



March 26, 2019

Department of Economic Opportunity  
Division of Community Development  
107 East Madison Street, MSC 160  
Tallahassee, Florida 32399-4120

Re: Adopted Amendments Package

The Tallahassee-Leon County Planning Department hereby submits the adopted small scale amendments for the 2019 Comprehensive Plan Amendment Cycle for the City of Tallahassee and Leon County, amending the joint Tallahassee-Leon County 2030 Comprehensive Plan. These amendments are submitted pursuant to the Joint City-County Commission adoption public hearing on March 12, 2019.

The adopted amendments are being transmitted as small scale amendments under section 163.3187(1), Florida Statutes. The adopted amendments package includes two small scale map amendments:

<u>Amendment</u>	<u>Acres</u>
TMA 2019 002 – Murat Subdivision	9.08
LMA 2019 01 – Tower Road Light Industrial	7.0

The cumulative total number of acres for small-scale amendments approved for the calendar year is approximately 16.08 acres. None of the adopted amendments are within an area of critical state concern. None of the adopted amendments involve a site within a rural area of opportunity.

Enclosed are the following ordinances adopting the comprehensive plan amendments:

- City of Tallahassee Ordinance 19-O-10 adopted March 12, 2019.
- Leon County Ordinance No. 2019-03 adopted March 12, 2019

If you have any questions concerning the proposed amendments, please contact:  
Artie White at (850) 891-6400; 300 South Adams Street, Tallahassee, FL 32301; FAX: (850) 891-6404;  
e-mail [artie.white@talgov.com](mailto:artie.white@talgov.com).

Sincerely,

Cherie Bryant, AICP  
Director  
Tallahassee-Leon County Planning Department

cc:

Jessica Icerman (w/o attachments)  
Lou Norvell (w/o attachments)

**ATTACHMENT #1  
SUMMARY CHART**

**MATRIX FOR 2019 CYCLE AMENDMENTS**

A = Approve  
D = Denial  
AM = Approve as Modified

<i>Item #</i>	<i>Amendment To:</i>	<i>Nature of Proposed Amendment</i>	<i>Planning Staff Recommendation</i>	<i>LPA Recommendation</i>	<i>Board/Commission Position</i>	<i>Status</i>
<b>TMA 2019 002</b>	<b>FUTURE LAND USE MAP Murat Subdivision</b>	<b>From:</b> Residential Preservation <b>To:</b> University Transition 9.08 acres	<b>AM</b> <b>(Approve with Expansion Area)</b>	<b>AM</b> <b>(Approve with Expansion Area)</b>	<b>AM</b> <b>(Approve with Expansion Area)</b>	<b>Small Scale Map Amendment Adopted March 12, 2019</b>
<b>LMA 2019 01</b>	<b>FUTURE LAND USE MAP Tower Road Light Industrial</b>	<b>From:</b> Urban Residential-2 <b>To:</b> Industry and Mining 7.0 acres	<b>A</b>	<b>A</b>	<b>A</b>	<b>Small Scale Map Amendment Adopted March 12, 2019</b>
<b>LMA 2019 02</b>	<b>FUTURE LAND USE MAP Bexar LLC Property</b>	<b>From:</b> Urban Residential-2 <b>To:</b> Suburban 39.5 acres	<b>A</b>	<b>A</b>	<b>A</b>	<b>Large Scale Map Amendment Transmitted March 12, 2019</b>
<b>TTA 2019 005</b>	<b>CAPITAL IMPROVEMENTS ELEMENT Leon County Schools District Facilities Work Program</b>	Update Policy 1.2.8 addressing the process for adopting the District School Facilities Work Program (as an ordinance instead of a Comprehensive Plan amendment) consistent with Florida Statutes.	<b>A</b>	<b>A</b>	<b>A</b>	<b>Text Amendment Transmitted March 12, 2019</b>

**ATTACHMENT #2  
EXECUTED ORDINANCES  
ADOPTING  
SMALL-SCALE  
PLAN AMENDMENTS**



1 with future problems that may result from the use and development of land within the City of  
2 Tallahassee, and to meet all requirements of law.

3 NOW THEREFORE, BE IT ENACTED by the People of the City of Tallahassee, Florida,  
4 as follows, that:

5 **Section 1. Purpose and Intent.**

6 This ordinance is hereby enacted to carry out the purpose and intent of, and exercise the authority  
7 set out in, Sections 163.3161 through 163.3215, Florida Statutes, the Community Planning Act.

8 **Section 2. Map Amendment.**

9 The ordinance does hereby adopt the following portion of the text attached hereto as Exhibit  
10 "A," and made a part hereof, as an amendment to the Tallahassee-Leon County 2030  
11 Comprehensive Plan, as amended, and does hereby amend "The Tallahassee-Leon County 2030  
12 Comprehensive Plan," as amended, in accordance therewith, being an amendment to the following  
13 Plan element:

14 Map Amendment TMA2019002 which relates to the Future Land Use Map.

15 **Section 3. Conflict With Other Ordinances and Codes.**

16 All ordinances or parts of ordinances of the Code of Ordinances of the City of Tallahassee, Florida,  
17 in conflict with the provisions of this ordinance are hereby repealed to the extent of such conflict.

18 **Section 4. Severability.**

19 If any provision or portion of this ordinance is declared by any court of competent  
20 jurisdiction to be void, unconstitutional, or unenforceable, then all remaining provisions and  
21 portions of this Ordinance shall remain in full force and effect.

22 **Section 5. Copy on File.**

23 To make the Tallahassee-Leon County 2030 Comprehensive Plan available to the public, a  
24 certified copy of the enacting ordinance, as well as certified copies of the Tallahassee-Leon

1 2030 Comprehensive Plan and these amendments thereto, shall also be located in the Tallahassee-  
2 Leon County Planning Department. The Planning Director shall also make copies available to  
3 the public for a reasonable publication charge.

4 **Section 6. Effective Date.**

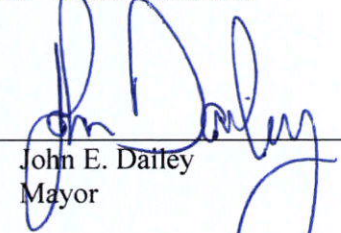
5 The effective date of these Plan amendments shall be according to law and the applicable statutes  
6 and regulations pertaining thereto.

7 INTRODUCED in the City Commission on the 6<sup>th</sup> day of March, 2019.

8 PASSED by the City Commission on the 12<sup>th</sup> day of March, 2019.

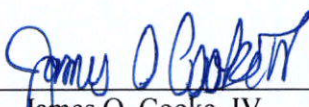
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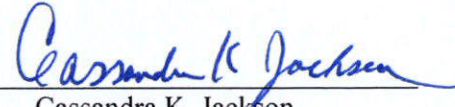
CITY OF TALLAHASSEE

By:   
John E. Dailey  
Mayor

ATTEST:

APPROVED AS TO FORM:

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

By:   
Cassandra K. Jackson  
City Attorney



# Ordinance No. 19-O-10

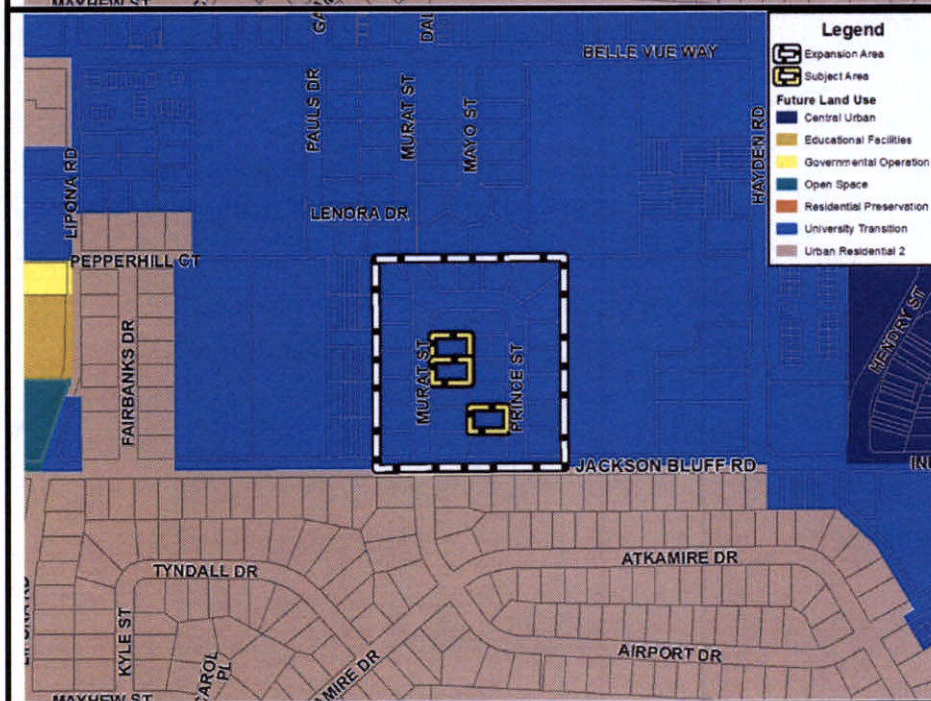
## Exhibit A

### Map Amendment TMA 2019 002



**Formerly**

- Residential Preservation



**As Adopted**

- University Transition





1 having been provided, to obtain public comment, and has considered all written and oral  
2 comments received during said work sessions, public meetings and public hearings; and

