) and more particularly described as follows: _____ containing (number) of acres have caused said lands to be divided and subdivided as shown hereon and do hereby dedicate to the perpetual use of _____ (name of entity to which land is dedicated) all _____ (itemize roads, streets, alleys and other rights-of-way and all parks and recreation areas and all easements for utilities, drainage, and other purposes and all purposes incident thereto) as shown and depicted hereon.

   _____ (reversionary provision, if applicable).

   This the _____ day of _____ , 20 _____ .

   ____ ____

   Witness Authorized Signature
   Developer

   Printed Name:_____ Printed Name:_____

   ____ ____

   Witness Authorized Signature
   Mortgagee

   Printed Name:_____ Printed Name:_____

   Reversionary provision: Reserving, however, the reversion or reversions thereof should the same be renounced, disclaimed, abandoned or the use thereof discontinued as prescribed by law by appropriate official action of the proper officials having charge or jurisdiction thereof.

   STATE OF FLORIDA

   COUNTY OF LEON

   The foregoing instrument was acknowledged before me this _____ day of _____ 20 _____ , by who is personally known to me or who has produced _____ as identification and who did (did not) take an oath.

   Signature of Notary/Deputy Clerk

   ____

   Type or Print Name

This plat conforms to the Site and Development Plan approval provisions made by the Development Review Committee, this _____ day of _____ , 20 _____ .

/s/ _____
County Administrator or designee

Approved by the Board of County Commissioners of Leon County, Florida, this _____ day of _____ , 20 _____ .

/s/ _____
Chairperson

/s/ _____
County Attorney

/s/ _____
County Engineer

Accepted for files and recorded, this _____ day of _____ / _____ / _____ , 20 _____ in Plat Book _____ / _____ / _____ Page _____ / _____ / _____

/s/ _____
Clerk of Circuit Court
Leon County, Florida

(Ord. No. 07-20, § 2, 7-10-07)

Brookside Village Subdivision:
Compatibility Analysis and Analysis of Comprehensive Plan Policies Affecting Density

Prepared by
Wendy Grey, AICP
Wendy Grey Land Use Planning LLC
October 19 2016
Revised April 26 2017
Revised July 5 2017
Revised August 2, 2017

PENGAD 800-631-6989
EXHIBIT
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Brookside Village Subdivision:
Compatibility Analysis and Analysis of Comprehensive Plan Policies Affecting Density

I. Introduction

This report has been prepared for the proposed Brookside Village subdivision in conformance with the Tallahassee-Leon County Comprehensive Plan requirements. It addresses Comprehensive Plan policies related to land use compatibility and density where certain environmental features are present.

II. Description of Brookside Village

Brookside Village is a proposed 61-unit single family residential subdivision on a 35.17 acre parcel located on Ox Bottom Road, approximately 1,770 feet east of Meridian Road. Brookside Village has a density of 1.73 dwelling units/acre, an average lots size of .26 acres, an estimated average building size of 2,850 gross square feet, and an estimated lot coverage of 24%[1]. Lots are generally rectangular, with minor variations to accommodate circular roads, including cul-de-sacs. With the exception of Lots 17A and 2C, houses will be one story or one and one-half story. Lots are accessed internally from a single road with cul-de-sacs at each end. The subdivision has access to Ox Bottom Road (see Exhibit 1).

There is an 11.18 acre conservation easement in the center of the property running primarily along the western and central portion of the site.

The plat includes buffers along four property lines:

- 25 feet along Ox Bottom Road
- 25 feet along the eastern property line abutting Moore Pond subdivision
- 25 feet along the western property line abutting Ox Bottom Manor to Brookside Village Lot 1D. Two adjacent ten foot buffers are provided from that point, adjacent to approximately one third of Lot 7, Bock H and all of Lot 8, Block H in Ox Bottom Manor. A ten foot buffer is provided along the remainder of the joint property line, which abuts both Ox Bottom Manor and Moore Pond. A 2.19 acre lot is proposed adjacent to the ten foot buffer.
- 10 feet along the northern property line abutting Heartland Circle.

The Leon County Land Development Code requires no less than a 'Type A' landscaped buffer between residential developments within the Residential Preservation zoning district. The 25 foot buffers in Brookside Village far exceed this Type A standard and in fact exceed the Type C buffer standard in the Code. They are also designed to have a 75% opacity at the time of planting and a 90% opacity within five years (see Exhibit 2).

[1] Assumes 50% of buildings are 2,200 square feet and 50% are 3,500 square feet.

III. Description of Surrounding Area

For purposes of this analysis, the surrounding area ("area") includes land within one quarter mile of the subject site (see Exhibit 3). There are 168 parcels within the area: 166 are residential, one contains a church, and one contains a stormwater facility. Of the 166 residential parcels, a total of nine were either vacant or Property Appraiser data was not available. Therefore, a total of 157 parcels were included in this analysis. All residential development is single family and includes portions of the following subdivisions:

- Moore Pond
- Ox Bottom Manor
- Ox Bottom Gardens
- Rose Hill

The existing subdivisions were platted between 1987 and 1993. The density of each subdivision is consistent with the Comprehensive Plan definition of low density and with the density limitations established by the Residential Preservation future land use category. The development pattern of the subdivisions varies significantly in terms of density and lot and building size. There are very few vacant lots. Based on a site visit to accessible properties, it appears that the subdivisions are well maintained and well established.

The major characteristics of each of the subdivisions are summarized below[2]:

- Ox Bottom Gardens: Of the four subdivisions in the surrounding area, Ox Bottom Gardens has the highest density (2.13 dwelling units/acre) and average lot coverage (28%), and the smallest average lot size (.19 acres), and average building size (2,389 square feet). The subdivision plat contains a 75 foot vegetative buffer between lots in Ox Bottom Gardens and Ox Bottom Manor. These two subdivisions are connected: Love Ridge Drive and Sugar Plum Drive connect to Ox Bottom Manor Drive and Hawk Ridge Drive in the Ox Bottom Manor subdivision, providing residents of Ox Bottom Gardens with access to Meridian Road and Ox Bottom Road.

- Ox Bottom Manor: Ox Bottom Manor has a density of 1.10 dwelling units/acre, an average lot size of .67 acres, an average building size of 3,459 square feet, and an average lot coverage of 10%. The plat does not contain a buffer along the property boundaries with Moore Pond or the subject parcel. As noted above, Ox Bottom Manor has access to Meridian Road and Ox Bottom Road and is connected to Ox Bottom Gardens.

- Moore Pond: Moore Pond has a density of .23 dwelling units per acre, an average lot size of 3.08 acres, an average building size of 6,301 square feet, and an average lot coverage of 5%.

[2] Density is calculated based on entire plat. Other data is calculated based on lots within the "surrounding area" depicted on Exhibit 3.

The pond is centrally located within the subdivision. The plat does not contain a buffer along the property boundaries with Ox Bottom Manor or the subject parcel. With one exception, all lots access Heartland Circle, which provides two points of access to Ox Bottom Road. The one exception is a lot that directly fronts Ox Bottom Road. Moore Pond is a gated subdivision.

- Rose Hill: Rose Hill is the only one of the four subdivisions located on the south side of Ox Bottom Road. The density is .17 dwelling units/acre. The average lot is 2.52 acres, the average building size is 6,143 square feet, and the average lot coverage is 6%. Lots are arranged along a circular road, off of which are several cul-de-sacs. The plat includes a "Common Area" around the periphery of the development (a minimum of 100 feet deep) plus a 100 foot utility easement on the eastern boundary of the property. The designated residential access is via Meridian Road, with two truck entrances on Ox Bottom Road. Rose Hill is a gated community.

It is noted that the subject property and the surrounding area are within the Urban Service Area established by the Comprehensive Plan and urban services are available to serve the project. The Comprehensive Plan states that development should be directed "...to those areas which have in place, or have agreements to provide, the land and water resources, fiscal abilities, and the service capacity to accommodate growth in an environmentally acceptable manner....This Urban Service Area (USA) concept is based upon a desire to have Tallahassee and Leon County grow in a responsible manner, with infrastructure provided economically and efficiently, and surrounding forest and agricultural lands protected from unwarranted and premature conversion to urban land use....." (Future Land Use Element Objective 1.1). The Plan further states that "[i]n order to discourage urban sprawl, new development shall be concentrated in the urban service area plus in the Woodville Rural Community future land use category and the rural communities of Capitola, Chaires, Ft. Braden and Miccosukee, as designated on the future land use map." (Future Land Use Element Policy 1.1.1).

IV. Compatibility Criteria

The criteria used in this analysis are established in the Tallahassee-Leon County Comprehensive Plan and set forth below. The proposed Brookside Village subdivision is analyzed in relation to these policies in the following section of this report.

> ***Future Land Use Element Objective 2.1:*** *Enhance the livability of existing neighborhoods and in new neighborhoods provide for future mixed residential areas which will accommodate growth and provide a wide choice of housing types, densities and prices as well as commercial opportunities based on performance criteria. In furtherance of this, maintain a system of land development regulations and ordinances which will facilitate the implementation of the policies adopted in relation to residential land use. These shall include but not be limited to:*
>
> *1) Setback requirements from natural waterbodies and wetlands*
> *2) Buffering requirements*
> *3) Open space requirements*
> *4) Landscape requirements*
> *5) Tree protection*

6) Stormwater management requirements

Future Land Use Element Policy 2.1.1: [L] *Protect existing residential areas from encroachment of incompatible uses that are destructive to the character and integrity of the residential environment. Comprehensive Plan provisions and Land Development Regulations to accomplish this shall include, but are not limited to:*
a) Inclusion of a Residential Preservation category on the Future Land Use Map.
.....
c) Limitations on future higher density residential adjoining low density residential areas. Such limitations are to result in effective visual and sound buffering (either through vegetative buffering or other design techniques) between the higher density residential uses and the low density residential uses.

