ORDINANCE NO. 12-O-14AA

AN ORDINANCE OF THE CITY OF TALLAHASSEE, FLORIDA, AMENDING CHAPTER 5 OF THE TALLAHASSEE LAND DEVELOPMENT CODE RELATED TO COUNTY-WIDE MINIMUM ENVIRONMENTAL STANDARDS; REVISING DEFINITIONS; PROVIDING FOR CONFLICTS, SEVERABILITY, AND AN EFFECTIVE DATE.

WHEREAS, on August 17, 2010, the Leon County Home Rule Charter was amended by approval of Ordinance No. 2010-22 by the Leon County Board of County Commissioners which amended Section 1.6 of the Leon County Home Rule Charter to add a requirement that Leon County ordinances establish minimum standards, procedures, requirements and regulations for the protection of the environment within the unincorporated and incorporated areas of the County and required that the proposed amendment be presented to the Leon County electorate on November 2, 2010; and

WHEREAS, the amendment to the Leon County Home Rule Charter, as presented in Leon County Ordinance No. 2010-22, was approved by a majority of the qualified Leon County electorate at the special election held on November 2, 2010; and

WHEREAS, on March 15, 2011, the Leon County Board of County Commissioners approved Leon County Ordinance No. 11-06, which adopted interim minimum environmental regulations for both the unincorporated and incorporated areas of Leon County; and

WHEREAS, Leon County Ordinance No. 11-06 provided that the interim standards should remain in effect until April 1, 2012, unless that date was extended by adoption of another Leon County ordinance; and

WHEREAS, upon the City's request, on February 14, 2012, the Leon County Board of County Commissioners approved Leon County Ordinance No. 12-06, which extended the interim standards until June 1, 2012; and

WHEREAS, since adoption of the interim standards, staff from the City of Tallahassee and Leon County have met frequently to review the Leon County Environmental Management Act and the City of Tallahassee Environmental Management Ordinance, and to compare the standards, procedures, requirements and regulations in each in a joint effort to establish the county-wide minimum environmental standards; and

WHEREAS, the City of Tallahassee and Leon County jointly selected the members of a Citizen's Committee to review the recommendations of City and County staff prior to review by the City Commission and the Leon County Board of County Commissioners; and

WHEREAS, the cumulative work of the Citizen's Committee, City staff, and Leon County staff has been presented to the Leon County Board of County Commissioners and the City Commission for review and action; and

WHEREAS, the City Commission acknowledges that the county-wide minimum environmental standards, procedures, requirements, and regulations adopted as part of the Leon County Land Development Code on May 8, 2012 by approval of Leon County Ordinance No. 12-07 by the Leon County Board of County Commissioners represent the standards to be applied in the unincorporated areas of Leon County; and

WHEREAS, the environmental standards, procedures, requirements, and regulations in the Tallahassee Land Development Code, as amended by this ordinance, represent the minimum environmental standards to be applied within the corporate limits of the City of Tallahassee; and

WHEREAS, the City Commission and the Leon County Board of County Commissioners have approved an Interlocal Agreement, in which both parties agree that, upon adoption of this ordinance, Chapter 5 of the Tallahassee Land Development Code is consistent with the Leon County minimum environmental standards; and, to the extent the City's and County's environmental standards and regulations differ, the City's regulations in place on May 23, 2012, the date this ordinance was adopted, are more stringent than the County's; and

WHEREAS, the City Commission and the Leon County Board of County Commissioners, by approval of the Interlocal Agreement, have approved procedures for review of amendments to the environmental standards, procedures, requirements, and regulations in either the Leon County Land Development Code or the Tallahassee Land Development Code for a determination of whether such amendments shall be applied county-wide or whether such amendments shall apply in only the unincorporated area or in only the incorporated area of Leon County.

NOW THEREFORE, BE IT ENACTED by the people of the City of Tallahassee as follows:

Section 1. Section 5-9, Amendments or changes to this chapter, Article I, General Provisions, of Chapter 5, Environmental Management, Tallahassee Land Development Code, is amended to add provisions related to the Leon County County-Wide Minimum Environmental Regulations, as follows:

Section 5-9. Amendments or changes to this chapter.

(1) The city may initiate changes to this chapter as may be considered necessary from time to time.

(2) To ensure that changes to this chapter are consistent with the Leon County minimum county-wide environmental standards and regulations, prior to adoption of an ordinance amending Section 5-12, 5-54 through 5-57, 5-81 through 5-83, 5-85 through 5-89, or Article V of this chapter, the proposed changes shall be reviewed by Leon County pursuant to the review procedures set out in the Interlocal Agreement between the City and Leon County approved May 8, 2012 by the Leon County Board of County Commissioners and approved May 23, 2012 by the City Commission.

(3) Any ~~such~~ changes to this chapter must be reviewed by the Tallahassee-Leon County Planning Commission, which shall make a finding of whether the proposed changes are consistent with the comprehensive plan and formulate an overall recommendation to the commission. Amendments or changes to this chapter shall only be made by ordinance of the commission after a duly noticed public hearing as prescribed by law.

Section 2. Section 5-12, Definitions, Article I, General Provisions, of Chapter 5, Environmental Management, Tallahassee Land Development Code, is amended to add or revise the following definitions, as follows:

Sec. 5-12. Definitions.

Unless specifically defined in this section, words or phrases used in this chapter shall be interpreted so as to give them the meaning they have in common usage and to give this chapter its most effective application in consideration of its stated objectives.

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Certified arborist means an arborist certified by the International Society of ~~Arborists~~Arboriculture.

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Native forest means a high quality natural community that:

(1) Is dominated by native species including trees, understory vegetation, and wildlife,

(2) Is structured as a forest type described in the Florida Natural Areas Inventory (FNAI) publication, "Guide to Natural Communities of Florida" or Leon County's publication titled "Natural Plant Community Criteria", as appropriate and

(3) Meets ~~that~~ the FNAI publication's rarity ranking of S1, S2, ~~or~~ S3 or S4.

Standard professional measures will be used to evaluate the quality of the subject area along with other biological and physical factors that may be evident.