3 WHEREAS, pursuant to Section 163.3184, Florida Statutes, the Board of County  
4 Commissioners of Leon County transmitted copies of the proposed amendment to the  
5 comprehensive plan to the Department of Economic Opportunity as the State Land Planning  
6 Agency and other state and regional agencies for written comment; and

7 WHEREAS, pursuant to Section 163.3184, Florida Statutes, the Board of County  
8 Commissioners of Leon County held a public hearing with due public notice having been  
9 provided on the proposed amendment to the comprehensive plan; and

10 WHEREAS, the Board of County Commissioners of Leon County further considered all  
11 oral and written comments received during such public hearing, including the data collection and  
12 analyses packages, the recommendations of the Tallahassee-Leon County Local Planning  
13 Agency, and the Objections, Recommendations, and Comments Report of the Department of  
14 Economic Opportunity; and

15 WHEREAS, in exercise of its authority, the Board of County Commissioners of Leon  
16 County has determined it necessary and desirable to adopt the amendment to the comprehensive  
17 plan to preserve and enhance present advantages; encourage the most appropriate use of land,  
18 water and resources, consistent with the public interest; overcome present handicaps; and deal  
19 effectively with future problems that may result from the use and development of land within  
20 Leon County, and to meet all requirements of law;

21 BE IT ORDAINED by the Board of County Commissioners of Leon County, Florida,  
22 that:

23 **Section 1. Purpose and Intent.**

24 This Ordinance is hereby enacted to carry out the purpose and intent of, and exercise the  
25 authority set out in the Community Planning Act, Sections 163.3161 through 163.3215, Florida  
26 Statutes, as amended.

1 **Section 2. Map Amendment.**

2  
3 The Ordinance does hereby adopt the following portion of the text attached hereto as  
4 Exhibit “A,” and made a part hereof, as an amendment to the Tallahassee-Leon County 2030  
5 Comprehensive Plan, as amended, and does hereby amend “The Tallahassee-Leon County 2030  
6 Comprehensive Plan,” as amended, in accordance therewith, being an amendment to the  
7 following Plan element:

8 Map Amendment LMA2019-01, which relates to the Future Land Use Map.

9  
10 **Section 3. Applicability and Effect.**

11 The applicability and effect of this update to the 2030 Comprehensive Plan shall be as  
12 provided by the Community Planning Act, Sections 163.3161 through 163.3215, Florida  
13 Statutes, and this Ordinance, and shall apply to all properties under the jurisdiction of Leon  
14 County.

15 **Section 4. Conflict with Other Ordinances and Codes.**

16 All ordinances or parts of ordinances of the Code of Laws of Leon County, Florida, in  
17 conflict with the provisions of this Ordinance are hereby repealed to the extent of such conflict.

18 **Section 5. Severability.**

19 If any provision or portion of this Ordinance is declared by any court of competent  
20 jurisdiction to be void, unconstitutional, or unenforceable, then all remaining provisions and  
21 portions of this Ordinance shall remain in full force and effect.

22 **Section 6. Copy on File.**

23 To make the Tallahassee-Leon County 2030 Comprehensive Plan available to the public,  
24 a certified copy of the enacting ordinance, as well as certified copies of the Tallahassee-Leon  
25 County 2030 Comprehensive Plan and these updates thereto, shall also be located in the

1 Tallahassee-Leon County Planning Department. The Planning Director shall also make copies  
2 available to the public for a reasonable publication charge.

3 **Section 7. Effective Date.**

4 The effective date of this Plan update shall be according to law and the applicable statutes  
5 and regulations pertaining thereto.

6 DULY PASSED AND ADOPTED BY the Board of County Commissioners of Leon  
7 County, Florida, this 12th day of March, 2019.



8  
9 LEON COUNTY, FLORIDA

10  
11 BY: *Jimbo Jackson*  
12 JIMBO JACKSON, CHAIRMAN  
13 BOARD OF COUNTY COMMISSIONERS  
14

15  
16 ATTESTED BY:  
17 GWENDOLYN MARSHALL, CLERK  
18 OF THE COURT AND COMPTROLLER

19  
20 BY: *Gwendolyn Marshall*  
21 CLERK  
22

23  
24 APPROVED AS TO FORM:  
25 COUNTY ATTORNEY'S OFFICE  
26 LEON COUNTY, FLORIDA

27  
28 BY: *Herbert W.A. Thiele*  
29 HERBERT W.A. THIELE, ESQ.  
30 COUNTY ATTORNEY  
31



**ATTACHMENT #3**  
**ADOPTED AMENDMENTS**

# **Map Amendment TMA 2019 002**

9.08 Acres

From: Residential Preservation

To: University Transition

**Staff Recommendation:**

*Approval with expansion area*

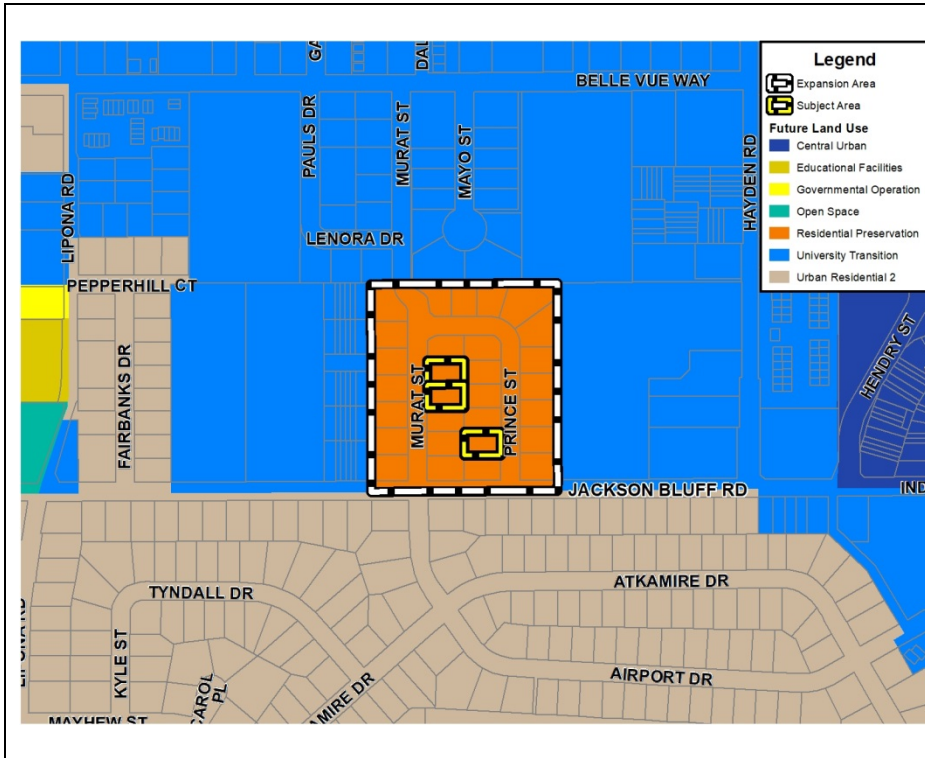
**Local Planning Agency:**

*Approval with expansion area*

**City Commission:**

*Approval with expansion area*

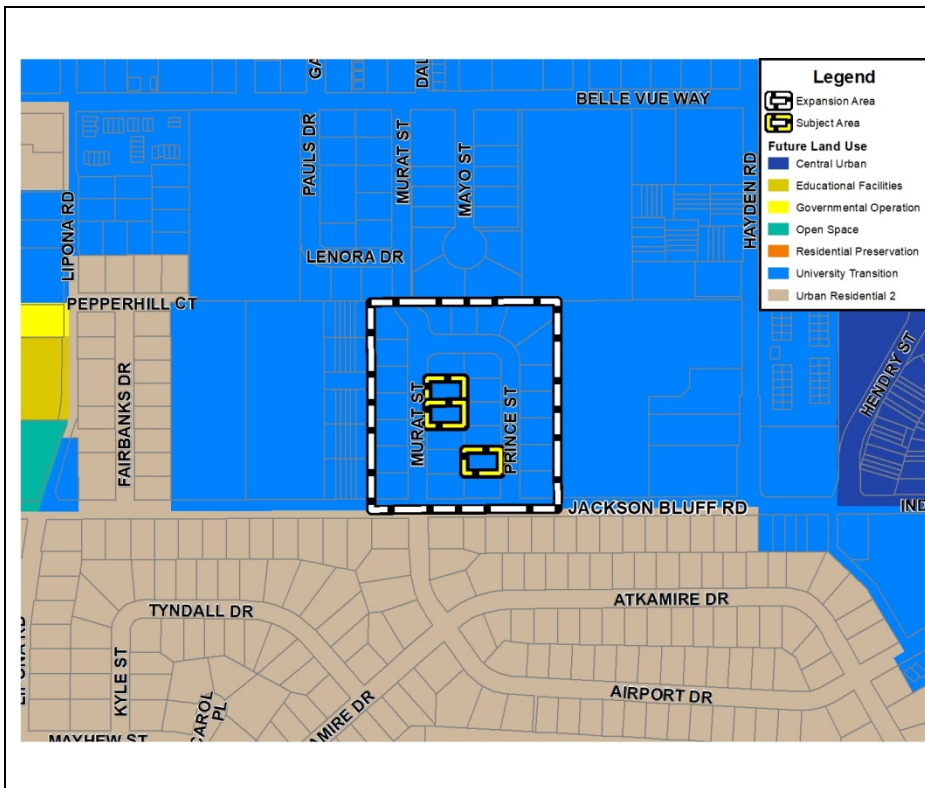
### Current Future Land Use Map Designation