Future Land Use Element Policy 2.2.3: [L]: RESIDENTIAL PRESERVATION

Characterized by existing homogeneous residential areas within the community which are predominantly accessible by local streets. The primary function is to protect existing stable and viable residential areas from incompatible land use intensities and density intrusions. Future development primarily will consist of infill due to the built out nature of the areas....Single family, townhouse and cluster housing may be permitted within a range of up to six units per acre. Consistency with surrounding residential type and density shall be a major determinant in granting development approval.

.....In order to preserve existing stable and viable residential neighborhoods within the Residential Preservation land use category, development and redevelopment activities in and adjoining Residential Preservation areas shall be guided by the following principles:

...
e) Land use compatibility with low density residential preservation neighborhoods
A number of factors shall be considered when determining a land use compatible with the residential preservation land use category. At a minimum, the following factors shall be considered to determine whether a proposed development is compatible with existing or proposed low density residential uses and with the intensity, density, and scale of surrounding development within residential preservation areas: proposed use(s); intensity; density; scale; building size, mass, bulk, height and orientation; lot coverage; lot size/ configuration; architecture; screening; buffers, including vegetative buffers; setbacks; signage; lighting; traffic circulation patterns; loading area locations; operating hours; noise; and odor.....

Relevant definitions are as follows:

Compatibility: Neither the Comprehensive Plan nor the Land Development Code provide a definition of compatibility. This analysis uses the definition provided in the State's Community Planning Act, Ch. 163.3164 (9), Florida Statutes: *"Compatibility" means a condition in which land uses or conditions can coexist in relative proximity to each other in a stable fashion over*

time such that no use or condition is unduly negatively impacted directly or indirectly by another use or condition.

Consistency: No definition of consistency is provided in the Comprehensive Plan, the Land Development Code, or the Community Planning Act. This analysis uses the following definition: *1. Agreeing or accordant, compatible; not self-contradictory; 2. constantly adhering to the same principles, course, form, etc., 3. holding firmly together, cohering.* Webster's New Universal Unabridged Dictionary 1996. Barnes & Noble Publishing, Inc. 2003

Low Density Residential: 0-8 dwelling units per acre (Comprehensive Plan Glossary). Residential densities expressed as gross units per acre (Comprehensive Plan Glossary). The Residential Preservation future land use category restricts densities to a maximum of six units per acre. (Future Land Use Element Policy 2.2.3)

V. Analysis of Surrounding Area based on Compatibility Criteria in the Comprehensive Plan

Future Land Use Element Policy 2.1.1: [L] *Protect existing residential areas from encroachment of incompatible uses that are destructive to the character and integrity of the residential environment. Comprehensive Plan provisions and Land Development Regulations to accomplish this shall include, but are not limited to:*
a) Inclusion of a Residential Preservation category on the Future Land Use Map.
.....
c) Limitations on future higher density residential adjoining low density residential areas. Such limitations are to result in effective visual and sound buffering (either through vegetative buffering or other design techniques) between the higher density residential uses and the low density residential uses.

Analysis: All residential development in the surrounding area meets the definition of low density residential as established in the Residential Preservation future land use category (0 – 6 dwelling units/acre). The density for Brookside Village also meets this definition. This policy requires effective visual and sound buffering between low density and higher density residential uses. Although Brookside Village is a low density residential development, the project still incorporates vegetative buffers adjoining existing development.

Future Land Use Element Policy 2.2.3: [L]: RESIDENTIAL PRESERVATION
....Single family, townhouse and cluster housing may be permitted within a range of up to six units per acre. Consistency with surrounding residential type and density shall be a major determinant in granting development approval.

Analysis: The proposed development type is single family, as is development in the surrounding area. The proposed density falls within the range established by the Residential Preservation/Low Density category, as does the development in the surrounding area.

Future Land Use Element Policy 2.2.3(e): Land use compatibility with low density residential preservation neighborhoods

A number of factors shall be considered when determining a land use compatible with the residential preservation land use category. At a minimum, the following factors shall be considered to determine whether a proposed development is compatible with existing or proposed low density residential uses and with the intensity, density, and scale of surrounding development within residential preservation areas: proposed use(s); intensity; density; scale; building size, mass, bulk, height and orientation; lot coverage; lot size/ configuration; architecture; screening; buffers, including vegetative buffers; setbacks; signage; lighting; traffic circulation patterns; loading area locations; operating hours; noise; and odor....

Analysis: The relevant factors cited in the policy are analyzed below.

Density: The range of densities of existing and proposed development is shown in Table 1.

Table 1: Subdivision Density

Subdivision	Density (dwelling units/acre)
Ox Bottom Gardens	2.13
Brookside Village	1.73
Ox Bottom Manor	1.10
Moore Pond	.23
Rose Hill	.17

Sources: Subdivision Plats and Leon County Property Appraiser Website
Density calculated based on entire subdivision
Ox Bottom Garden density calculated using acreage for residential component and stormwater pond.

There is a wide range of densities within the surrounding area. The density of Brookside Village falls within the existing range and is one third of the maximum density permitted in the Residential Preservation future land use category.

Building Size: Building size in the surrounding area compared to Brookside Village is shown in Table 2.

Table 2: Building Size

Subdivision	Building Size Range (Gross Square Feet)	Average Building Size (Square Feet)
Moore Pond	3,485-14,929	6,301
Rose Hill	3,732 – 10,620	6,143
Ox Bottom Manor	2,329 -4,817	3,459
Brookside Village	2,200– 3,500	2,850
Ox Bottom Gardens	1,974 – 3,249	2,389

Source: Leon County Property Appraiser Website: Building Sketches.
Note: Brookside Village minimum gross square footage is based on a minimum heated and cooled building size of 1,600 square feet.

There is a wide range of building sizes in the surrounding area. The average size of Brookside Village buildings falls within the existing range.

Lot Size: The range of lot sizes in the surrounding area compared to Brookside Village is shown in Table 3:

Table 3: Lot Size		
Subdivision	Lot Sizes (Acres)	Average Lot Size (Acres)
Moore Pond	1.49 to 12.39	3.08
Rose Hill	1.48 -6.97	2.53
Ox Bottom Manor	.53-.96	.67
Brookside Village	.14 – 2.19	.26
Ox Bottom Gardens	.13-.32	.19

Sources: Subdivision Plats and Leon County Property Appraiser Website

There is a significantly wide range of lot sizes in the surrounding area. The lot size of Brookside Village falls within the existing range.

Lot Configuration and Orientation: Lots in the surrounding area are generally rectangular, with minor variations to accommodate circular roads, including cul-de-sacs. Lot configuration and orientation in Brookside Village is similar to the existing pattern.

Scale and Height[3]: The surrounding area contains a mix of one story, one and one-half story (habitable space within the roof), and two story. Sixteen percent of the houses in Ox Bottom Gardens had more than one habitable story, 42% in Ox Bottom Manor, 61% in Moore Pond, and 68% in Rose Hill. Buildings on Brookside Village, with the exception of Lots A17 and C2 will be one story and one and one-half stories. The habitable area of buildings with one and one-half stories is located toward the front of the house and no upper story windows will be facing adjoining subdivisions.

[3] Buildings with square footage attributed to "Finished Upper Story" in records from the Property Appraiser's website were classified as having more than one story.

Lot Coverage[4]: The range of lot coverage in the surrounding area compared to Brookside Village is shown in Table 4:

Table 4: Lot Coverage	
Subdivision	Average Lot Coverage
Moore Pond	5%
Rose Hill	6%
Ox Bottom Manor	10%
Brookside Village	24%
Ox Bottom Gardens	28%

Source: Leon County Property Appraiser Website: Building Sketches.
Note: Brookside Village average lot coverage is based on an average lot size of 11,454 square feet and an average lot coverage of 2,712.5 square feet. The average lot coverage was determined assuming 50% of the lots will have a coverage of 2,200 square feet and 50% will have a lot coverage of 3,225 square feet.

The lot coverage ratio in the surrounding area ranges widely. The lot coverage of Brookside Village falls within the existing range.

Mass and Bulk: To provide an estimate of bulk, this analysis focused on existing lots in Moore Pond and Ox Bottom Manor adjoining lots in Brookside Village less than two acres in size. (See Exhibit 1 for location of lots referenced in this analysis.) The total length of building façades along the shared property line was compared to the total length of the property line.

For Moore Pond, the calculation was made using the length of the rear property lines along Lots B23 through B25. Only one home is currently constructed, on Lot B23. It was assumed that the ratio of building to property line would be the same for the remaining lots. The length of the building façade as a percent of the total lot length is .29. For Brookside Village, the calculation was made using Lots A4 through A15. The percent of building façade as a percent of the total lot length is .88[5].

For Ox Bottom Manor, the calculation was made using Lots H1 through H7. The length of building façade as a percent of the total lot length is .45. For Brookside Village, the calculation was made using Lots D1 through Lot D11. The length of building façade as a percent of the total lot length is .88.

As noted previously, neither of these subdivisions contains buffers. There is existing vegetation along portions of the Brookside Village property line.

[4] *Lot coverage* shall mean the area that results from the division of a lot which is occupied or covered by the total horizontal projected surface of all buildings, including covered porches and accessory buildings, by the gross area of that lot. (Leon County Land Development Code, Sec 10-1.101). Horizontal project surface of buildings was calculated based on building square footage of the main level, based on building square footage available on the Leon County Property Appraiser website.
[5] For Brookside Village, five foot side setbacks were assumed.

Based on this analysis, there is a potential issue of compatibility relating to the visual impact of the smaller lot sizes and subsequently higher building mass in Brookside Village where it adjoins Moore Pond and Ox Bottom Manor.