A high quality natural community generally possesses the following characteristics:

(1) The plant species composition includes most of the more common species typical of their natural community type;

(2) The community contains or may contain ~~relatively small numbers of exotic plants, or includes~~ exotic plants that ~~could be easily~~can be controlled by prescribed burning or other forms of management;

(3) Evidence of historical disturbance may be present, but disturbance has not destroyed or prevented the re-establishment of a mature natural community type; and,

(4) The community is not substantially disturbed by recent human activities, except for such disturbances as low intensity forestry activities that allow the natural community to recover to previous conditions.

Native forest areas in which there has been unauthorized activity resulting in a violation of this chapter shall not be excluded from protection as provided herein.

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Stormwater management system means the structural, non-structural, 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 re-use water in order to prevent erosion, excessive ponding, flooding, overdrainage, environmental degradation, or water pollution, or otherwise affect the quantity or quality of stormwater.

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Wetland means an area within the landward extent of surface waters of the state, pursuant to ~~Rule 62-3.022~~applicable rules in the~~,~~ Florida Administrative Code, or any area which is inundated or saturated by surface water or groundwater at a frequency and a 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 above. 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, marshes, bayheads, bogs, cypress domes and strands, sloughs, wet prairies, riverine swamps and marshes, hydric seepage slopes, temporary natural ponds, tidal marshes, mangrove swamps and other similar areas.

(1) *Altered wetland* means wetlands that have been degraded to the extent that their ecological value has been impaired to the extent that they no longer support recognizable wetland plant communities and they have lost all beneficial functions related to water

quality and ground water recharge and cannot be reestablished except through anthropogenic restoration.

(2) *Unaltered wetland* means any area included within the landward extent of surface waters of the state, pursuant to applicable rules in the Florida Administrative Code~~Rule 17-3.022, FAC~~, or an area which does or under normal circumstances would support hydric vegetation, aquatic life or hydric soils or saturated or periodically saturated non-soil substrates or frequently flooded depressional map units. Wetlands generally include swamps, marshes, bogs, sloughs, wet meadows, river overflows, mud flats, sand flats, seepage slopes, temporary ponds, baygalls, pocosins and similar areas. All isolated wetlands that meet any of the aforementioned criteria will be regulated as unaltered wetlands.

Zoning district description means where reference is made to uses or zones herein, the following definitions shall apply:

(1) *Agricultural uses or zones* means properties zoned rural or used for bona fide agricultural use authorized in such zoning classification;

(2) *Single-family and two-family residential uses or zones* means properties ~~zoned RA, R-1, R-2, R-3, LP, UF, RP-1, RP-2, RP-MH, RP-UF, or RP-R or~~ used primarily for single-family or duplex residential purposes;

(3) *Single, two-family, and multi-family residential uses or zones* means properties zoned R-4.

(4) *Medium density residential uses or zones* means properties ~~zoned MR-1 or~~ used primarily for multi-family residential purposes;

(5) *Office/residential uses or zones* means properties ~~zoned OR-1, OR-2, OR-3, or OA-1 or~~ used primarily for office purposes;

(6) *Commercial uses or zones* means properties ~~zoned CP, C-1, C-2, CM, UP-1, UP-2, AC, CU, RO, DI, SCD, CCPD or UT or~~ used primarily for commercial purposes;

(7) *Industrial uses or zones* means properties ~~zoned M-1 or I or~~ used primarily for industrial purposes;

(8) *Manufactured home residential uses or zones* means properties ~~zoned R-5 or MH or~~ used primarily for mobile home subdivisions, mobile home/single-family subdivisions, or mobile home park purposes.

(9) *Specialty zoning districts* means properties zoned ~~CPA, TPA,~~ PUD, DRI, or OS.

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Section 3. Section 5-61, Intensity of zoning districts, Article III, Review and Inspection Process, of Chapter 5, Environmental Management, Tallahassee Land Development Code, is amended to update the zoning district designations, as follows:

Sec. 5-61. Intensity of zoning districts.

For the purposes of this article, the relative intensity of zoning districts shall be determined according to the hierarchy of zoning district groups listed below, which is in the order of more intense groups to less intense groups. Rezoning applications from group (3) to group (2), from group (3) to group (1), and from group (2) to group (1) shall be accompanied by a natural features inventory, as set forth in subsection (1) of this section. Rezoning applications involving zoning districts within each group and rezoning applications from group (1) to group (2), from group (1) to group (3) and from group (2) to group (3) are not required to be accompanied by a natural features inventory. Rezoning applications from the PD and PUD zoning districts and

rezoning applications involving the DRI zoning district may require a natural features inventory and environmental impact analysis, depending on the relative intensity of the proposed zoning district and other factors as determined by the director in consultation with Tallahassee-Leon County Planning Department.

(1) GROUP #1: CU-18 Central Urban District (CU18), CU-26 Central Urban District (CU-26), CU-45 Central Urban District (CU-45), Activity Center (AC), University Transition (UT), ~~Target office/retail growth area (RO), Institutional/Cultural/University Transition (DI),~~ Special Character (SCD), ~~Capital Center Planning District (CCPD),~~ Central Core (CC), Industrial (I), Government Operational-2 (GO-2), Office Residential (OR-3), Medical Arts Commercial (CM), Commercial Parkway (CP), Urban Pedestrian (UP-2), Light Industrial (M-1), Interchange Commercial (IC), All Saints Neighborhood Infill/Low Intensity (ASN-A), All Saints Neighborhood Infill/Moderate Intensity (ASN-B), All Saints Neighborhood Corridor Mixed Use District (ASN-C), All Saints Neighborhood Civic Center Corridor Mixed Use District (ASN-D), University Urban Village (UV), Mahan Corridor Node (MCN).

(2) GROUP #2: Single-, Two-, and Multi- Family Residential (R-4), CU-12 Central Urban District, Medium Density Residential (MR-1), Medium Density (MR), Airport Vicinity (OA-1), Office Residential (OR-1 & OR-2), Neighborhood Commercial (C-1), General Commercial (C-2), Government Operational-1 (GO-1), Urban Pedestrian (UP-1), Mahan Corridor Ring (MCR), Neighborhood Boundary Office (NBO).

(3) GROUP #3: Open Space (OS), Rural (R), Urban Fringe (UF), Lake Protection (LP), Residential Acre (RA), Residential Preservation (RP-1 & RP-2), Residential-Rural (RP-R), Residential-Urban Fringe (RP-UF), Residential-Manufactured Home (RP-MH),

Single-Family Detached—Residential (R-1 & R-2), Single- and Two-Family Residential (R-3), Manufactured Home and Single-Family Detached (R-5), Manufactured Home Park (MH).