### Current Designation

- **Residential Preservation**

### Proposed Future Land Use Map Designation



### Proposed Designation

- **University Transition**



# **Map Amendment LMA201802**

7.0 Acres

From: Urban Residential 2

To: Industry and Mining

**Staff Recommendation:**

*Approval*

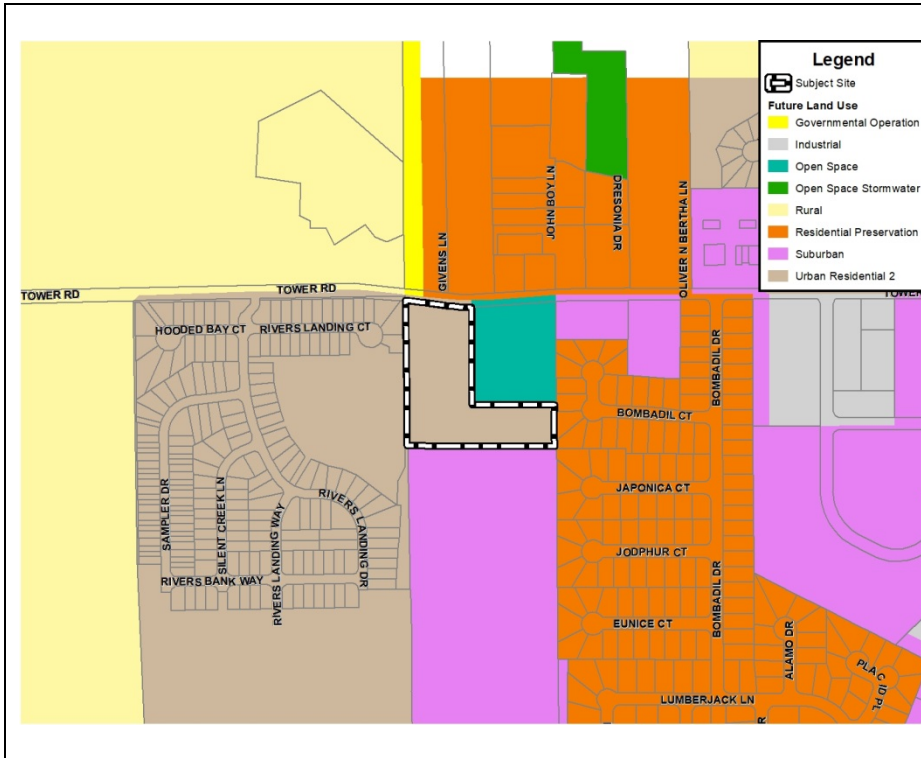
**Local Planning Agency:**

*Approval*

**Board of County Commissioners:**

*Approval*

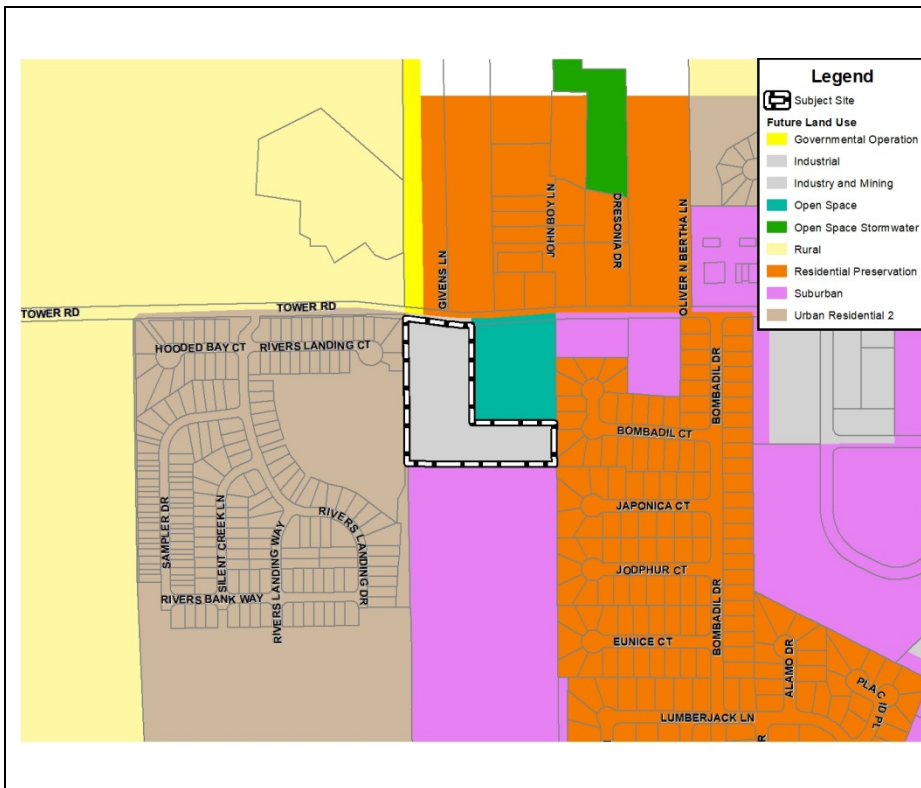
### Current Future Land Use Map Designation



### Current Designation

- **Urban Residential 2**

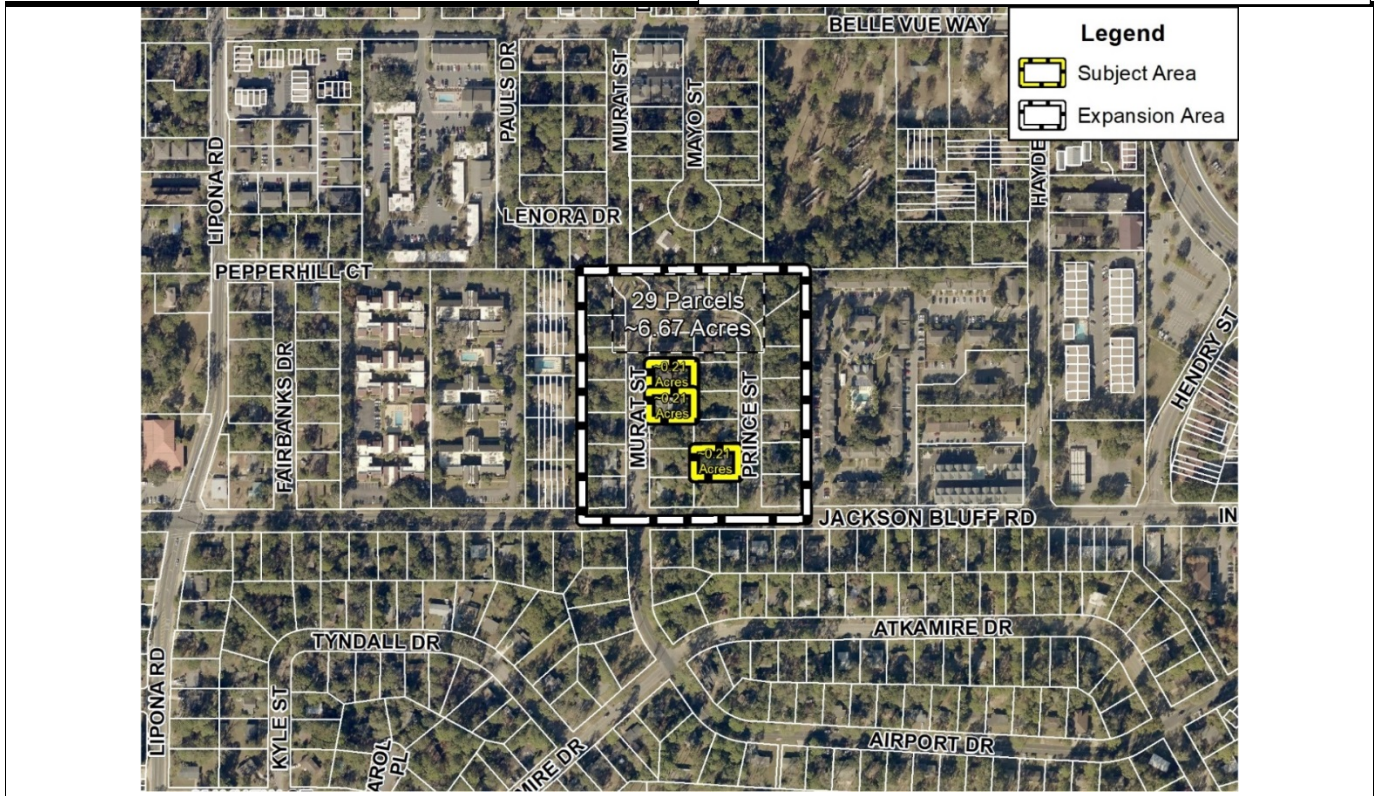
### Proposed Future Land Use Map Designation