The landscape plan for Brookside Village mitigates the potential visual impact with a landscape buffer that is deeper and substantially denser than the minimum landscape buffer established in the Land Development Code in these locations. The Land Development Code establishes four landscape buffer types, labeled "A" though "D," intended to addresses increasing degrees of incompatibility. For example, the Code requires a minimum of a Type A buffer between single family residential uses in the Residential Preservation future land use category. A Type C buffer is the minimum required between single family use and commercial uses between 20,000 and 200,000 square feet and between single family use and warehousing and distribution uses. The buffer proposed for Brookside Village exceeds the standards for a Type C buffer, and is referred to as a "Type C+" buffer. Table 6 shows the planting standards for the Type A, C, and C+ buffer.

Table 6: Comparison of Type A, C, and C+ Buffer

	Type A	Type C	Type C+
Buffer Width (Feet)	20	25	25
Number Canopy Trees Per 100 Feet	1.2	6	7 (evergreen)
Number Understory Trees Per 100 Feet	.4	3	6 (evergreen)
Number Shrubs Per 100 Feet	4.0	24	24 (evergreen)

Note: Buffer widths in the Code vary for each buffer Type. This comparison uses the buffer width closest to the 25 foot buffer proposed for Brookside Village.

The buffer details sheet states: "It is realistic to expect approximately 75% opacity at the time of planting and over 90% opacity within 5 years." (See Exhibit 2.)

Architecture: The architecture of Ox Bottom Manor and Ox Bottom Garden (the subdivisions that are accessible) are traditional suburban residences. Typical feature include peaked roofs, brick or stucco front facades, and covered entrances. The Brookside Village prototype includes peaked roofs and covered entrances. Facades are Hardie board.

Brookside Village Prototype

Ox Bottom Gardens

Ox Bottom Manor

Screening and Buffering, including vegetative buffers: Each plat was reviewed to determine the existence and extent of a buffer. The results are shown in Table 5:

Table 5: Buffers Provided in Subdivision Plats	
Subdivision	Buffer
Rose Hill	Approximately 100 feet (Labeled "Common Area"). Additional 100 foot utility easement provided along eastern property line.
Ox Bottom Gardens	Approximately 75 feet along boundary with Ox Bottom Manor.
Brookside Village	25 feet adjoining Brookside Village lots less than two acres and Lot 17A. Two ten foot buffers along portions of Ox Bottom Manor Lot 7, Block H and all of Lot 8, Block H. Ten foot buffer in all other locations.
Moore Pond	None provided in plat
Ox Bottom Manor	None provided in plat

Buffers range from 0 feet to 100 feet. The Brookside Village buffer falls within this range and includes standards for planting to achieve a specified level of opacity.

Setbacks: Data on setbacks in the surrounding area are not available. Based on site visits and review of aerial images, setbacks appear to be typical for suburban residential development: e.g., buildings are set back from the curb (as opposed to being placed near front property line) and from adjoining properties (e.g., no zero lot lines). Setbacks for Brookside Village are consistent with this pattern.

Traffic Circulation Patterns: Ox Bottom Manor is characterized by a network of interconnected curving roads. It has access to Ox Bottom Road and Meridian Road via Ox Bottom Manor and Hawks Ridge Drive. Lots in Ox Bottom Gardens are arranged along a system of cul- de-sacs and two streets, Sugar Plum Drive and Love Ridge Drive, which provide connections to the road system in Ox Bottom Manor.

Moore Pond has access to Ox Bottom Road via two connections off Heartland Circle. Heartland Circle provides access to all lots in Moore Pond with the exception of one lot, which has direct access to Ox Bottom Road. Moore Pond is a gated subdivision.

Rose Hill has residential access to Meridian Road via Rose Hill Lane. There are two truck entrances to Rose Hill from Ox Bottom Road. Lots are arranged along a system of cul- de-sacs and connecting streets. Rose Hill is a gated subdivision.

Brookside Village has access to Ox Bottom Road. It does not connect to any other subdivision.

The following criteria listed in Future Land Use Element Policy 2.2.3 were found to be not applicable to this analysis.

- Intensity
- Signage
- Lighting
- Loading area locations
- Operating hours
- Noise
- Odor

VI. Findings of Compatibility Analysis

- The surrounding area is a low density single family residential area. Brookside Village is also a low density single family residential development.
- The surrounding area is characterized by a significant variety of densities, all of which fall within the density range allowed under Residential Preservation. The density of Brookside Village is less than one-third the maximum density allowed in the Residential Preservation future land use category and falls with the range of densities in the surrounding area.
- The surrounding area is characterized by a variety of lots sizes, lot coverages, and building sizes. The lot size, lot coverage and building sizes in Brookside Village fall within the range found in the surrounding area.
- There is a varied pattern of buffers. The plats of the two subdivisions adjoining the Brookside Village, Moore Pond and Ox Bottom Manor, property do not contain buffers. Brookside Village contains a Type C+ 25 foot landscape buffer adjoining lots less than two acres.
- There is a varied traffic circulation pattern, with two subdivisions interconnected via a public road network and two subdivisions with gated access. Brookside Village does not interconnect to any other subdivision and is a public subdivision.

- The building mass of lots in Brookside Village, expressed as a ratio of building to open space based on lot length, are higher than in the adjoining lots in Moore Pond and Ox Bottom Manor. The potential visual impact of the greater mass is mitigated through the provision of the Type C+ landscape buffer.

VII. Conclusions of Compatibility Analysis

The definition of "compatibility" is as follows: *A condition in which land uses or conditions can coexist in relative proximity to each other in a stable fashion over time such that no use or condition is unduly negatively impacted directly or indirectly by another use or condition.*

This analysis demonstrates that the proposed project is compatible with the uses that exist in relatively proximity to the project.

VIII. Comprehensive Plan Policies Indicating that Density of Development Will Be Allowed Only to the Extent that Sufficient Stormwater Capacity is Available

The February 2, 2016 ARM report from the Tallahassee-Leon County Planning Department states: "The Leon County Land Use Development Matrix and Conservation Policies 1.3.2.d, 1.3.3, and 2.2.5, indicate density of development will be permitted only to the extent that sufficient stormwater capacity is available. The availability of stormwater capacity to address providing the appropriate level of service for the project and protecting surrounding water quality within the closed basin has been adequately met." These policies are analyzed below:

> ***Conservation Policy 1.3.2:*** *Potential development within areas of the conservation overlay district shall exhibit best environmental management practices with the emphasis on designing with nature. Assessed impact upon natural resource determines density and/or intensity within a prescribed range within which the parcel is located. Planned development is required for approval. Strict performance requirements will be applied. The major criterion for approval shall be the continued functioning, with minimum disturbances, of the ecosystem, which the development is impacting. Conservation area development criteria are as follows:*
>
> ....
>
> *d) Closed basins – These areas will be permitted to develop only to the extent that there is sufficient stormwater capacity within the basin. Development will be permitted reflective of the density allowed by the existing land use category.*
>
> Analysis: The project provides on-site retention for the volumetric runoff difference between the pre and post development for the 100 year – 24 hour storm event. Stormwater within the ponds will be recovered via exfiltration trenches, which will be filtered down to the groundwater.

Geotechnical investigations that were provided for the proposed on-site stormwater ponds were able to map the groundwater flow currently on-site. Currently the groundwater day lights at the bottom of the ravines and eventually drains to Moore Pond. The proposed improvements will not alter the existing groundwater flow, therefore the studies confirmed there will be no volume impacts to Moore Pond.[6] The project density is one third the permissible density in the future land use category.

Conservation Element Policy 1.3.3: *In all cases the transfer of development to non-environmentally sensitive areas is preferable. Density transfer shall be within the parcel; no off-site transfer is permitted. Transfer of development density to non-environmentally sensitive areas will be allowed up to the density permitted by the future land use category in which the parcel is located. The amount of density transfer may be limited by other applicable requirements and ordinances implemented during the development review process, such as requirements for stormwater retention, open space and landscaping, buffer, setbacks, parking, transportation access and any concurrency requirements. If there is no area on the site suitable for transfer, development will be allowed at one unit per acre unless otherwise stated. Where open space requirements are part of the land development code, 50% credit may be given for conservation areas that are preserved. In no case can the density on the developable portion of the site be more than double the allowed density of the Land Use category in which the parcel is located.*

Analysis:

The policy limits the density within the developable portion of the site to no more than double the density allowed in the subject parcel's future land use category and also states that the maximum density achieved may be limited by other requirements of the Plan and land development code. The allowed density within the Residential Preservation category is six units per gross acre. Of the 35.17 acres site, 11.5 acres are in conservation easement, leaving 23.67 acres as developable. The maximum density allowed on the developable portion of the property is 12 units per acre. The proposed density of the developable area is 2.62 units per acre.

Policy 2.2.5: *Development in closed basins will be permitted only to the extent there is sufficient stormwater capacity within the basin. Inter-basin transfer of stormwater run-off from closed basins shall not be allowed except where conditions a) and c), or b) and c) identified below are met:*

a) The inter-basin transfer is necessary for a public sector project, or a private/public joint venture, either of which must benefit a broad segment of the community;
b) the inter-basin transfer mitigates an existing stormwater problem;
c) a detailed assessment has been made indicating minimal negative impacts to the receiving water shed relative to water quality, quantity, and rate of discharge.

All stormwater treatment requirements regarding water quality must also be met.

[6] Source: Project Engineer

Analysis: The project provides on-site retention for the volumetric runoff difference between the pre and post development for the 100 year – 24 hour storm event. Stormwater within the ponds will be recovered via exfiltration trenches, which will be filtered down to the groundwater.