Section 4. Section 5-81, Conservation and preservation area development standards, Article IV, Development Standards, of Chapter 5, Environmental Management, Tallahassee Land Development Code, is amended as follows:

ARTICLE IV. - DEVELOPMENT STANDARDS

Sec. 5-81. - Conservation and preservation area development standards.

f. *Active karst features (sink holes).* All development activities shall comply with the requirements of subsection 5-86(i) and:

1. The area within the uppermost contour of an active sink, as specified in the natural features inventory and determined by standard geotechnical evidence in consideration of soil types, slope, vegetation, topography, and geologic features, plus a minimum buffer width of 35 feet, shall remain natural and shall be placed into a conservation easement;

2. The karst feature shall be protected from sedimentation or other debris during construction.

3. Discharge of stormwater runoff into any active sinkhole shall conform to the following:

A. *Runoff treatment*. Runoff to be discharged directly into the sink shall be treated to comply with Section 62-28.700(2), Florida Administrative Code, prior to discharge;

B. *Discharge rates*. Discharge rates and volumes into the sinks shall not exceed pre-development rates and volumes;

C. *Discharge prohibitions*. Any intensive land use shall not discharge any stormwater runoff into an active sink.

4. Conservation easements are required to be dedicated to the city for karst features.

g. *Canopy roads*. Canopy road citizens' committee review is required when impact is proposed within the canopy road tree protection zone. Development can be permitted at a density consistent with the density allowed by the existing land use, provided the following are done:

1. No clearing may occur in the canopy road zone (100 feet from centerline of the road) unless authorized for legal access (provided no other alternatives exist), 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 Director and the city Traffic Engineer provided they meet the following criteria:

(a) Sidewalks shall be a maximum of 6 feet in width. The City Manager or designee can allow up to a maximum of 10 feet in width if mitigation is sufficient to offset the negative impacts to the canopy. In determining whether a sidewalk will be permitted in the canopy road overlay, the impacts to

other conservation/preservation areas will be considered. A natural feature inventory/environmental impact analysis shall be submitted for assessment and determination of placement of the sidewalk. In cases where the proposed sidewalk would detrimentally impact other conservation/preservation areas in the canopy road overlay, as determined during the environmental impact analysis, the sidewalk shall not be permitted. Emphasis shall be on placing the sidewalk such that impacts to trees and native vegetation are minimized. Temporary construction easements may be utilized during construction; in no case shall the sidewalk and temporary construction easement exceed a total of ~~15~~ 10 feet in width.

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Section 5. Section 5-83, Tree protection and removal standards, Article IV, Development Standards, of Chapter 5, Environmental Management, Tallahassee Land Development Code, is amended as follows:

Sec. 5-83. Tree protection and removal standards.

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(c) *Exemptions.* Tree removal under one or more of the following circumstances shall not require a permit and replanting/debits shall not be required:

. . .

(6) *Approved silvicultural activities complying with requirements found in section 5-84* Tree removal, except for patriarch tree or any tree in a canopy road tree protection zone, necessary for a project which the director has determined is a bona fide agricultural use provided that an environmental management permit for

the project has been approved by the director pursuant to section 5-56 of this chapter.;

(7) *Noxious invasive trees.* Upon verification by the city urban forester, or city growth management department, land use and environmental services division:

a. Chinese Tallow.

b. Mimosa.

c. Tung Oil.

d. Chinese Umbrella Tree.

e. China Berry.

f. Trees listed in the "nuisance trees list" by department of environmental protectionFlorida Exotic Pest Plant Council Invasive Plant List (Class I and II species) or other accepted list as approved by the Director;

(8) *Existing utility easements.* Upon approval by the director, the removal of any tree, that is the result of voluntary growth, within any utility easement or utility right-of-way that is required to inspect, maintain and construct improvements to the existing utility infrastructure within the easement or right-of-way. This provision does not apply to trees that were retained from prior permits. This provision applies only to work performed by or under the direction of a city-owned utility, and will not be considered exempt unless approved by the director on a case-by-case basis. This provision is intended to allow the continued operation of existing utilities and is not to be used to extend infrastructure where no infrastructure

currently exists. This provision shall not be applied to conservation and preservation areas~~.~~;

(d) Protected trees. The following trees are protected and shall not be removed, impacted or damaged without receiving an approved environmental management permit complying with the requirements of the chapter:

(1) Pre-development. Any tree of two inches DBH or greater.

(2) During development and post-development.

a. Any dogwood (Cornus florida) tree of ~~eight~~ four inches DBH or greater;

b. Any hardwood or long leaf pine tree of 12 inches DBH or greater;

c. Any tree of 18 inches DBH or greater;

d. Any tree four inches DBH or greater which is located in the lot perimeter zone of any development site except for sites being developed for detached single-family dwellings. The lot perimeter zone is the building set back or 20 feet, whichever is less;

e. Any patriarch tree;

f. Any tree within a canopy road tree protection zone;

g. Any tree in a wetland;

h. Any tree planted to meet the replanting, reforestation, or landscaping requirements of this chapter;

i. Any exceptional specimen trees, identified by the city urban forester, ~~city landscape architect~~certified arborist or city environmental biologist.

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(g) *Tree protection requirements*. It is the intent of this subsection to preserve the community's existing native tree canopy and vegetative understory. In order to maintain the integrity of existing trees, it is necessary to protect the root systems of individual trees that are contained within the critical protection zone (CPZ) from impacts associated with development activity. It is also the intent of this subsection to give priority to preserving the more enduring tree species, inclusive of current health, size and form. The following requirements shall apply:

. . .