### Proposed Designation

- **Industry and Mining**

**ATTACHMENT #4  
OTHER SUPPORTING  
INFORMATION**



**SUMMARY**

<b>Property Owners:</b>	<b>Property Location:</b>	<b>TLCPD Recommendation:</b>
Esengul A. Momol and Timur M. Momol Ferda Yilmaz and Osman Yilmaz	Two Parcels on Murat Street One Parcel on Prince Street (Murat Subdivision)	<b>Approve with expansion area</b>
<b>Applicant:</b> See Property Owners		
<b>TLCPD Staff:</b>	<b>Current Future Land Use &amp; Zoning:</b>	<b>LPA Recommendation:</b>
T.J. Lewis	Future Land Use: Residential Preservation (RP) Zoning: Residential Preservation 2 (RP-2)	<b>Approve with expansion area</b>
<b>Contact Information:</b>	<b>Proposed Future Land Use &amp; Zoning:</b>	
<a href="mailto:TJ.Lewis@talgov.com">TJ.Lewis@talgov.com</a> (850) 891-6451	Future Land Use: University Transition Zoning: University Transition	
<b>Date:</b> November 21, 2018	<b>Updated:</b> February 26, 2019	

**A. REASON FOR REQUESTED CHANGE**

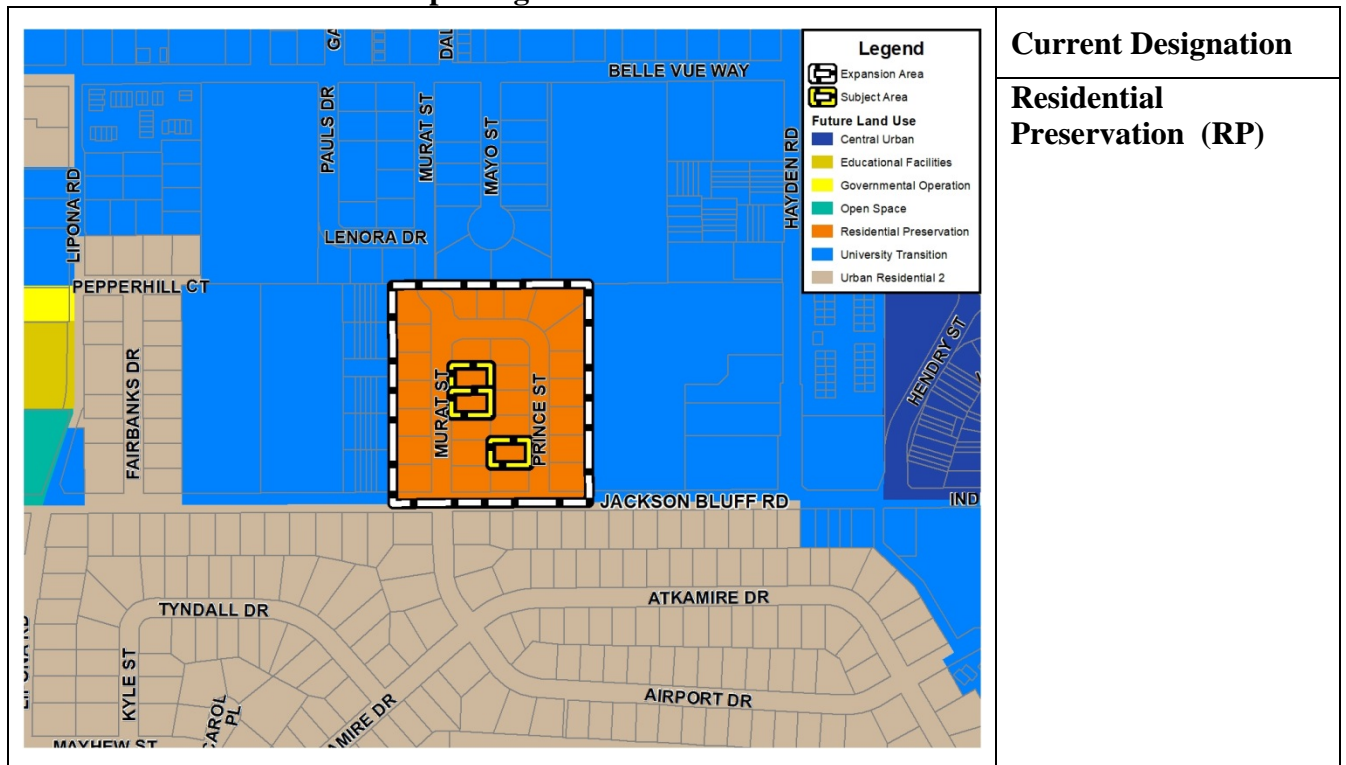
The subject parcels are located north of Jackson Bluff Road on Murat Street and Prince Street in the Murat Subdivision. The applicants indicated that they are planning to build a mix of residential, office, and business units on the subject parcels. The proposed University Transition category allows a mixture of office, commercial uses, and residential densities that are not allowed with the current Residential Preservation designation. Parcels located in immediate vicinity of the subject properties are designated on the Future Land Use Map as University Transition or Urban Residential-2.

**B. CURRENT AND PROPOSED FUTURE LAND USE DESIGNATION**

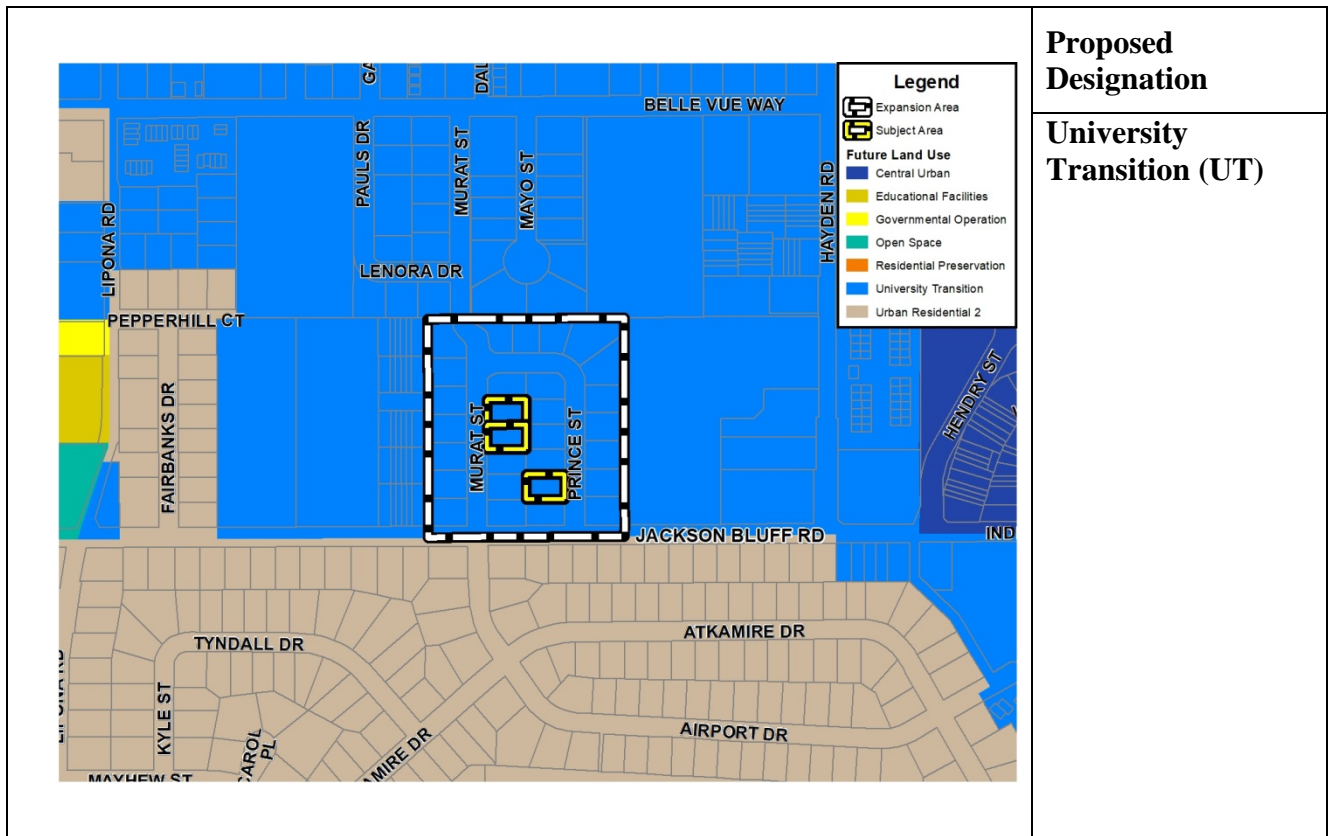
The subject area is currently designated Residential Preservation on the Future Land Use Map (FLUM). The proposed amendment would change the FLUM designation of the area to University Transition.