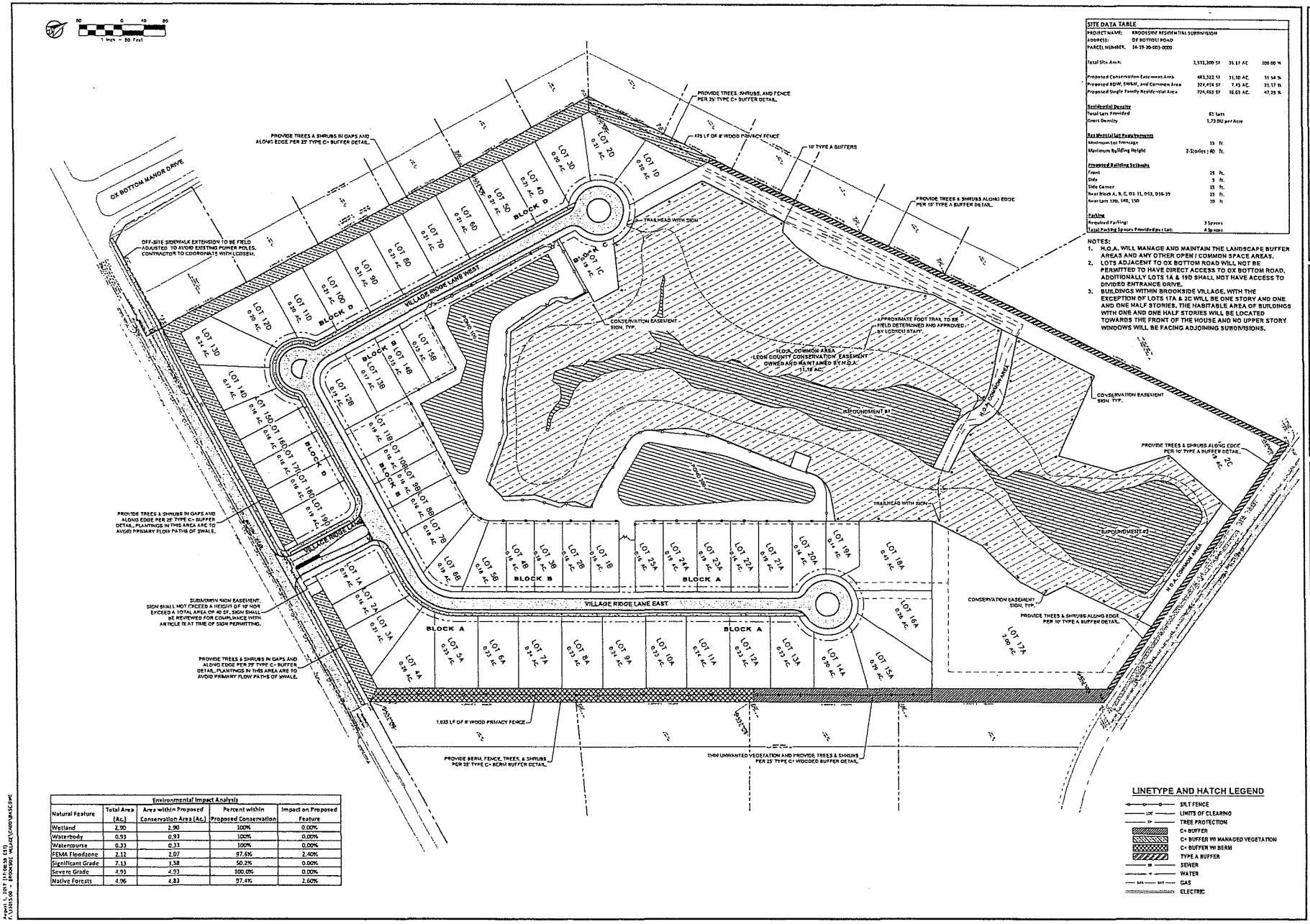
Geotechnical investigations that were provided for the proposed on-site stormwater ponds were able to map the groundwater flow currently on-site. Currently the groundwater day lights at the bottom of the ravines and eventually drains to Moore Pond. The proposed improvements will not alter the existing groundwater flow, therefore the studies confirmed there will be no volume impacts to Moore Pond. No inter-basin transfer is proposed.[7]

Exhibits

Exhibit 1: Brookside Village proposed Site Plan
Exhibit 2: Brookside Village Buffer Details Sheet
Exhibit 3: Map of surrounding area

[7] Source: Project Engineer

EXHIBIT 1



SITE DATA TABLE

PROJECT NAME:	BROOKSIDE RESIDENTIAL SUBDIVISION		
ADDRESS:	OX BOTTOM ROAD		
PARCEL NUMBER:	34-19-30-003-0000		
Total Site Area:	1,532,300 SF	35.17 AC	100.00 %
Proposed Conservation Easement Area	483,322 SF	11.10 AC	31.54 %
Proposed ROW, SWMF, and Common Area	324,416 SF	7.45 AC	21.17 %
Proposed Single Family Residential Area	724,463 SF	16.63 AC	47.29 %
Residential Density			
Total Lots Provided	83 Lots		
Gross Density	1.73 DU per Acre		
Residential Set Backs/Dimensions			
Minimum Lot Frontage	35	ft.	
Maximum Building Height	2-Stories ; 40	ft.	
Proposed Building Setbacks			
Front	25	ft.	
Side	5	ft.	
Side Corner	15	ft.	
Rear Block A, B, C, D1-11, D13, D16-19	25	ft.	
Rear Lots 120, 140, 150	10	ft	
Parking			
Required Parking:	3 Spaces		
Total Parking Spaces Provided(per Lot):	4 Spaces		

NOTES:

1. H.O.A. WILL MANAGE AND MAINTAIN THE LANDSCAPE BUFFER AREAS AND ANY OTHER OPEN / COMMON SPACE AREAS.
2. LOTS ADJACENT TO OX BOTTOM ROAD WILL NOT BE PERMITTED TO HAVE DIRECT ACCESS TO OX BOTTOM ROAD. ADDITIONALLY LOTS 1A & 19D SHALL NOT HAVE ACCESS TO DIVIDED ENTRANCE DRIVE.
3. BUILDINGS WITHIN BROOKSIDE VILLAGE, WITH THE EXCEPTION OF LOTS 17A & 2C WILL BE ONE STORY AND ONE AND ONE HALF STORIES. THE HABITABLE AREA OF BUILDINGS WITH ONE AND ONE HALF STORIES WILL BE LOCATED TOWARDS THE FRONT OF THE HOUSE AND NO UPPER STORY WINDOWS WILL BE FACING ADJOINING SUBDIVISIONS.

Environmental Impact Analysis

Natural Feature	Total Area (Ac.)	Area within Proposed Conservation Area (Ac.)	Percent within Proposed Conservation	Impact on Proposed Feature
Wetland	2.90	2.90	100%	0.00%
Waterbody	0.93	0.93	100%	0.00%
Watercourse	0.33	0.33	100%	0.00%
FEMA Floodzone	2.12	2.07	97.6%	2.40%
Significant Grade	7.13	3.58	50.2%	0.00%
Severe Grade	4.93	4.93	100.0%	0.00%
Native Forests	4.96	4.83	97.4%	2.60%

LINETYPE AND HATCH LEGEND

- SILT FENCE
- LIMITS OF CLEARING
- TREE PROTECTION
- C+ BUFFER
- C+ BUFFER W/ MANAGED VEGETATION
- C+ BUFFER W/ BERM
- TYPE A BUFFER
- SEWER
- WATER
- GAS
- ELECTRIC

URBAN CATALYST CONSULTANTS, INC.
2840 PABLO AVENUE
TALLAHASSEE, FLORIDA 32308
PHONE: (850) 999-4241
WWW.UCCONSULT.COM
FL CA 00030572

DATE	BY	REVISIONS

BROOKSIDE VILLAGE RESIDENTIAL SUBDIVISION

OVERALL SITE PLAN

LEON COUNTY FLORIDA

SEAN K. MARSTON, P.E.
LICENSE NUMBER 53987

DRAWN BY: W.E.C.
CHECKED BY: S.K.M.
DATE: 08/02/17
HORZ. SCALE: 1"=80'
VERT. SCALE:

SHEET C-112.1
PROJECT No. 15015.00

August 1, 2017 (17:06:59 CST)
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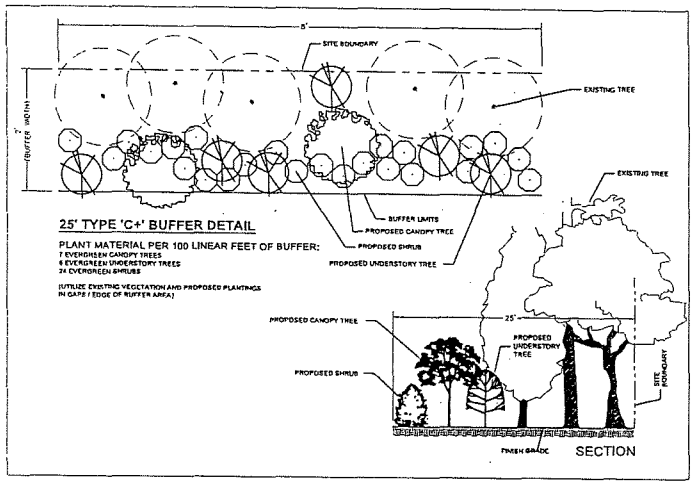
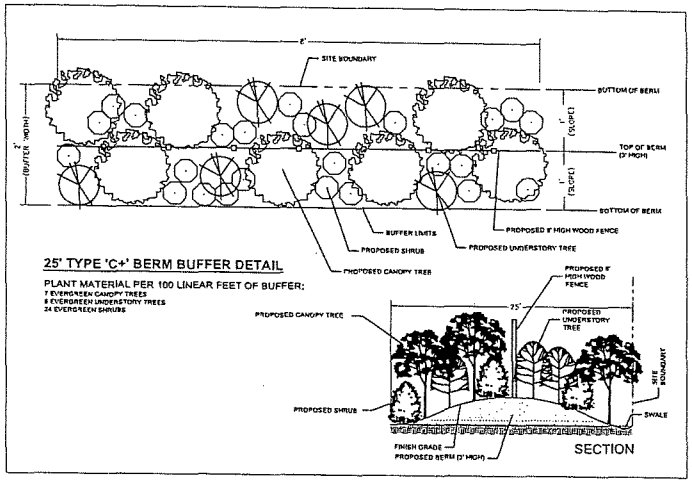
EXHIBIT 2





NOTES:

THE NORTHWESTERN CORNER OF THE PROPERTY (LOTS 1D & 2D) WILL NEED SIGNIFICANT PLANTING. THERE ARE A FEW EXISTING TREES THAT CAN BE USED AS PART OF THE CREATED BUFFER.