(6) *Tree mitigation techniques*. It is the intent of this subsection to preserve mature trees and to promote tree safety. As an incentive to preserve existing trees, when the following arboricultural mitigation techniques are employed in their entirety, the director may defer the tree replacement requirements. No credit will be given and no debits will be charged for successfully mitigated trees. Additional arboricultural mitigation techniques not specified below may be approved when supported with scientific documentation. Documentation supporting proposed mitigation measures shall be submitted with the application for an environmental management permit. The information shall be reviewed and approved by the director in consultation with a ~~city registered landscape architect or~~ certified arborist. The mitigation plan shall be prepared and administered by the permittee's registered landscape architect or certified arborist. Documentation detailing the mitigation efforts prepared by the landscape architect or certified arborist shall be included in the landscaping and urban forest compliance report prepared in accordance with section 5-64, by the permittee's landscape professional seven days prior to requesting a final environmental inspection. Reconciliation of the

deferred tree replacement requirements shall occur at time of submittal of the compliance report in accordance with subsection (j). If the arboricultural mitigation techniques are deemed sufficient by the director, the deferred tree replacement requirements shall be waived. The arboricultural mitigation techniques shall include, but not necessarily be limited to, the following:

. . .

d. *Root pruning*. Root pruning shall occur as far in advance as possible prior to site grading, earthwork, excavation or any other activity which may damage the roots of a tree proposed for mitigation, in all areas where demolition or new construction requires removal of existing roots (i.e. excavation/construction of footings, retaining walls, curbs, paving and base). Roots shall be cut with a mechanical trenching device to a minimum depth of 18 inches. Where possible, all trenching within the critical protection zone (CPZ) shall be done by hand or an air spade and followed immediately by a clean-cut hand pruning of all roots greater than ¾-inch diameter. Where it is not possible to hand trench, mechanical trenching may be approved by the city's environmental inspector. All pruned/cut roots shall be covered as soon as possible with topsoil, mulch, or other organic medium. Any root-pruning areas that cannot be protected by immediate backfill replacement shall be covered with burlap and wetted to retard soil/root dehydration. The cutting of all major support roots or roots greater than six inches diameter or within ten feet of the trunk collar, shall be reviewed in the field by the city's environmental

inspector~~, a landscape architect~~ or a certified arborist. This inspection shall determine if a tree designated to remain, may have to be removed due to the size of the cut and the possibility of the tree becoming a future liability.

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f. *Soil aeration*. Where soil compaction has occurred within the critical protection zone (CPZ) of protected and desirable trees on site, an aeration method, approved by ~~the city's landscape architect or~~ a certified arborist shall be required. The soil aerating method used shall be applied to a depth no less than eight to ten inches, below original grade and spaced no greater than 24-inches, staggered spacing. Based on soil analysis and compaction, it may be necessary to recommended that a high nitrogen (3-1-1 ratio) slow release fertilizer mixed with peat moss and gypsum or peat moss and sand (1-5-2 ratio) mix be back filled into the aeration holes. Commercial fertilizer applications shall be in accordance with the requirements of the chapter 9, article V, of the Code of General Ordinances regarding fertilizer use, and performed by an individual holding a City approved best management practice training certificate.

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(k) *Plant list A*. Includes many native and selected non-native species, including species that rapidly colonize disturbed sites. These shall include the following:

PLANT LIST A

Common Name	**Scientific Name**

Sand pine	Pinus clausa
Shortleaf pine	Pinus echinata
Slash pine	Pinus elliottii
Loblolly pine	Pinus taeda
~~Cabbage palmetto~~	~~Sabal palmetto~~
Red Maple	Acer rubrum
River birch	Betula nigra
Persimmon	Diospyros virginiana
Blueberry	Vaccinium spp.
Willow oak	Quercus phellos
Laurel oak	Quercus hemisphaerica
Water oak	Quercus nigra
Sweetgum	Liquidambar styraciflua
Sassafras	Sassafras albidum
Water-locust	Gleditsia aquatica
Honey-locust	Gleditsia triacanthos
Black-locust	Robinia pseudoacacia
Osage-orange; Bois D'arc	Maclura pomifera
Mulberry	Morus spp.

Sycamore	Platanus occidentalis
Southern crabapple	Malus angustifolia
Plum and Cherry	Prunus spp.
Willow	Salix spp.
Hackberry	Celtis spp.
Bradford Pear	Pyrus calleryana
Burford Holly	llex cornuta 'Burfordii'
Crepe Myrtle	Lagerstroemia indica
Fosters Holly	llex x attenuata 'Fosteri'

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Section 6. Section 5-85, Landscaping and urban forest standards, Article IV, Development Standards, of Chapter 5, Environmental Management, Tallahassee Land Development Code, is amended as follows:

Sec. 5-85. - Landscaping and urban forest standards.

(a) *Applicability*. The following requirements and standards for urban forest and landscaping shall apply to all new development and redevelopment in the city except as specified in article V, this section, and section 10-281 affecting development within the Multi-Modal Transportation District (MMTD). The information shall be provided in the form of an urban forest and landscape plan submitted as part of the environmental management permit application, with the exception of any site located within the Bradfordville Study Area, which must meet the requirements of section 5-89 of this Code.

(b) *Exemptions.* The following exemptions from the requirements of this section shall apply:

(1) Residential and agricultural. Individually-owned mobile homes, individual detached single-family dwelling units, one two-family dwelling unit, one triplex, one single-family attached building with no more than two units or bona fide agricultural uses shall be exempt from the urban forest and landscaping requirements of this section.

(2) Planned unit developments (PUDs) and urban planned unit developments (U-PUDs). The specific landscaping and urban forest requirements set forth in this section shall not apply to PUDs or U-PUDs located in the ~~Central Core Area~~MMTD provided the PUD/U-PUD is found consistent with the PUD/U-PUD requirements set forth in ~~the land development~~ this code and the comprehensive plan by the planning commission and city commission. As part of a PUD/U-PUD application in the ~~Central Core area~~MMTD, the applicant shall propose a set of landscaping and urban forest standards unique to the PUD/U-PUD. The planning commission shall review the specific amount of landscaping and urban forest proposed by the applicant on a case-by-case basis for consistency with the Comprehensive Plan.

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Section 7. Section 5-86, Stormwater management design standards, Article IV, Development Standards, of Chapter 5, Environmental Management, Tallahassee Land Development Code, is amended as follows:

Sec. 5-86. Stormwater management design standards.

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(c) *Water quality treatment standards.*

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(4) *Runoff buffers*. For sites that will contain less than 10,000 square feet or ten percent of impervious surface, whichever is less, runoff buffers may be allowed. Runoff buffers are alternatives to stormwater treatment facilities. They shall utilize landscaped buffers or urban forest areas as a means of treating runoff. The applicant shall demonstrate that no adverse impacts will result and that the purposes and standards of this section are met.

(d) *Rate control standards*.