The following map illustrates the current and proposed FLUM designations for the Subject Area.

**Current Future Land Use Map Designation**



**Proposed Future Land Use Map Designation with Expansion Area**



**C. STAFF RECOMMENDATION**

Find that the proposed Future Land Use Map amendment is consistent with the Tallahassee-Leon County Comprehensive Plan, based on the findings and other information contained in this staff report, and recommend **ADOPTION** of the proposed amendment with the proposed expansion area.

Find that the proposed rezoning is consistent with the Tallahassee-Leon County Comprehensive Plan, based on the findings and other information contained in this staff report, and recommend **APPROVAL** of the proposed rezoning with the proposed expansion area.

**D. LOCAL PLANNING AGENCY (LPA) RECOMMENDATION**

Find that the proposed future land use map amendment is consistent with the Tallahassee-Leon County Comprehensive Plan, based on the findings and other information contained in this staff report, and recommend **ADOPTION** of the proposed amendment with the proposed expansion area.

Find that the proposed rezoning is consistent with the Tallahassee-Leon County Comprehensive Plan, based on the findings and other information contained in this staff report, and recommend **APPROVAL** of the proposed rezoning with the proposed expansion area.

**E. SUMMARY OF FINDINGS**

1. Based on the Residential Preservation Analysis, the subject site no longer matches the description of the Residential Preservation land use category.
2. The viability of the subject site area for low density single-family uses is decreasing due to the proliferation of higher density development in the surrounding area and the conversion of existing single-family residential dwelling units to student housing and rooming houses. Of the homes in the Murat Subdivision, one is homestead exempt and seven are registered rooming houses.
3. The subject site is centrally located between Tallahassee Community College and Florida State University, within the geographic boundary identified in the Comprehensive Plan as being appropriate for the University Transition future land use, and is predominantly surrounded by University Transition future land use.
4. The subject site and surrounding area are in the Multi-Modal Transportation District (MMTD), which promotes the use of alternative transportation. Approval of this amendment would further the goal of the MMTD by promoting mixed use development and higher densities, a prerequisite for successful mass transit and other alternative modes of transportation.
5. The proposed amendment is not anticipated to have significant adverse impacts on public facilities.

**F. STAFF ANALYSIS**

History and Background

The applicants' properties consist of three parcels totaling 0.63 +/- acres. The existing land use on each lot is a single-family detached residential constructed in 1950. The parcels are located within the 9.08 +/- acre Murat Subdivision.

The development pattern in the vicinity of the Murat Subdivision consists of a combination of townhomes, duplexes, apartments and single-family housing. Many of the single-family residences in the area surrounding the applicant's properties are in use as rooming houses and student rental housing.

Other changes affecting the viability of this area for low density single-family have occurred including the closure of two of the area schools, Bellevue Middle School and Brevard Elementary School, and the closure of the neighborhood Community Center. However, Bellevue Middle School is now the home of the School for Arts & Innovative Learning (SAIL) High School and the Palmer Munroe Community Center was reopened as a Teen Center.

Through redevelopment, this area which is already being used to house students could be rearranged to accommodate more students. This would be consistent with the predominant development pattern that is occurring near the subject area and would be more supportive of transit use. It should be noted that simply changing the future land use of the site does not ensure the assembly of properties

and quality redevelopment. It does however; make assembly more desirable from the point of view of an investor.

Lastly, the area does provide some of the most affordable housing stock in the community. However, those looking for affordable housing must compete with investors who understand the competitive advantage of housing close to campus and students who are willing to rent dormitory-style housing.

#### Current and Proposed Future Land Use Categories

The complete comprehensive plan policies for Residential Preservation (Policy 2.2.3 [L]) and University Transition (Policy 2.2.17 [LU]) are included as Attachment #1.

#### *Residential Preservation (Current)*

The Comprehensive Plan addresses the Residential Preservation future land use category in Policy 2.2.3, which states, “the primary function [of the Residential Land Use category] is to protect existing stable and viable residential areas from incompatible land use intensities and density intrusions.”

#### *University Transition (Proposed)*

The Comprehensive Plan addresses the University Transition future land use category in Policy 2.2.17, which states the University Transition land use category “is intended to be a compact land use category that provides higher density residential opportunities near the campuses, serving both to provide opportunities for student housing near the universities and to protect existing residential neighborhoods located away from the campuses from student housing encroachment.”

#### Consistency with Comprehensive Plan

The proposed amendment is consistent with the following goals, objectives, and policies of the Tallahassee-Leon County Comprehensive Plan:

Policy 2.2.17 [L] identifies the geographic area “lying west of South Adams Street, South of West Tennessee Street, north of Orange Avenue and adjoining Innovation Park and Tallahassee Community College to the east” as the area where University Transition can be applied. The subject site is located in this geographic area.

Policy 2.2.17 [L] also notes that the University Transition land use should serve to “provide opportunities for student housing near the universities.” The subject site is located approximately a quarter mile from Florida State University, one and three-quarter miles from Tallahassee Community College, and one and a quarter miles from Florida A&M University. Based on these general distances and the fact that much of the area is currently rented by students, the proposed amendment is consistent with this characterization of the University Transition land use category.



Policy 1.1.2 [M] provides direction to “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.” The subject site is located within the Multimodal Transportation District. The goal of the MMTD is to facilitate the use of multiple modes of transportation, leading to a reduction in automobile use and vehicle miles traveled. Policy 1.1.2 [M] also provides direction to “evaluate and modify, if necessary, the zoning and land development regulations to ensure standards that will support compact, walkable, mixed-use development.” The proposed amendment would support compact, walkable, mixed-use development.

Policy 1.5.5 [M] established level of service standards and performance targets “to create community design that supports mobility.” These performance targets include “50% of students at Florida State University (FSU), Florida A&M University (FAMU), and Tallahassee Community College (TCC) commute to campus via non-auto modes.” The proposed amendment would provide for student housing options in a location where non-automobile mode of transportation is viable.

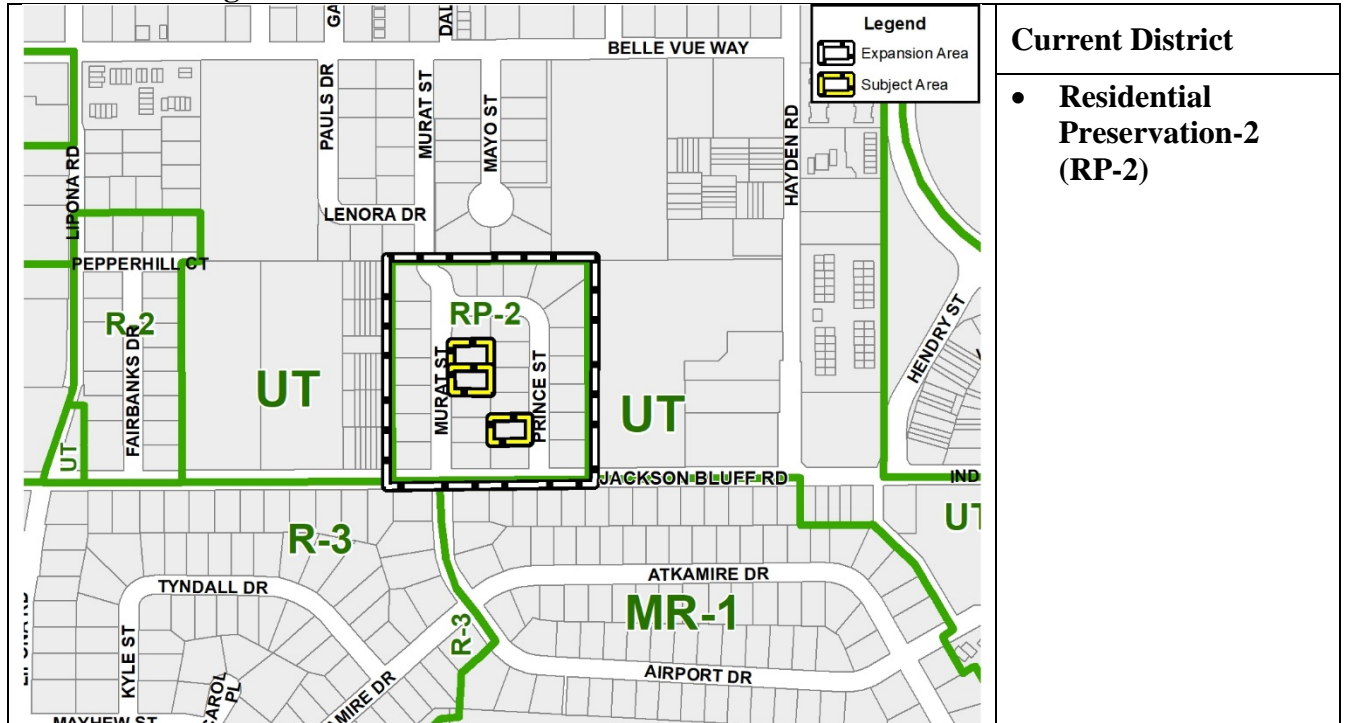
Zoning

The table below shows the future land use, zoning, and existing use of the site and surrounding area:

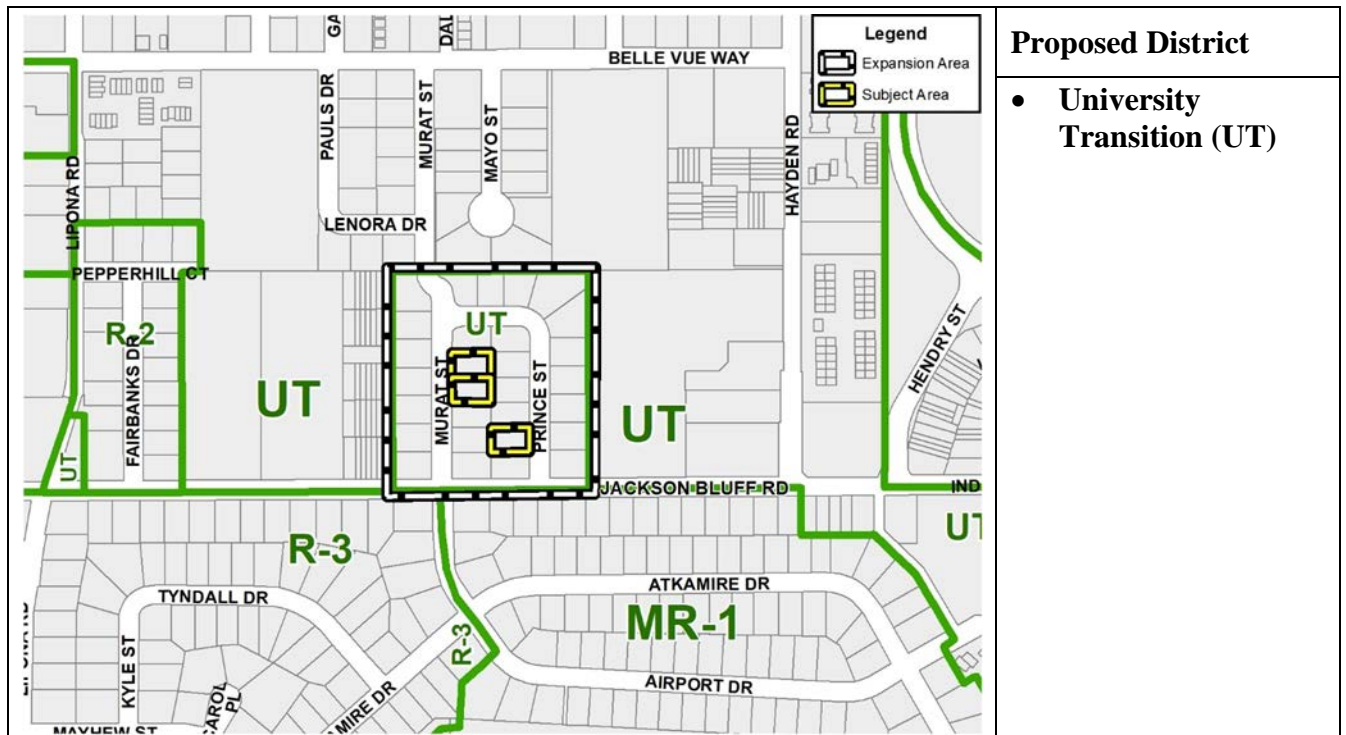
Location	Future Land Use	Zoning	Existing Use
<i>SUBJECT SITE</i>	<i>RP</i>	<i>RP-2</i>	<i>Single family residences</i>
<i>NORTH</i>	<i>UT</i>	<i>UT</i>	<i>Single family residences</i>
<i>EAST</i>	<i>UT</i>	<i>UT</i>	<i>Multi-family residences</i>
<i>SOUTH</i>	<i>UR-2</i>	<i>MR-1, R-3</i>	<i>Single-family residences</i>
<i>WEST</i>	<i>UT</i>	<i>UT</i>	<i>Townhouse</i>

The following maps illustrate the current and proposed zoning for the Subject Site.

**Current Zoning**



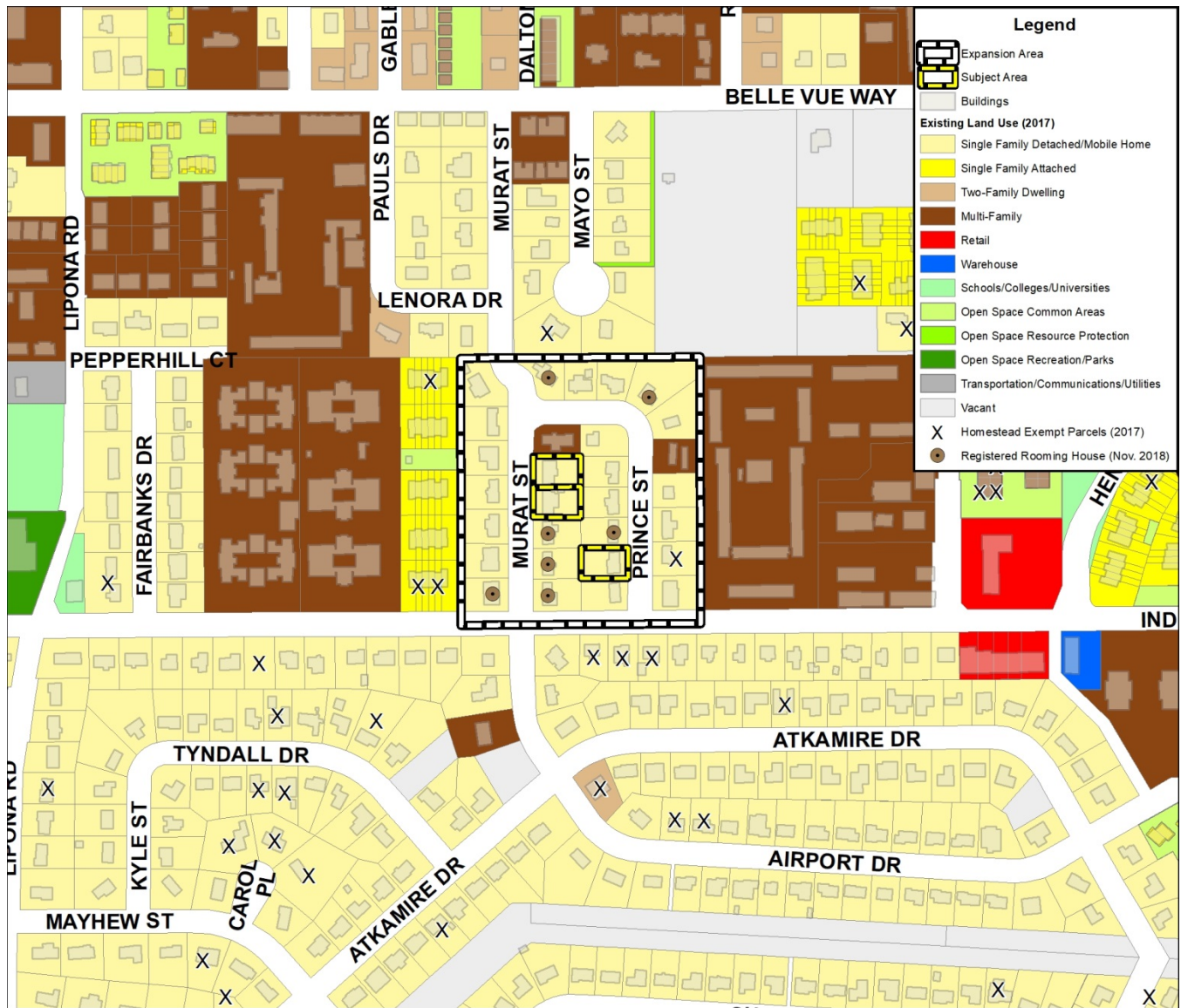
**Proposed Zoning with Expansion Area**



Existing Land Uses

The applicant's parcels have single-family detached houses in use as residences for tenant occupants. To avoid spot zoning, it is recommended that the applicant's proposed amendment be expanded to include the entire Murat Subdivision. This subject site is comprised of single-family detached houses and bounded by University Transition on three sides (north, east and west), including Villa Dylano Apartments (a multi-family, student-oriented apartment community), Indian Oaks Townhomes, Villa Cortez Apartments, as well as several other mixed-use infill multi-family residential and commercial developments.

**Existing Land Use Map**



Residential Preservation Analysis

The following analysis evaluates whether the subject site is consistent with the characteristics of the Residential Preservation land use category. While there are some characteristics of the subject site that are consistent with Residential Preservation, there are multiple characteristics where the subject site is not consistent with the description of Residential Preservation included in Policy 2.2.3.