PORTIONS OF THE EASTERN DIRT DRIVEWAY (LOTS 4A 14A) WILL NEED SIGNIFICANT PLANTING WITH A 4'-5' BERM (AND FENCE).

THE HEAVILY WOODED / SHADY AREAS (LOT 15A & A PORTION OF 18A) NEED TO BE THINNED TO ACCOMMODATE SHRUB PLANTINGS AND CREATE A DENSE BUFFER. A FIELD SAMPLE INDICATED THERE WERE AT LEAST 40 EXISTING TREES PER 100' LINEAR FEET. REMOVING HALF OF THESE TREES (20) WOULD PROVIDE ROOM FOR NEW SHRUB PLANTINGS, BUT PRESERVE ENOUGH TREES TO MEET BUFFER REQUIREMENTS.

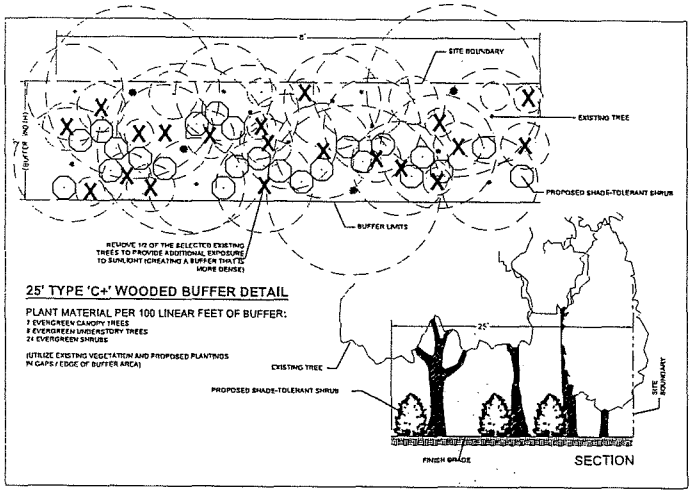
FOR THE REMAINING MAJORITY SUBJECT AREAS, THE BUFFER SHALL BE ACHIEVED WITH A COMBINATION OF EXISTING & PROPOSED VEGETATION. PLANT NEW VEGETATION AT THE EDGES OF THE 25' BUFFER AREA, WHERE THE BEST EXPOSURE TO SUNLIGHT WOULD BE. THE AVERAGE WIDTH OF THE EXISTING VEGETATION IS 15' LEAVING 10' FOR PROPOSED PLANTING.

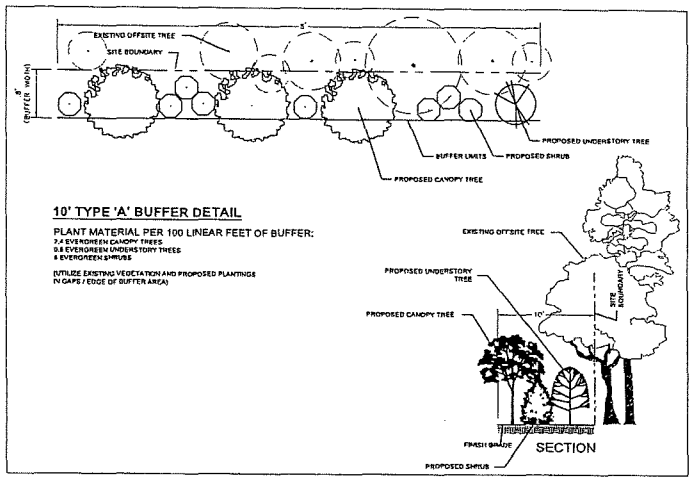
THE 10' TYPE 'A' BUFFER ONLY NEEDS SHRUB PLANTINGS ALONG THE EDGES TO MEET BUFFER REQUIREMENTS.

PROPOSED PLANT LIST (OR APPROVED EQUAL):

- LIVE OAK
- MAGNOLIA
- RED CEDAR
- OCALA ANISE
- FL LEUCOTHOE
- YAUPON
- VIBURNUM
- HOLLY
- PODOARPUS
- LOROPETALUM
- GARDENIA
- CABBAGE PALM
- FAKAHATCHEE GRASS

IT APPEARS THAT THE EXISTING BUFFER AREA VEGETATION IS PROVIDING AT LEAST 50% OPACITY. HOWEVER THIS WOULD LIKELY BE LOWER DURING THE WINTER AFTER DECIDUOUS SPECIES FOLIAGE HAS DROPPED. ASSUMING TYPICAL PLANT SIZES (8-10' HT. CANOPY TREES, 6-8' HT. UNDERSTORY TREES, 3-4' HT. SHRUBS) ARE INSTALLED, IT IS REALISTIC TO EXPECT APPROXIMATELY 75% OPACITY AT TIME OF PLANTING AND OVER 90% OPACITY WITHIN 5 YEARS.





PROPOSED BUFFER PLANTS:

PER 25' TYPE C+ BUFFER DETAIL (2,452 LINEAR FEET):

- 24.52 X 2 = 50 EVERGREEN CANOPY TREES
- 24.52 X 6 = 146 EVERGREEN UNDERSTORY TREES
- 24.52 X 24 = 589 EVERGREEN SHRUBS

PER 25' TYPE C+ WOODED BUFFER DETAIL (359 LINEAR FEET):

- 3.59 X 24 = 87 EVERGREEN SHRUBS

PER 25' TYPE C+ BERM BUFFER DETAIL (490 LINEAR FEET):

- 4.90 X 7 = 35 EVERGREEN CANOPY TREES
- 4.90 X 6 = 30 EVERGREEN UNDERSTORY TREES
- 4.90 X 24 = 118 EVERGREEN SHRUBS

PER 10' TYPE A+ BUFFER DETAIL (1,308 LINEAR FEET):

- 13.08 X 2.4 = 32 EVERGREEN CANOPY TREES
- 13.08 X 0.8 = 11 EVERGREEN UNDERSTORY TREES
- 13.08 X 8 = 104 EVERGREEN SHRUBS

BUFFER PLANTING SCHEDULE

QTY.	COMMON NAME	SIZE/REMARKS
EVERGREEN CANOPY TREES		
117	LIVE OAK MAGNOLIA	10-12' HT. X 5-6' SPR., 3" CAL., 45 GAL
EVERGREEN UNDERSTORY TREES		
189	HOLLY RED CEDAR	8' HT. X 3-4' SPR., 2" CAL., 30 GAL
EVERGREEN SHRUBS		
698	OCALA ANISE FL LEUCOTHOE YAUPON VIBURNUM PODOARPUS LOROPETALUM GARDENIA	30" HT. X 24"SPR., 7 GAL., 8' O.C.

COWLES LANDSCAPE ARCHITECTURE
www.cowlesla.com / (850) 545-7020 / TALLAHASSEE, FL

URBAN CATALYST CONSULTANTS, INC.
2840 PABLO AVENUE
TALLAHASSEE, FLORIDA, 32308
PHONE: (850) 999-4241
WWW.UCCENG.COM
FL CA 00030572