(1) *Generally*. On-site peak post-development stormwater discharge rates shall not exceed the peak predevelopment discharge rates for all intensities, durations, and return frequencies up to and including ~~critical duration storms with return period frequency of up to and including~~ the 25-year storm period. The stormwater analysis shall demonstrate that total post-development discharges and stages shall not exceed the capacity on any downstream link, or if a level of service deficiency exists, it shall not be increased. The critical duration storm shall be considered that duration storm that produces maximum rates for any given frequency. When new development or redevelopment is occurring on a site, the analysis of pre-development runoff shall use the current site conditions. These rate control requirements shall not apply to discharges made to off-site stormwater facilities as provided for in section (h) of this section or to discharges directly into waterbodies which are of sufficient size to receive the discharges with negligible adverse effects. Stormwater software models shall be acceptable to the director.

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(e) Volume control standards in regulated closed basins.

(1) Generally. A closed basin is defined as any naturally depressed portion of the earth's surface for which there is no natural outlet for runoff other than percolation, evaporation, or transpiration. A closed basin shall be regulated if it can be shown that cumulative increases in runoff volume from potential development patterns will cause an adverse impact on the frequency, duration, or extent of flooding. This determination shall be based on a hydrologic analysis. Regulated closed basins shall comply with the following requirements.

(2) Volume control standards. Runoff volumes within regulated closed basins in excess of the predevelopment runoff volume shall be retained for all storm events up to a 100-year, 24-hour duration storm, with the following exceptions:

a. Regulated closed basins that "overflow" or "pop-off" shall provide volume control for all 24-hour duration storm events up to the frequency of the storm that naturally over-flows the basin.

b. If multiple development sites are located within the closed basin, said excess volume may be discharged to an approved regional retention facility located within the closed basin, pursuant to subsection (h) of this section.

(3) One-hundred-year storm event flood elevation. On-grade structures or other development activity shall not be allowed below the 100-year flood elevation except those which are approvable under this chapter, and relate to landscaping, stormwater management, sidewalks, roads, and outside passive recreation facilities. All property of the applicant located within the 100-year storm event floodplain shall be encumbered with a conservation easement. This

easement shall be dedicated to the city. The conservation easement shall prohibit all uses which violate this restriction.

(4) Inter-basin transfers. Transfer of stormwater runoff from a closed basin to another drainage basin, shall not be allowed except when either 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. An assessment has been made, to the satisfaction of the director, indicating minimal negative impacts to the receiving watershed relative to water quality, quantity, and rate of discharge. The assessment of impact to the receiving watershed shall be a detailed study. This study shall address the specific impacts of the immediate development activity proposed, and the potential cumulative impact on the receiving watershed and waterbodies that would result from continued inter-basin transfers within the watershed.

(f) Stormwater management facilities design standards. All stormwater systems shall be designed using the latest edition of the Florida Department of Environmental Protection's Florida Development Manual, or other methods as approved by the director, to prevent violations of state water quality standards.

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(11) *Plant material requirements*.

a. *Wet detention facilities.*

1. *Pond perimeter*. Appropriate species of aquatic plants, as approved by the growth management biologist, shall be placed so as to provide a

continuous planting along 80 percent of the perimeter defining the pond's mean high water level within ~~three~~ two years of planting.

2. *Pond area.* Planting specifications and species for stormwater management facility landscaping shall be suitable for individual pond characteristics of soil, slope, aspect, hydroperiod and microclimate, and approved by the growth management biologist.

b. *Dry detention/retention facilities.*

1. All swales and berms shall be sodded.

Appropriate species of shrubs and understory trees shall be grouped so as to provide an aesthetically pleasing appearance, as determined by the growth management biologist.

Planting specifications and species for stormwater management facility landscaping shall be suitable for individual pond characteristics of soil, slope, aspect, hydroperiod and microclimate and approved by the growth management biologist.

(12) *Use of Sediment Sumps.* Sediment sumps shall be located at all points of concentrated inflows into the pond.

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Section 8. Article IV, Development Standards, of Chapter 5, Environmental Management, Tallahassee Land Development Code, is amended by adding Section 5-89, Additional Standards for the Bradfordville Study Area, as follows:

Sec. 5-89. Additional Standards for the Bradfordville Study Area.

For those properties within the Bradfordville Study Area, these provisions shall be supplemented by the more stringent standards set forth in the Leon County Code of Ordinances, as reproduced below:

Sec. 10-4.381. - Intent of Bradfordville standards.

It is the intent of this subdivision to provide more stringent standards that will protect the unique natural features within the Bradfordville Study Area. The requirements of this subdivision are supplemental to the requirements of the Leon County Environmental Management Act (EMA). If there are any standards in any other part of the EMA which are more restrictive than the standards set forth herein, the more restrictive standards shall apply. The Bradfordville Study Area is that area so defined in the Bradfordville Sector Plan adopted by the Leon County Board of County Commissioners on July 11, 2000.

Sec. 10-4.382. - Stormwater treatment standards within the Bradfordville study area.

Stormwater runoff from new development in the Bradfordville study area shall meet the standards set forth in this section in addition to other standards within Article IV.

(a) *Stormwater runoff shall be treated to one of the following standards below:*

(1) *Systems utilizing on-line dry retention only.* A volume of runoff calculated as four inches times the total impervious area that will be situated on the site shall be retained on the site or in an approved master stormwater facility. This calculation can exclude the wetted area of the pond/stormwater facility. This volume of runoff shall be collected from the entire developed portion of the site and directed to on-line dry retention storage. Retention can occur in cisterns, ponds, shallow swales, landscaped areas, or natural areas.

(2) *Systems utilizing a combination of off-line dry retention and detention:*

a. Off-line retention shall be provided with a treatment volume calculated as two and one-half inches times the total impervious area on the site.

b. Detention portion of system—In addition to the dry retention volume, one of the following detention options shall also be provided:

1. Dry detention systems will provide a treatment volume calculated as two inches times the total impervious area on the site, or

2. Wet detention system with a permanent pool volume equivalent to two and nine-tenths inches times the impervious area on-site.

c. The calculation of the above volumes can exclude the wetted area of the stormwater facility.

d. Runoff from the entire developed portion of the site shall be directed in sequence to each of the above facilities.

(b) *Drawdown requirements:*

(1) For on-line dry retention (subsection (a)(1) above), the entire treatment volume must recover within 72 hours.