A) Existing land use within the area is predominantly residential.

**Analysis:** Existing land use within the subject site is residential, but the majority of residences currently function as rental housing for university students.

B) Majority of traffic is local in nature.

i) Predominance of residential uses front on local streets.

**Analysis:** Local streets within the subject site are fronted by residential uses, except along Jackson Bluff Road which contains numerous several commercial facilities in addition to residences. Jackson Bluff is a major collector that connects Appleyard Drive and Lake Bradford Road, both of which serve a variety of uses, including major institutional, industrial, commercial, multi-family residential, retail, and office.

ii) Relatively safe internal mobility.

**Analysis:** The subject has relatively safe internal mobility; however, the internal mobility is limited. Murat and Prince Streets have no sidewalks or bicycle facilities, however, the streets themselves have limited vehicular activity. Each road within the Murat Subdivision is served by Jackson Bluff or Belle Vue Way, two roadway facilities with sidewalk facilities and bicycle shared lane markings. Additionally, the St. Marks Trail is located near the eastern portion of the subject area accessed via Hayden Road which connects to Florida State University via an underground bicycle pedestrian tunnel beneath Pensacola Street.

C) Densities within the area generally are six (6) units per acre or less.

**Analysis:** Within the subject site, densities are generally six units per acre or less. However, this is not the case with the areas surrounding the subject site. Directly east of the subject site expansion area is the Villa Dylano Apartments, which is a high-density student housing development, and directly west is medium density Indian Oaks townhome community. The single-family properties located south and north of the subject site are generally marketed to college students. The Florida State University main campus, numerous shopping centers, restaurants and other commercial/retail uses are also in the general area.

D) Existing residential type and density exhibits relatively homogeneous patterns.

**Analysis:** Prince and Murat Streets are mostly single-family detached houses with a few accessory dwelling units present. Jackson Bluff Road and Belle Vue Way provide access to neighboring apartment and higher density residential communities, as well as single-family detached houses marketed to college students. The majority of the subject site is detached single-family houses used as rental properties.

E) Assessment of stability of the residential area, including but not limited to:

i) Degree of home ownership.

**Analysis:** The subject parcels are located within the Murat Subdivision within the West Pensacola Sector Plan Study Area. The expansion area includes the entire Murat Subdivision, a single-family residential subdivision developed in the early 1950's. The Murat Subdivision consists of twenty-nine (29) lots. Since 1950, the Murat Subdivision has transitioned from a predominantly owner-occupied, single-family community to predominantly renter-occupied dormitory-style housing. Currently, Murat has one (1) homestead exempt parcel, indicating owner occupancy. Seven (7) of the lots are registered rooming houses. In addition to changes in the owner occupancy of the subject neighborhood, higher density development has encroached into the surrounding area.

ii) Existence of neighborhood organizations.

**Analysis:** The subject site does not have a homeowner's association or neighborhood organization.

### Infrastructure Analysis

#### *Water/Sewer*

The subject site is currently served by City of Tallahassee potable water and sewer services.

#### *Schools*

School capacity is available at Nims Middle School and Godby High School to serve the proposed amendment. Riley Elementary School currently has no available capacity. While maximum theoretical buildout of the subject site could result capacity issues at the elementary school level, the nature of the area and potential for student renters is expected to result in a lower than normal student generation rate. The school impact analysis form was approved by the Leon County School Board on December 11, 2018.

#### *Roadway Network*

The subject site is served by two local roads and Jackson Bluff Road, a major collector. The subject site is located within the Multimodal Transportation District (MMTD). The goal of the MMTD is to facilitate the use of multiple modes of transportation, leading to a reduction in automobile use and vehicle miles traveled.

#### *Pedestrian and Bicycle Network*

The roads within the Murat Subdivision do not have sidewalks or bicycle facilities, but Jackson Bluff Road, a major collector, does have a sidewalk and shared lane markings (Sharrows). The St. Marks Trail provides connectivity between the subject site and both Florida State University and Florida A&M University and is accessible via an underground pedestrian/bicycle tunnel connection on nearby Hayden Road. The Collegiate Tour Bike Route, part of the Leon County Bike Route Network, provides options that connect the subject site to Florida A&M University, as well as Florida State University and Tallahassee Community College. The Campus to the Rez route provides connectivity to Florida State University and Florida State University's Intramural Fields and

Reservation. The Huntington to Lake Elberta Route provides connectivity between the Lake Jackson Mounds State Park and the Lake Bradford corridor/St. Marks Trail.

*Transit Network*

The subject site is located within the Multimodal Transportation District (MMTD). Automobile Level of Service standards do not apply to parcels contained within the adopted Multimodal Transportation District because this geographic area is now governed by area-wide multimodal Level of Service standards to be evaluated every other year pursuant to state requirements. The subject properties and surrounding area are serviced by StarMetro on the Forest Route on Weekdays and Saturdays and by Route 3 on Sundays and evenings.

Environmental Analysis

The subject site is located in the Urban Services Area and in the Multimodal Transportation District on currently improved properties. There are no significant environmental features on the subject sites.

**G. PUBLIC OUTREACH AND NOTIFICATION**

An initial mailing was sent to 482 property owners within 1,000 feet of Subject Site.

Public Outreach		Date	Details
X	Mail Notification of Proposed Changes	November 9, 2018	Notices Mailed to Property Owners within 1000 feet
X	Notice of Proposed Land Use Change and Rezoning	November 5, 2018	Two signs providing details of proposed land use and zoning changes posted on subject site
X	First Public Open House	November 29, 2018	5:30 PM, Second Floor, Frenchtown Renaissance Center
X	Staff Reports Available Online	January 16, 2019	Email Subscription Notice sent to all users of service

**Public Open House - November 29, 2018:** 18 citizens attended the open house to discuss the 2019 Cycle amendments. The applicants were present at the public open house. A citizen asked what types of analyses are conducted in the evaluation of this and the other proposed amendments.

**H. STAFF REPORT UPDATE**

Below is a list of all public meetings and actions taken by appointed or elected bodies in consideration of this proposed amendment:

Cycle 2018 Meetings		Dates	Time and Locations
X	Local Planning Agency Workshop	January 8, 2019	3:00 PM, Second Floor, Frenchtown Renaissance Center
X	Local Planning Agency Public Hearing	February 5, 2019	6:00 PM, Second Floor, Frenchtown Renaissance Center
X	Joint City-County Commission Workshop	February 26, 2019	1:00 PM, Fifth Floor, Leon County Courthouse
	Joint City-County Transmittal Public Hearing	March 12, 2019	6:00 PM, Fifth Floor, Leon County Courthouse
	Joint City-County Adoption Public Hearing	May 14, 2019	6:00 PM, Fifth Floor, Leon County Courthouse

**Local Planning Agency Workshop – January 8, 2019:** The Local Planning Agency discussed each of the amendments for the 2019 Cycle. Discussion on this amendment generally focused on public outreach and notification. A question was also raised regarding height restrictions within the proposed University Transition zoning district (5 stories maximum for principal building, 3 stories maximum for accessory buildings). Because the meeting was a workshop with the Local Planning Agency, citizen comments were not taken at this meeting. Citizen comments will be received at the Local Planning Agency Public Hearing scheduled for February 5, 2019. Although citizen comments are not taken at the workshop, six members of the public were in attendance to hear the discussion.

**Local Planning Agency Public Hearing – February 5, 2019:** The Local Planning Agency voted unanimously to recommend approval of the proposed Future Land Use Map Amendment and rezoning, consistent with the staff recommendation. The Applicant spoke at the Public Hearing and was available to answer questions. No other public comments were received at the Public Hearing.

**I. ATTACHMENTS**

- Attachment #1: Comprehensive Plan policies
- Attachment #2: Land Development Code sections

## **Attachment #1**

### **Policy 2.2.3: [L] Residential Preservation**

(EFF. 7/16/90; REV. EFF. 7/26/06; RENUMBERED 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:

<b><u>Existing land use character of the subdivision</u></b>	<b><u>Gross Residential Density</u></b>
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 <u>townhomes and duplexes</u> )	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 2.2.17: [L] University Transition**

(REV. EFF. 12/14/04; REV. EFF. 7/26/06; RENUMBERED 3/14/07; REV. EFF. 1/7/10)

The University Transition land use category may only be applied through amendment to the Future Land Use Map to lands located generally within the rectangle created by the Florida State University main campus and Florida A & M University, Tallahassee Community College/Lively Technical Institute campuses and Innovation Park. Specifically, lands lying west of South Adams Street, South of West Tennessee Street, north of Orange Avenue and adjoining Innovation Park and Tallahassee Community College to the east. It is intended to be a compact land use category that provides higher density residential opportunities near the campuses, serving both to provide opportunities for student housing near the universities and to protect existing residential neighborhoods located away from the campuses from student housing encroachment. However, it is not intended that this category be applied in a manner that would encourage or facilitate the premature conversion of existing viable single-family residential neighborhoods. The category is intended to transition from present industrial and lower density residential uses to those more compatible with vibrant urban areas and shall remain within a compact area located in close proximity land owned by the universities and existing areas designated as University Transition.