DATE	BY	REVISIONS

BROOKSIDE VILLAGE
RESIDENTIAL SUBDIVISION

BUFFER DETAILS

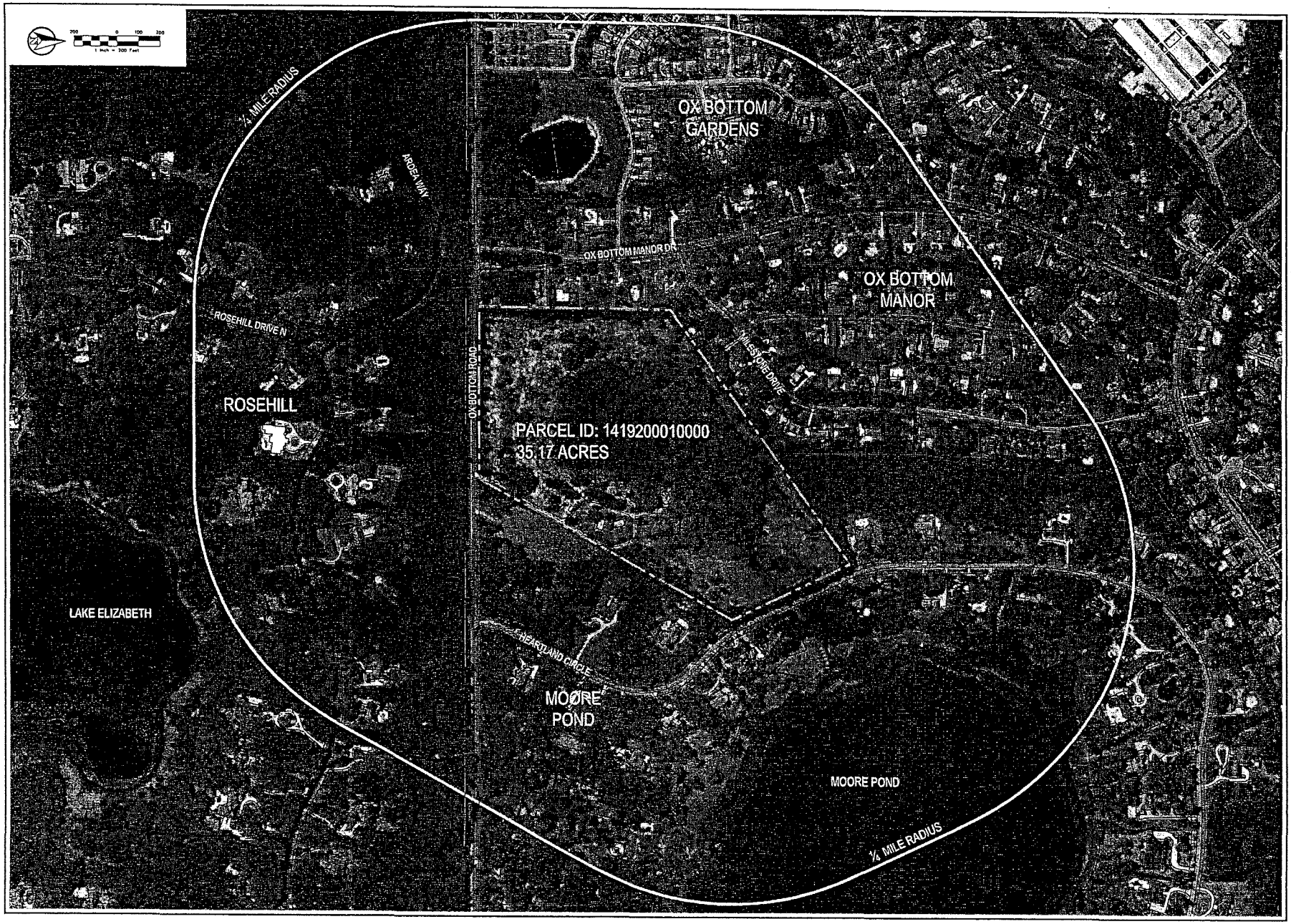
LEON COUNTY FLORIDA

SEAN K. MARSTON, P.E.
LICENSE NUMBER, 55987

DRAWN BY: W.E.C.
CHECKED BY: S.K.M.
DATE: 10/12/16
HORZ. SCALE:
VERT. SCALE:

SHEET C-133
PROJECT No. 15015.00

EXHIBIT 3



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REVISIONS

550 OX BOTTOM ROAD

GIS MAP

LEON COUNTY

SEAN K. MARSTON, P.E.
LICENSE NUMBER, 55987

DRAWN BY: W.E.C
CHECKED BY: S.K.M.
DATE: 08/01/16
HORZ. SCALE: 1"=200'
VERT. SCALE:

SHEET C-101
PROJECT No. 14001 ??

PLANNING DEPARTMENT
a division of PLACE

MEMORANDUM

Submitted to ProjectDox August 14, 2017

TO: **Leon County DRC Members**

FROM: Susan Poplin, Principal Planner

THROUGH: Russell Snyder, Planning Land Use Administrator

DATE: August 4, 2017

SUBJECT: Brookside Village Residential Subdivision (Type B) FDPA Track LSP 150035
Leon County Development Review Committee Meeting August 16, 2017

APPLICANT: Golden Oak Land Group, LLC
AGENT: Sean Marston, P.E., Urban Catalyst Consultants
PARCEL ID: 14-19-20-001-0000
ZONING: Residential Preservation
FUTURE LAND USE: Residential Preservation

EXHIBIT H
PENGAD 800-631-6989

Findings

1. The proposed project is for the development of a 61-unit single-family residential subdivision on 35 acres north of Ox Bottom Road near Heartland Circle road. The project is adjacent to and accessed by Ox Bottom Road, which is a Leon County major collector.

2. The proposed project is consistent with the density and intensity of the Residential Preservation Future Land Use Map Category of the *Tallahassee-Leon County Comprehensive Plan.*

3. Residential Preservation Future Land Use Element Policy 2.2.3 states that its primary function is to protect existing stable and viable residential areas from incompatible land use intensities and density intrusions. The Brookside project's proposed gross density at 1.73 dwelling units per acre is classified as low-density residential in the comprehensive plan. The density of surrounding neighborhoods is also classified as low-density residential, ranging from 2.13 dwelling units/acre (Ox Bottom Gardens) down to .17 dwelling units per acre (Rosehill). The densities are consistent with low-density residential uses identified in the comprehensive plan and the land development code.

   The Leon County Land Use Development Matrix and Conservation Policies 1.3.2.d, 1.3.3., and 2.2.5, indicate density of development will be permitted only to the extent that sufficient stormwater capacity is available. A compatibility analysis dated October 19, 2016 and updated April 26, 2017, provided by the applicant, examines Conservation Policies 1.3.2 and 1.3.3 including provisions for stormwater and conservation. Conservation Policies 1.3.2.d, 1.3.3 and 2.2.5 provide that the areas permitted to develop are dependent on sufficient stormwater capacity within a closed basin (which applies in this case) to ensure maintenance of water quality and flow. The current conditions provide for surface flow of stormwater from ravines, eventually draining to Moore Pond. The application indicates that adequate

stormwater is provided for the project including on-site retention facilities for a 100-year, 24-hour storm event. Additionally, stormwater within the ponds will be recovered via exfiltration trenches, which will be filtered down to the groundwater. The applicant's response to comments dated April 19, 2017 states that the proposed stormwater facilities exceed the required Leon County stormwater standards and meet the closed basin standards for retention. A second response document submitted August 2, 2017 states that the applicant has provided a revised stormwater analysis to Leon County that demonstrates appropriate treatment and retention; and provides for continued groundwater and surface water flow to Moore Pond. Leon County staff are in the process of analyzing the recently submitted stormwater analysis to determine if it meets the local code requirements; until that analysis is completed Planning cannot determine if consistency with the Conservation Element of the comprehensive plan is maintained. It is recommended that the final approval of the site plan be contingent on the County's final approval of the stormwater analysis.

With regard to conservation within the project, the application includes a large conservation area centrally located on the property. The conservation area includes natural features on the site including floodplains, wetlands and steep slopes. The conservation areas are to be dedicated as conservation easements in perpetuity with the Brookside HOA responsible for maintenance.

Land Use Element Policy 2.2.3.e states that a number of factors shall be considered when determining a land use is compatible with the residential preservation land use category. There is no proposal to change the assigned land use in this case. It does not appear the compatibility criteria in section 2.2.3.e are readily applicable to the proposed project given both the existing and proposed uses are both low-density Residential Preservation land uses. Nonetheless, Planning staff have reviewed the criteria as additional information, including intensity, density, scale, building size, mass, bulk, height and orientation, lot coverage, lot size/configuration, architecture, screening, buffers (including vegetative buffers), setbacks, signage, lighting, traffic circulation patterns, loading area location, operating hours, noise and odor. The applicant provided a compatibility analysis dated October 19, 2016 and updated April 26, 2017, conducted by land use consultant Wendy Grey, that examines these factors with regard to the project:

- Density: The density of the proposed development is 1.73 dwelling units per acre, which is comparable with adjacent Ox Bottom Gardens and Ox Bottom Manor, 2.13 and 1.10 dwelling units per acre, respectively. It is also within the allowable range for the Residential Preservation land use category which allows up to 6 dwelling units per acre within the category.

Table 1 Subdivision Density

Subdivision	Density (dwelling units/acre)
Ox Bottom Gardens	2.13
Brookside Village	1.73
Ox Bottom Manor	1.10
Moore Pond	.23
Rose Hill	.17

- Scale: Building scale is usually associated with more urban settings that include multiple stories. The limitation of the dwellings to 2 stories or less in the Brookside development ensures that the scale of the buildings are lower and similar to those in surrounding neighborhoods.

- Building Size, Mass and Bulk: As a measure of mass and bulk, the compatibility analysis examined the ratio of the linear building to linear frontage on the property line. Brookside has a higher ratio at approximately .81 along the Ox Bottom Manor side and .82 along the Moore Pond side. Ox Bottom Manor and Moore pond have ratios of .45 and .29 respectively. There is notable difference in these ratios, but given the separation between the two subdivisions including an intervening conservation area, buffer and larger lots provided in the rear of the proposed subdivision, staff does not believe there is a negative impact based on the measure of mass and bulk. With regard to building size, there is a wide range from 3,400 square feet to 14,929 square feet in surrounding neighborhoods. Brookside dwellings are sized between 2,848 square feet and 3,278 square feet with an average of 3,063 square feet. These dwelling sizes are consistent with those in adjacent subdivisions.

Table 2 Building Size

Subdivision	Building Size Range (Square Feet)	Average Building Size (Square Feet)
Moore Pond	3,485-14,929	6,301
Rose Hill	3,732-10,620	6,143
Ox Bottom Manor	2,329-4,817	3,459
Brookside Village	2,848-3,278	3,063
Ox Bottom Gardens	1,974-3,249	2,389

- Height and Orientation: The surrounding area includes residential uses that are a mix of one-story, 1½ story and 2-story dwellings. Brookside will consist of 1 and 1½-story dwellings. The dwellings are oriented such that upper stories are on the front portion of the homes and no windows face adjacent subdivisions. This height and orientation is consistent with others in the surrounding area, and minimizes view encroachments.

- Lot Coverage, Size/Configuration: Lot coverage is measured by comparing the building size in square feet to the lot size in square feet to derive a percentage. The compatibility analysis examines the lot coverage for Brookside Village and surrounding areas and has identified the average lot coverage as 23%. Comparatively, it is within the range of surrounding subdivisions where lot coverages vary from 5% (Moore Pond) up to 28% (Ox Bottom Gardens).

Table 3 Lot Coverage

Subdivision	Lot Coverage %
Moore Pond	5%
Rose Hill	6%
Ox Bottom Manor	10%

Brookside Village	23%
Ox Bottom Gardens	28%

For lot size, Brookside Village is within the range of surrounding subdivisions, which vary from an average of 3.08 to .19. The larger lots are found in Moore Pond and Rose Hill subdivisions. To better assimilate with these subdivisions, Brookside Village has proposed two larger lots that are more than 2 acres in size in the rear of the project adjacent to Moore Pond. The project also proposes buffers and screens which are described in more detail below.