(2) For off-line dry retention (subsection (a)(2)a. above), the entire treatment volume must recover within 24 hours.

(3) For dry detention systems (subsection (a)(2)b.1. above), the treatment volume must recover within 72 hours. Dry detention systems will not include underdrains but will utilize an orifice or V-notch weir for drawdown. The bottom of the drawdown device will be a minimum of six inches above the pond bottom.

(4) For wet detention systems (subsection (a)(2)b.2. above), the bottom of the weir crest will be a minimum of 12 inches above the normal water level (seasonal high groundwater table elevation).

(5) Regardless of the method of volume recovery, the entire retention volume must recover within the time frame established above unless an approved continuous analysis, using Tallahassee Airport rainfall data from January 1, 1959 to December 31, 1998, demonstrates that the total volume retained within the stormwater system over the 40-year period is greater than or equal to that retained by a dry retention system as set forth in subsection (1) based on the above described recovery times. For systems requiring a combination of retention and detention, this analysis shall only be used for the retention portion of the system. The detention portion of this combination system will still be required in full pursuant to subsection (a)(2)b.

(c) For calculating the treatment volume required for pervious pavements and graveled areas, initially such surfaces shall be assumed to be 100 percent impervious, then deductions in the required treatment volume for such areas can be taken that is equivalent to:

(1) The porosity of the pavement material times the thickness of the paving material times a safety factor of five-tenths.

(2) If, and only if, the soils immediately underlying the pavement for a depth of 18 inches have a permeability of three inches per hour or greater, as demonstrated by on-site percolation tests, then a further deduction can be taken equivalent to the porosity of the soil strata times four inches times a safety factor of five-tenths.

The above deductions will be allowed provided that the applicant specifically commits, in his stormwater operating permit, to regularly sweep/vacuum the area covered with pervious

pavement and to verify the pavement's percolation capacity when the operating permit is renewed.

(d) *Groundwater table:*

(1) Where volume recovery is to be by percolation, groundwater mounding calculations to demonstrate recovery of the retention volume pursuant to the requirements set forth in subsection (b) above shall be required unless the applicant conclusively demonstrates by other engineering methods that pond recovery will not be adversely affected by an elevated groundwater table. If the bottoms of all retention areas intended to percolate stormwater are shown by soil borings to be less than three feet above the historical wet-season high water table, a mounding analysis shall be required.

(2) For dry detention systems, the bottom elevation of the detention basin shall be a minimum of one foot above the historical seasonal high groundwater table.

(e) Where volume recovery is to be by irrigation, the rate of land application shall not exceed one and one-half inches per week unless the applicant can conclusively demonstrate that the on-site soil conditions and vegetation warrant a higher application rate. Under no circumstances shall irrigation water be allowed to discharge from the irrigation-site.

(f) The requirements in this section shall not preclude the applicant from voluntarily choosing to design and construct the on-line dry retention facility as an off-line facility.

(g) *Facility design standards.*

(1) Facility configuration: All on-line facilities shall have a flow-path-length to flow-path-width ratio of 2:1 or greater. The inlets and outlets shall be on opposite ends of the facility. If this is not possible, the effective flow length shall be increased by adding diversion barriers within the facility as necessary to provide this minimum flow length.

(2) Retention ponds/areas shall have 4H:1V maximum side slopes on a sufficient length of the perimeter to allow adequate maintenance access to the bottom of the facility. If any of the side slopes are steeper than this, a security fence shall be placed completely around the perimeter of the facility and located exterior to the maintenance access ways. The fence shall not be required if the pond depth is less than 18 inches.

(3) Wet detention ponds shall have 6H:1V maximum side slopes to two feet below the normal water level, then a maximum side slope of 2H:1V to the bottom.

(4) Retention facilities shall have flat bottoms in order to maximize the surface area for percolation.

(5) Maintenance access requirements:

a. For every facility, the owner or developer shall provide, at a minimum, a 15 feet wide clear and stable access to the facility from the nearest "public" right-of-way or road. Such access shall be evidenced by a recorded reservation or grant of an easement, which shall run with the land, to the benefit of the county.

b. For retention facilities with an overall depth greater than 18 inches, provide, at a minimum, a 15 feet wide clear, level and stable access around a sufficient portion of the perimeter of the facility, that is inside of any fences and external to the top-of-bank of the facility, to allow adequate maintenance from dry land. For retention facilities with an overall depth of 18 inches or less, provided the facility has side slopes of four horizontal to one vertical (or less) on at least one side of the facility, the applicant can provide the above access on the sloped side of the facility only. Any access required by the provisions of this subsection shall be

evidenced by a recorded reservation or grant of an easement, which shall run with the land, to the benefit of the county.

c. The minimum inside radiuses of all access ways shall be 20 feet.

d. personnel and mechanized equipment shall be provided to all inlet and outlet structures.

e. If Leon County is proposed to be the maintenance entity for any stormwater management facility permitted under this section, either by dedication, or by reservation of an easement, or by any other process, the applicant shall submit the engineering design for the facility directly to the Leon County Department of Public Works for its review and approval as to the adequacy of maintenance access to the facilities. An environmental permit shall not be issued until the applicant demonstrates, in writing, the approval of the department of public works.

(6) *Skimmer/trash rack requirements:*

a. Trash/leaf traps with easy maintenance access shall be provided at key inlets and all outlets from a facility unless the applicant can conclusively demonstrate that it is not possible.

b. All outlet structures shall have an oil skimmer that extends above and below any outlet structure opening.

(7) *Energy dissipation requirements:*

a. Energy dissipation devices sufficient to prevent erosion and resuspension of loose sediments shall be placed on all inlets to retention facilities.

b. Energy dissipation devices sufficient to prevent downstream channel erosion shall be placed at the outlets of all retention facilities.

(8) *Stabilization of stormwater treatment facilities:* All berms and side slopes shall be stabilized with pinned sod. Pond bottoms can be seeded and mulched. Restabilization by the contractor or owner shall be necessary until such time that the sod is fully rooted and otherwise well established.

(9) *Rate control* as required in subsection 10-4.302 can be provided within any of the above water quality treatment facilities provided that the water quality treatment as required within this section is fully satisfied prior to any overflow/discharge from the facility.

Sec. 10-4.383. - Wetlands within the Bradfordville Study Area.

(a) *Jurisdictional determination.* The beneficial functioning of wetlands as areas for the natural storage and filtration of surface water runoff shall be protected, and shall be enhanced where functional degradation has occurred. Final determination of a wetland area, if in question, shall be made by the county administrator or designee based on a site inspection and the documentation of findings pursuant to the definition of a wetland in Chapter 62-340, F.A.C.

(b) *Boundary determination.* Determination of the actual extent of a wetland area on a development site shall be made by a qualified professional retained by the applicant, based on soils analysis, botanical review surveying, or other standard engineering or environmental analysis practices, and subject to review and approval by the county administrator or designee.

(c) *Protection of topography and hydrocycle.* Existing natural topography shall be maintained within wetland areas. No alterations shall be made within a wetland area to the natural fluctuation of water levels or flows unless such alterations are part of an approved

stormwater detention or retention system, or unless such alterations are necessary for an approved utility system. In either case, such alterations are limited to wetlands which have been determined to be degraded to the extent that their ecological functions have been significantly and detrimentally degraded. As a condition of the use of such a wetland, the design of the overall wetland alteration shall result in the substantial re-establishment of the natural functioning of the undisturbed portion of the wetland as described in the 1988 DER Florida Development Manual Guide to Sound Land and Water Management, or its successor publication. Wetlands which have been cleared as the result of silviculture operations, wetlands which have been subjected to animal activity during agricultural operations, wetlands which have been disturbed through activities which are a violation of the Leon County Code, and as determined by the county administrator or designee, wetlands which may have their beneficial level of functioning restored through natural processes, will not be considered degraded for the purposes of this subsection. If none of these conditions apply, the county administrator or designee shall determine a wetland to be significantly and detrimentally degraded if at least four of the five following conditions apply:

(1) No evidence of utilization by wildlife (mammals, aquatic birds, reptiles, amphibians, fish, and invertebrates) whose life cycles are dependent on wetland communities.

(2) Vegetation if present is not indicative of a natural community type recognized in published scientific literature.

(3) Greater than 75 percent of the vegetation is comprised of upland plant species or undesirable exotic species.

(4) Evidence of draining, ditching, dredging, filling, or sediment deposition that has negatively impacted the hydrology of the feature.

(5) Physical quality of soil is reduced as evidenced by pore size, rupture resistance, and structure.

Sec. 10-4.384. - Best management practices for conservation and preservation areas.

Best management practices shall be used in conjunction with all new development and all redevelopment in areas within designated canopy road corridors or within 50 feet of any floodplain, floodway, wetland, waterbody, natural watercourse, high quality successional forest, native forest, active karst feature, habitat area of any endangered, threatened, or special concern species, or any other environmentally sensitive area as identified in the Tallahassee-Leon County Comprehensive Plan, Conservation Element. Notwithstanding anything to the contrary in the definition of best management practices set forth in section 10-1.101, the best management practices for conservation and preservation areas within the Bradfordville Study Area are set forth below and are in addition to any other best management practices required by any provision of this Code:

(1) Buffering, which shall include vegetated berms along the lower contours of lots, so as to provide or improve wildlife habitat and to improve water quality. Berms or buffers shall be vegetated with natural indigenous vegetation suitable for soil and hydrology of the site.

(2) Restricted use of pesticides, herbicides, and fertilizers to those materials which have rapid decomposition characteristics, are labeled for aquatic use, and are used at the lowest possible label rates. Fertilizer constituents should have at least 50 percent slow release characteristics, be applied at the lowest labeled rate per application, be a non-phosphorous or low phosphorous analysis, and be formulated for good slope retention characteristics.

(3) Preservation or revegetation of natural wetlands, floodways and watercourses.

(4) Use of native, low-fertilization, and low-maintenance vegetation.

(5) Regular maintenance and upgrading, as necessary, of septic tanks and approved discharges from washing machines and garbage disposals.

(6) Soil conservation service approved conservation practices, including erosion and sediment control and water quality practices for all agricultural operations.

Sec. 10-4.385. - Natural area requirements.

Maintenance of natural areas. A management plan submitted as part of the environmental management permit application is required for all pre-development vegetation located on the site. No disturbance of any pre-development vegetation or soils shall be permitted prior to the approval of the management plan. Vegetation management shall be allowed for the purpose of integrating pre-development vegetation both visually and physically into the site's master landscape plan. Maintenance guidelines shall be required and provisions made for any supplemental planting, if additional plantings are desired. Approved maintenance activities include pruning of dead and hazardous tree limbs, planting, mulching, fertilization, and pest control. Mechanical methods which compact the earth or impair root systems, or the pruning of limbs greater than ten percent of the green mass of a tree are prohibited, unless otherwise allowed in an approved management plan. Activities that would result in a change in the vegetative composition of the forest community including removal of native species and replacement by invasive/exotics, or the removal of understory and ground cover are prohibited.

Sec. 10-4.386. - Stormwater management facility landscaping.

(a) *Visual screen.* A visual screen shall be placed around the entire perimeter of any detention or retention facility around which fencing is required pursuant to section 10-4.303

(b) *Landscape area credit availability.* As a design alternative, 100 percent credit can be given toward the 25 percent landscape area requirements of section 10-4.344 when stormwater retention facilities meet the minimum standards as follows:

(1) Impoundment water depth is no deeper than 24 inches.

(2) Sediment sumps are to be located at all points of concentrated inflows to the pond.

(3) The pond area allowable for landscape credit shall be defined as the area encompassed by the pond's contour line at the spillway elevation.

(4) Landscaping shall function to visually integrate the stormwater management system into the overall landscape design of the site.

(5) The pond is landscaped in accordance with the following standards:

a. *Planting specifications.* Species selected for stormwater management facility landscaping shall be suitable for individual pond characteristics of soil, slope, aspect and hydro period and micro climate.

b. *Plant material requirements.*

1. Stormwater management facilities are to be landscaped with native species which are well suited to the use within the boundaries of a stormwater management facility, including fluctuating water levels, changes in hydro periods, and anthropogenic impact. Aquatic species which are listed as prohibited by the Florida Department of Environmental Protection cannot be used under any circumstances.

(d) Total tree, shrub, and ground cover requirements within the stormwater management facility area shall be determined using the planting specifications in the "Environmental Design Guide," published by the City of Tallahassee, Growth Management Department, or its successor.