Table 4 Lot Size

Subdivision	Lot Size (Acres)	Average Lot Size (Acres)	Total # of Dwelling Units
Moore Pond	1.49-12.39	3.08	52
Rose Hill	1.48-6.97	2.53	83
Ox Bottom Manor	.53-.96	.67	623
Brookside Village	.14-2.51	.27	61
Ox Bottom Gardens	.13-.32	.19	67

- Architecture: The compatibility analysis compares the proposed architecture of Brookside Village with those in surrounding neighborhoods. Within the Ox Bottom Manor and Ox Bottom Gardens typical features include peaked roofs, brick or stucco front facades and covered entrances. The analysis provides sample pictures of anticipated Brookside Village architecture which has the same roof and entrance features. Brookside Village appears to be typical suburban development.
- Screening and Buffers: Buffers for the surrounding subdivisions were compared with those proposed for Brookside Village. The buffers are smaller than those in Rose Hill and Ox Bottom Gardens. Moore Pond and Ox Bottom Manor did not provide buffers as part of the subdivision plats.

Table 5 Buffers Provided in Subdivision Plats

Subdivision	Buffer
Rose Hill	Approximately 100 feet (labeled "Common Area"). Additional 100 foot utility easement provided along eastern property line
Ox Bottom Gardens	Approximately 75 feet along boundary with Ox Bottom Manor
Brookside Village	25 feet Type C+ Buffer (east/south/west); some 8 Foot Fence
Moore Pond	None provided in plat
Ox Bottom Manor	None provided in plat

Brookside Village is proposing a 25-foot wide buffer with Type C+ plantings along Ox Bottom Road, adjacent to Ox Bottom Manor and the along the eastern boundary adjacent to Moore Pond. The proposed Type C+ buffer includes plantings of 7 evergreen canopy trees, 6 evergreen understory trees and 24 evergreen shrubs per 100 linear feet of buffer. The buffer along the eastern and northwestern portion of the property also includes an 8-foot fence. Along the northern and northeastern boundaries, the project proposes a 10-foot Type A buffer which includes plantings of 1.2 canopy trees, .4 understory trees and 4 shrubs per 100 linear feet. Staff believes the project has provided satisfactory buffers to adjacent suburban residential development.

- Setbacks: The compatibility analysis states that site visits and aerial images reveal that setbacks appear to be typical for suburban residential development: e.g., buildings are set back from the curb (as opposed to being placed near the front property line) and from adjoining properties (e.g., no zero lot lines). Staff concurs with the analysis. It appears the setbacks for Ox Bottom Manor range from 75 to 100 feet, for Ox Bottom Gardens, from 18 to 30 feet, and for Moore Pond, from 75 to 150 feet. Brookside Village has setbacks of 15 feet from the right-of-way. Brookside Village setbacks are consistent with the pattern in neighboring Ox Bottom Gardens but not Ox Bottom Manor or Moore Pond.

- Traffic Circulation Patterns: The proposed traffic circulation pattern includes an internal road system as well as sidewalks throughout the project, connection to Ox Bottom Road, and a passive recreation path. Staff does not identify any negative issues with the proposed circulation plan.

- Items Not Applicable to the analysis for this development include signage, lighting, loading area locations, operating hours, noise and odor, which are associated with nonresidential development.

4. The Mobility Element of the Tallahassee-Leon County Comprehensive Plan requires development to provide full accommodations for pedestrian access and movement including sidewalks and enhanced crossings (Mobility Element Policies 1.1.8(a-b), 1.2.3 and 1.4.3). The application shows a 6-foot sidewalk along Ox Bottom Road and internal to the project. The sidewalk along Ox Bottom Road connects to the existing facility that runs north along Ox Bottom Manor Road. The application also indicates the intent to place passive trails within the Conservation Area (a recommended design alternative).

5. The Conservation Element of the Tallahassee-Leon County Comprehensive Plan requires that wetlands and floodplains be regulated as conservation or preservation features, and that wetland function be preserved [Conservation Policies 1.3.1, 1.3.2, 1.3.4, 1.3.6, 2.2.1 and 2.2.2]. The application identifies the details of planned wetland, floodplain and significant slope conservation within the proposed project. The features are contained within an 11+ acre conservation easement. The conservation area includes natural features on the site including floodplains, wetlands and steep slopes. Additionally, the application also reflects a passive trail within the Conservation Area which was a recommended design alternative previously. The conservation areas are to be dedicated as conservation easements in perpetuity with the Brookside HOA responsible for maintenance.

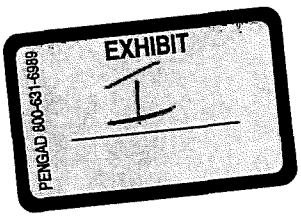
Planning Department Recommendation

The Planning Department recommends that the Brookside Village Type B site plan application (LSP1500035) as submitted on August 2, 2017 be approved subject to the condition that the applicant receive final County approval for the stormwater analysis, as discussed in detail on page 2 above.

Sec. 10-2.103. - Consistency.

All development orders issued pursuant to this chapter shall be consistent with the adopted Comprehensive Plan, as amended.

(Ord. No. 07-20, § 2, 7-10-07)



Sec. 10-2.301. - Development review committee.

(a) There is hereby established a development review committee (DRC) whose primary purpose is to provide professional, informed review of proposed development with respect to design, adequacy of public facilities, services and utilities and consistency with the Comprehensive Plan, this chapter, and other applicable land development regulations.

The DRC shall advise the Board of County Commissioners, the planning commission, the department of development support and environmental management director, or designee, and the county administrator or designee concerning applications for site and development plan approvals, platting, and other development approval, and shall prepare studies and make recommendations on such matters as are requested by the planning commission. The members of the DRC shall attend meetings of the planning commission and Board of County Commissioners, as required.

(b) The DRC shall be composed of the department directors or their respective designee of the following county departments:

(1) Tallahassee-Leon County Planning Department;

(2) Public works department; and

(3) Department of development support and environmental management.

The DRC may direct the application to other departments or agencies for review and comment based on the type and complexity of the development proposed as set forth in the written direction by the DRC.

(c) The DRC shall meet at least monthly to review and render written decisions on development proposals as prescribed in this chapter.

(d) The DRC shall adopt and publish bylaws consistent with this Code for implementing its meetings, except where in direct conflict with this Code, in which case the provisions of this Code shall prevail.

(Ord. No. 07-20, § 2, 7-10-07; Ord. No. 14-10, § 2, 6-10-14)

Sec. 10-7.103. - Authority.

(a) Fla. Const. art. VIII vested county governments with powers of self-government as provided by general and special law.

(b) The Local Government Comprehensive Planning and Land Development Regulation Act [F.S. § 163.3161 et seq.] requires each local government to adopt a local Comprehensive Plan, and the county has adopted the Comprehensive Plan, as amended, pursuant to these statutory provisions and other authority.

(c) The statutory provisions and the Comprehensive Plan require that land development regulations be adopted to implement the Comprehensive Plan and that no development of land shall take place which is inconsistent with the Comprehensive Plan.

(d) F.S. § 125.01 vests counties with the power to establish, coordinate, and enforce business regulations, building, housing, and related technical codes and regulations as are necessary for the protection of the public and to perform other acts not inconsistent with laws which are in the common interest of the people of the county and to exercise all powers and privileges not specifically prohibited by law.

(e) F.S. §§ 125.01, 336.02, and 336.08, provide that counties have the power and authority to establish new roads and locate and change the same.

(f) F.S. ch. 163 authorizes the Board of County Commissioners to adopt, prescribe and promulgate rules and regulations governing the filing of plats and development of subdivisions, in order to aid in the coordination of land development and to implement the local Comprehensive Plan.

(g) F.S. ch. 177, pt. I [§ 177.011 et seq.] authorizes the Board of County Commissioners to require, regulate, and control the platting of lands.

(h) It is in the public interest to ensure that adequate and necessary public facilities and services are properly installed whenever land is developed.

(i) It is in the public interest to establish procedures and minimum standards for the subdivision, development, and improvement of lands within the unincorporated area of the county.

(Ord. No. 07-20, § 2, 7-10-07)

Sec. 10-7.104. - Purposes.

The purposes of this article are to:

(1) Protect and provide for the public health, safety, and general welfare of the residents of the county.

(2) Establish procedures and standards for the subdivision of real property within the county.

(3) Establish procedures and standards for the siting and development of real property within the county.

(4) Ensure proper legal description, identification, documentation and recording of subdivisions.

(5) Ensure consistency with the Comprehensive Plan.

(6) Provide for coordination between review of development and subdivision proposals with Articles III and IV and other applicable county requirements.

(7) Provide for adequate light, air, and privacy, to secure safety from fire, flood, and other danger, and to prevent overcrowding of the land and undue congestion of population.

(8) Encourage the orderly and beneficial development of all unincorporated parts of the county.

(9) Protect and conserve the value of land, buildings, and improvements throughout the county.

(10) Guide public policy and private action in order to provide adequate and efficient transportation, water, sewerage, schools, parks, playgrounds, recreation and other public facilities and services.

(11) Establish reasonable standards of design and procedures for subdivisions and replats, in order to further the orderly layout and use of land, and to insure proper legal descriptions, monumenting and recording of subdivided land.

(12) Preserve the local natural and historical features and resources in order to protect the integrity, stability, and beauty of the community and the value of the land.

(13)

Provide that the citizens and taxpayers of the county will not have to bear the costs resulting from haphazard development or subdivision of land and the lack of mechanisms to require installation by the developer of adequate and necessary physical improvements and infrastructure.

(14) Provide a greater degree of assurance to the purchasers of land in a development or subdivision that necessary improvements of lasting quality have been or will be installed and maintained.

(Ord. No. 07-20, § 2, 7-10-07)

Sec. 10-7.105. - Interpretation.

In their interpretation and application, the requirements of this article shall be the minimum requirements for the promotion of the public health, safety and general welfare. Applicants are encouraged to design innovative plats or site and development plans which, while meeting the requirements of this article and other applicable ordinances, take into account the individual characteristics and location of a particular piece of land so as to reduce adverse visual, noise, environmental, and/or traffic impacts on nearby property owners.

(Ord. No. 07-20, § 2, 7-10-07)

Sec. 10-7.108. - Consistency with Comprehensive Plan.

(a) All proposed subdivisions or development shall be designed to be consistent with the adopted Comprehensive Plan, as amended.

(b) All proposed subdivisions or development shall be designed to comply with at least the county zoning, building regulations, concurrency, and environmental management ordinances, and such other applicable land development regulations, ordinances, and policies, for the area in which the proposed subdivisions or development shall be located.

(c) In accordance with this article and other applicable requirements of the local Comprehensive Plan and county ordinances, land, proposed subdivision or site and development plans shall be suitable for the characteristics of the underlying land. Sites where topographic features, flooding potential, drainage, soil type or other site specific features are likely to harm neighboring landowners, future users of the subject property, natural resources or public infrastructure demand, shall not be developed and/or subdivided, unless adequate methods of mitigation or correction of the harm area formulated by the developer and accepted by the county.

(d) Any applicant subdividing land shall record an approved final plat in accordance with the requirements of this chapter.

(e) The adequacy of necessary public or private facilities and services for traffic and pedestrian access and circulation, solid waste, waste water disposal, potable water supply, storm water management, parks and recreation and similar public facilities and services, shall be considered in the review of all subdivision or development site and development plan proposals to assure the concurrency requirements of the local Comprehensive Plan and county ordinances are met.

(f) Unless installation of a required improvement is waived pursuant to Division 6, no final plat or certified survey shall be recorded until a site and development plan, as required by this article, has been approved, the required infrastructure or development improvements which are applicable to the subject parcel or parcels are completed or an appropriate surety instrument, as approved in advance by the county attorney, is posted, in accordance with the requirements of this article, and the terms and conditions of any applicable development order have been fulfilled.

(g)

No parcel shall be approved for platting for any purpose unless it is suitable for a use permitted by article VI. No parcel shall be approved for development unless it is consistent with the local Comprehensive Plan and contains an adequate development site, both in size for the use intended and in its relationship to abutting land uses.

(Ord. No. 07-20, § 2, 7-10-07)

Sec. 10-7.505. - General principles of design relating to impacts on nearby streets and property owners.

Each development shall be designed to:

(1) Be as compatible as practical with nearby development and characteristics of the land.

(2) Minimize adverse environmental impacts both on-site and off-site.

(3) Provide boundary buffers between the proposed development and differing land uses on abutting property as required by article IV.

(4) Reduce any adverse environmental and visual impact of parking lots by buffer fences or retaining natural vegetation and trees, or providing landscaping along the edges and within the parking lot.

(5) Provide fencing and vegetative screens in locations where potential health or safety hazards may arise, such as, but not limited to, waste storage or collection areas, stormwater ponds, sewage treatment facilities, and immobile exposed machinery.

(6) Maintain roadside trees, which are important to the character of the county, through careful siting of buildings, parking lots and access points.

(7) In rural areas, control the height, location and intensity of lighting to maintain rural character and to prevent undue amounts of light shining beyond the development onto abutting properties.

(8) Site buildings, parking lots, and other structures by taking into account the topography of the site and avoiding development in environmentally sensitive areas where feasible.

(9) Take into account the local Comprehensive Plan's goals, objectives and policies regarding affordable housing.

(10) Preserve open space and provide recreational opportunities including pedestrian and bike paths where appropriate to the type of development.

(11) Provide in accordance with this article for the ongoing operation and maintenance of supporting infrastructure which will remain in private ownership.

(Ord. No. 07-20, § 2, 7-10-07)

Sec. 10-6.104. - Policy.

(a) It is the policy of the county to permit development of land that is consistent with and in conformance with the goals, objectives, and policies established in the Comprehensive Plan through the use of this article.

(b) The official zoning map districts shall be consistent with the land uses as depicted on the adopted future land use plan map of the Comprehensive Plan.

(c) No development of land shall be permitted unless in compliance with the concurrency requirements as established in Article III.

(d) This article shall complement and be coordinated with the enforcement of the provisions and standards contained in building and housing codes, the provisions of Articles IV and VII, and other related and applicable codes.

(e) The implementation and interpretation of this article shall be governed by the policies stated in the Comprehensive Plan.

(Ord. No. 07-20, § 2, 7-10-07)

Sec. 10-6.617. - Residential preservation.

(a) *Purpose and intent.* The residential preservation district is characterized by existing homogeneous residential areas within the community predominantly accessible by local streets. The primary function is to protect existing stable and viable residential areas from incompatible land uses and density intrusions. Commercial, retail, office, and industrial activities are prohibited. Certain nonresidential activities may be permitted, such as home occupations consistent with the applicable provisions of section 10-6.803; community services and facilities/institutional uses consistent with the applicable provisions of section 10-6.806; and churches, religious organizations, and houses of worship. Single-family, duplex residences, manufactured homes, and cluster housing may be permitted within a range of zero to six units per acre. Compatibility with surrounding residential type and density shall be a major factor in the authorization of development approval and in the determination of the permissible density.

(1) In residential preservation areas outside the urban service area, the density of the nonvested development in residential preservation areas shall be consistent with the underlying land use category.

(2) In residential preservation areas inside the urban services area, new residential development densities shall be consistent with those within the developed portions of the recorded or unrecorded subdivision in which they are located. Consistency for the purposes of this paragraph shall mean that proposed lots shall not be smaller than the smallest lot that was created by the original subdivision plat or any subsequent replat that may have occurred consistent with county land development regulations in effect at the time.

(3) When new residential development inside the urban services area is proposed for an area not located within a recorded or unrecorded subdivision, densities shall be permitted in the range of zero to six dwelling units per acre consistent with the availability of central water and sewer service to accommodate the proposed development. If central water and sewer service is not available, density shall be limited to a maximum of two dwelling units per acre consistent with all applicable provisions of the Environmental Management Act.

(4)

Notwithstanding the provisions of subsection 10-6.617(a)(2) above, existing lots in a recorded or unrecorded residential subdivision zoned residential preservation may be resubdivided up to a maximum density of six dwelling units per acre provided that the parent lot directly abuts an existing arterial or major collector roadway that was not constructed as part of the subdivision's roadway network. This provision shall not apply to lots whose current designated primary access is from a street internal to the recorded or unrecorded subdivision zoned residential preservation. Existing lots of record with no current frontage on a major collector or arterial roadway, as specified above, cannot be aggregated to benefit from the provision of this section.

The following factors shall be used to determine the maximum allowed number of lots per acre created pursuant to this subsection: a) the availability of water and sewer to accommodate the proposed development as cited in subsection 10-617(a)(3) above; b) compliance with applicable local and/or Florida Department of Transportation (FDOT) roadway connection standards c) the mitigation of any adverse impacts on the transportation network, and d) compliance with any other applicable provisions of the Land Development Code, including those pertaining to environmental protection. Acceptable mitigation for impacts to the transportation network include a common ingress/egress access point for all newly created lots, frontage roadways, or any other solution that mitigates the adverse impacts on the transportation network as determined by the director.

(5) Allowable development type shall be construed to mean the following:

a. Parcels proposed for residential which are located in a recorded or unrecorded subdivision shall develop consistent with the type of residential development pattern located inside the recorded or unrecorded subdivision.

b. Parcels proposed for residential which are located inside the urban service area and not in a recorded or unrecorded subdivision shall develop consistent with the type of residential development pattern located adjacent to the vacant parcel.

c.

Parcels proposed for residential development surrounded by a mix of conventional single-family homes and manufactured homes, shall be developed for conventional single-family homes.

d. Parcels proposed for residential development surrounded by a mix of single-family and duplex development shall be developed for single-family use, unless duplex residential development is the predominant type.

e. The placement of standard design manufactured homes and mobile homes shall be allowed in manufactured home parks, in subdivisions platted explicitly for allowing manufactured homes, or as a replacement unit for any lawfully existing manufactured home consistent with the provisions of article XII of this chapter.

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

(1) Low-density residential.

(2) Passive recreation.

(3) Active recreation.

(4) Community services.

(5) Light infrastructure.

(c) *List of permitted uses.* Some of the uses on these schedules are itemized according to the Standard Industrial Code (SIC). Those uses or activities permitted through special exception shall require review and approval by the Board of County Commissioners consistent with the provisions of section 10-6.611. Allowable uses, appropriate permit level and applicable development and locational standards in the residential preservation district are as follows:

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

Legend					
LR	=	Low-density residential	CS	=	Community services

PR	=	Passive recreation	LI	=	Light infrastructure
AR	=	Active recreation			

		Development and Locational Standards				
SIC Code	Name of Use	LR	PR	AR	CS	LI
	RESIDENTIAL					
	Dwelling, one-family	P				
	Dwelling, two-family	R				
	Dwelling, mobile home	P				
	Mobile home park	S				
	SERVICES					

	Elementary and secondary schools legally established and in existence as of July 1, 2015, including expansions to existing facilities				S	
	Religious organizations				S	
	PUBLIC ADMINISTRATION					
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			P		
	Field sports			P		

Placement of new mobile homes are limited to the following areas: existing mobile home parks; and platted mobile home subdivisions. New mobile homes shall also be allowed as replacements of lawfully existing mobile homes in other locations. New mobile home parks may be established as per the provisions set forth in section 10-6.807.

(d) *Development standards.* All proposed development shall meet the applicable buffer zone standards as outlined in section 10-7.522. For residential development in recorded or unrecorded subdivisions, the development standards including front, rear, side, and side corner yard setbacks for new residential development shall be consistent with the developed portions of the recorded or unrecorded subdivision in which it is located. For new residential development in residential preservation areas not located in recorded or unrecorded subdivisions, the applicable development standards including, but not limited to front, rear, side, and side corner yard setbacks shall be established at the time of subdivision and site and development plan review.

(Ord. No. 07-20, § 2, 7-10-07; Ord. No. 16-07 , § 4, 5-10-16; Ord. No. 17-01 , § 5, 1-24-17)