(e) Creative design and spacing of trees, shrubs and ground covers is encouraged.

(f) Plant material. No aquatic plants or plants which are classified as those requiring water on a continual basis for survival shall be permitted. Since dry retention ponds typically possess significant fluctuation in hydro periods, with the potential for extended dry periods, plants must be chosen which are adaptable to either dry or wet conditions, but capable of surviving and growing in either extended periods of inundation or extended periods of drought as referenced in the "Environmental Design Guide," published by the City of Tallahassee, Growth Management Department, or its successor. Other species may be used in dry retention ponds if there is scientific evidence of their adaptability. Creative design and spacing of trees, shrubs and ground covers is encouraged.

(g) Swales and berms. All swales and berms shall be sodded.

Sec. 10-4.387. - Topographic alterations.

All projects involving alteration of the contour, topography, use or vegetative cover of land, shall comply with the "Florida Development Manual—A Guide To Sound Land and Water Management" published by the Florida Department of Environmental Protection.

Sec. 10-4.388. - Notice of violation.

Whenever the county administrator or designee determines that a violation of this article has occurred, the county administrator or designee shall immediately issue written notice to the person in violation, identifying the nature and location of the violation and specifying that remedial action is necessary to bring the violation into compliance. For purposes of this section, the person in violation shall include the owner of the site and any and all contractors, agents or other individuals actually violating any of the provisions of this article. The person in violation shall immediately, conditions permitting, commence remedial action and shall have three

calendar days after receipt of the notice to correct erosion/sediment control violations, and seven calendar days after the receipt of the notice, or such longer time as may be specified in the notice, to complete all other remedial actions required to bring the activity into compliance with this article.

Sec. 10-4.389. - Stop work order.

(a) *Warranting circumstances.* The director shall have the authority to immediately issue a stop work order in any of the following circumstances:

(1) When clearing or other development of land is being implemented without an approved environmental management permit.

(2) Upon the failure of the permittee, or failure by the property owner if no permit exists, to take immediate corrective action when there is an apparent danger to life or property.

(3) Whenever ongoing non-complying work is not immediately and permanently stopped upon receipt of a written or oral notice of violation.

(4) Whenever tree protection measures have not been implemented or maintained and danger to protected trees exists or appears imminent.

(5) Whenever remedial work required by notice of violation pursuant to section 10-4.388 or section 10-4.602 is not completed in the time period specified.

(6) Upon failure to post a placard indicating existence of an approved environmental management permit.

(7) Upon failure to have the approved environmental management permit and plans available on-site.

(8) Upon the failure of the permittee, or failure by the property owner if no permit exists, to contain sediments on-site.

(9) Whenever there are inadequate or improperly installed erosion and or sedimentation control devices on-site and written or oral notice of violation has been issued.

(b) *Content and scope.* The stop work order shall specify the circumstances which have resulted in issuance of the order. It shall also direct that all work be stopped other than such remedial work as is deemed necessary to bring the project into compliance, or it may specify the cessation of specific work by functional nature, such as clearing, grading, roadway construction, building erection or utility construction. The order may apply to the entire project or to any geographical portions of the project which may be individually specified.

Sec. 10-4.390. - Failure to comply after notice of violation or stop work order.

If the person in violation, including the owner, fails to complete recommended remedial action within the time allowed, fails to take the recommended remedial action after the issuance of a stop work order under section 10-4.388 or section 10-4.603, or if any person continues any development activity in violation of a stop work order, the county administrator or designee shall refer such matter to a duly established code enforcement board or shall initiate any other enforcement action authorized by law.

Sec. 10-4.391. - Immediate corrective actions.

Whenever it is determined by the county administrator or designee that failure to maintain stormwater management facilities or erosion or sedimentation controls, or failure to conform to the provisions of this article or permit conditions, is resulting in danger or damage to life or property, the county administrator or designee require immediate corrective action. Sediment

controls which are breached due to development activity, rain, or other factors shall be repaired within 24 hours of the breach. Initiation of any required clean-up activities, including authorized off-site work, shall commence within 24 hours and shall be completed within a time specified by the county administrator or designee. Failure to take such immediate corrective action when notified of the need for such action shall constitute a violation of this article. If immediate corrective measures are not taken by the permittee or owner and the state of development is such that there is a danger or hardship to the public, the county administrator or designee may enter upon lands, take corrective actions, and place a lien on the real property of such person or persons to recover the costs of the corrective measures; in addition, the county administrator or designee may revoke the operating permit or the environmental management permit, if either exists, pursuant to sections 10-4.604 or 10-4.605. Nothing in this section prohibits the institution of any lawsuit by the county or any property owner with standing for injunction or damages by reason of a breach of this section.

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Section 9. Section 5-127, Environmental appeals, Article VI, Variances and Appeals, of Chapter 5, Environmental Management, Tallahassee Land Development Code, is amended as follows:

Sec. 5-127. - Environmental appeals.

(a) Decisions of the director may be appealed to the Environmental Board.

(b) The Environmental Board shall have the purpose of conducting appeal hearings related to the designation of conservation and preservation areas pursuant to the comprehensive plan and the environmental management ordinance. The Environmental Board may be assigned additional appeal hearings by the Commission.

(c) The decisions of the Environmental Board shall be final; subject, however, to such legal remedy as any aggrieved party might have.

Section 10. Conflicts. All ordinances or parts of ordinances in conflict with this ordinance are hereby repealed to the extent of such conflicts, as of the effective date of this ordinance, except to the extent of any conflicts with the Tallahassee-Leon County Comprehensive Plan as amended, which provisions shall prevail over any parts of this ordinance which are inconsistent, either in whole or in part, with the said Comprehensive Plan.

Section 11. Severability. If any word, phrase, clause, section or portion of this ordinance shall be held invalid or unconstitutional by a court of competent jurisdiction, such portion or words shall be deemed as a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portion of the ordinance.

Section 12. Effective Date. This ordinance shall become effective immediately upon adoption.

INTRODUCED in the City Commission on the 9th day of May, 2012.

PASSED by the City Commission on the 23rd day of May, 2012.

CITY OF TALLAHASSEE

By: _____
John R. Marks, III
Mayor

ATTEST:

By: _____
James O. Cooke, IV
City Treasurer-Clerk

APPROVED AS TO FORM:

By: _____
James R. English
City Attorney