Higher density residential redevelopment of up to 50 DU/AC is allowed to provide housing for students and close in housing opportunities to the downtown for professionals. Retail commercial limited to a smaller scale classification to provide essential services to immediate residents and ancillary needs of universities such as book stores and photo copying establishments may be permitted. State and private offices properly designed and scaled to surrounding uses may be permitted as well as central parking facilities, artistic studios and workshops. Restaurants, movie theaters, lounges and other entertainment commercial uses shall be permitted as commercial. Development regulations which allow flexibility in their design and operation to permit such uses as outdoor cafe and gardens shall be incorporated into zoning code. Pedestrian pathways and access systems shall be designed to connect universities, downtown, civic/arts center, and residential and commercial areas to cut down on dependence of automobile travel. Design controls shall be employed to provide land use compatibility by offsetting potential negative impacts.

The areas within the Gaines Street Revitalization Plan Study Area will have up to 100 DU/AC.

**Attachment #2**

Zoning Districts Charts referenced in the report:

- University Transition (Section 10-242)
- Residential Preservation (Section 10-170)

## Section 10-242 UT University Transition District.

PERMITTED USES		
1. District Intent	2. Principal Uses	3. Accessory Uses
<p>University Transition is intended to;</p> <ul style="list-style-type: none"> <li>• be a compact land use category that provides higher density residential opportunities and student oriented services near the campuses;</li> <li>• protect existing residential neighborhoods located away from the campuses from student housing encroachment; and</li> <li>• transition industrial and lower density residential uses to vibrant urban areas.</li> </ul> <p>Higher density residential development of up to 50 du/ac to provide housing opportunities for students and downtown professionals. Smaller scale retail commercial shall provide essential services to immediate residents and ancillary needs of universities. Pedestrian pathways, trails, and transit facilities shall be designed to connect universities, downtown, civic/arts center, and residential and commercial areas to reduce automobile dependence. Pedestrian oriented design controls shall be employed to provide land use compatibility. The University Transition zoning district is allowed in the UT Future Land Use Map area, located generally within the rectangle created by the Florida State Univ. main campus, Florida A&amp;M Univ., Tallahassee Community College/ Lively Technical Institute campuses, and Innovation Park. The Gaines Street Revitalization Plan study area is excluded from this area.</p> <p>To encourage pedestrian-oriented redevelopment, innovative parking strategies, mixed use development, and other urban design features within the Central Core (defined in Comprehensive Plan), a 25% density bonus is available subject to the provisions of Sec. 10-289 of this code.</p> <p><b>Development standards for this zoning district are established within Division 4 applicable to the MMTD.</b></p>	<ol style="list-style-type: none"> <li>Advertising agencies.</li> <li>Antique shops</li> <li>Beauty &amp; barber shops.</li> <li>Book &amp; stationary stores.</li> <li>Banks, credit unions, financial institutions without drive through facilities.</li> <li>Banks, credit unions, financial institutions with drive-through facilities (only allowed on parcels fronting West Pensacola St. between Cactus Drive and Lipona Road).</li> <li>Camera &amp; photographic supply stores.</li> <li>Civic &amp; social associations.</li> <li>Colleges &amp; universities – educational facilities, administrative offices, athletic &amp; intramural fields and stadiums.</li> <li>Commercial art &amp; graphic design.</li> <li>Community facilities related to residential uses, including religious facilities, police/fire stations, elementary and secondary schools, and, libraries. Other community facilities may be allowed in accordance with Section 10-413 of these regulations.</li> <li>Computer &amp; data processing services.</li> <li>Dance studio, schools, halls.</li> <li>Day care centers.</li> <li>Employment agencies.</li> <li>Gift, novelty, souvenir shops.</li> <li>Hobby, toy, game stores.</li> <li>Hotels, motels, bed &amp; breakfasts.</li> <li>Indoor amusements (bowling, billiards, arcades).</li> <li>Laundromats, laundry, &amp; dry cleaning services without drive through facilities.</li> <li>Laundromats, laundry, &amp; dry cleaning services with drive-through facilities (Only allowed on parcels fronting West Pensacola St. between Cactus Drive and Lipona Road).</li> <li>Live-work units.</li> <li>Mailing and postal services.</li> <li>Medical &amp; dental offices, clinics, laboratories.</li> <li>Mortgage brokers.</li> <li>Movie theaters and amphitheaters.</li> <li>Museums &amp; art galleries.</li> <li>Musical instrument stores.</li> <li>News dealers and newsstands.</li> <li>Non-medical offices &amp; services, including business, insurance, real estate, and governmental.</li> <li>Non-store retail.</li> <li>Optical goods stores.</li> <li>Passive and active recreation.</li> <li>Personal services (barber, spa, etc.)</li> <li>Photocopying &amp; duplicating services.</li> </ol>	<ol style="list-style-type: none"> <li>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 33 percent of the floor area or cubic volume of the principal use or structure, as determined by the Land Use Administrator.</li> <li>Light infrastructure and/or utility services and facilities necessary to serve permitted uses, as determined by the Land Use Administrator.</li> </ol>

## **Tallahassee Land Development Code**

### **Sec. 10-170. Residential Preservation District**

- (a) *Purpose and Intent.*
  - (1) The district is characterized by existing homogeneous residential areas within the community which are predominantly accessible predominantly 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 non-residential activities may be permitted as home occupations--See article VII of this chapter, Supplementary Regulations). Single-family, duplex residences, mobile home and cluster housing may be permitted within a range of zero (0) to six (6) 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. No development in the residential preservation district shall be permitted which violates the provisions of Policy 2.1.1 of the Future Land Use Element of the 2010 Comprehensive Plan.
  - (2) For Residential Preservation areas outside the Urban Service Area the density of the non-vested development in residential preservation area shall be consistent with the underlying land use category: no more than one (1) unit per ten (10) acres in the Rural category; no more than one (1) dwelling unit per acre (clustered) or one (1) dwelling unit per three (3) acres (not clustered) in the Urban Fringe category. The Residential Preservation land use category is divided into five (5) zoning districts based upon existing development patterns and service provision:
    - a. RP-1;
    - b. RP-2;
    - c. RP-MH;
    - d. RP-UF; and
    - e. RPR.
  - (3) The intent of the districts listed in subsections (2) a. through e. of this section are as follows:
    - a. The RP-1 District is intended to apply to residential development in areas designated "Residential Preservation" on the Future Land Use Map, preserving single-family residential character, protecting from incompatible land uses, and prohibiting densities in excess of three and six-tenths (3.6) dwelling units per acre.
    - b. The RP-2 District is intended to apply to residential development in areas designated "Residential Preservation" on the Future Land Use Map, preserving the low density residential character of single-family, two-unit townhouse, and

duplex residential development, protecting from incompatible land uses, and prohibiting densities in excess of six (6.0) dwelling units per acre.

- c. The RP-MH District is intended to apply to residential development in areas designated "Residential Preservation" on the Future Land Use Map, preserving the low density residential character of manufactured home, mobile home, and conventional single-family and duplex residential development, providing protection from incompatible land uses and intensities, and prohibiting densities in excess of six (6.0) dwelling units per acre.
  - d. The RP-UF District is intended to apply to residential development in areas designated as both "Urban Fringe" and "Residential Preservation" on the Future Land Use Map, preserving the low intensity residential character of conventional single-family residential and manufactured home, mobile home, development, protecting from incompatible land uses and intensities, preventing the premature development of land at intensities not supportable by existing infrastructure or services, and prohibiting densities in excess of three and six-tenths (3.6) dwelling units per acre in platted subdivisions, one (1.0) dwelling unit per acre (net) for clustered developments on unplatted lots, or one (1.0) unit per three (3) acres, for all other developments.
  - e. The RP-R District is intended to apply to residential development in areas designated as both "Rural" and "Residential Preservation" on the Future Land Use Map, preserving the very low density rural residential character of conventional single-family residential and manufactured home, mobile home, development, protecting from incompatible land uses and intensities, preventing inefficient development patterns, and prohibiting densities in excess of three and six-tenths (3.6) dwelling units per acre in platted subdivisions, or one (1.0) dwelling unit per ten (10) acres on unplatted lots.
- (4) Applications for rezoning to any and all of the residential preservation districts shall include review to ensure compatibility with existing and surrounding residential type and density.
- (b) *Allowable Uses.* For the purpose of this chapter, the following land use types are allowable in the RP-1, RP-2, RP-MH, RP-UF and RP-R zoning districts and are controlled by the Land Use Development Standards of this chapter, 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, subsections 10-241(a) and (b). 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. Restricted and Special Exception Uses must meet the criteria in article VII of this chapter. Chapter 9, article III of this Code sets forth the development approval process required for allowable uses.

- (d) *Development Standards.* All proposed development shall meet the Land Use Development Criteria specified in subsection 10-241(b); commercial site location standards (section 10-174); buffer zone standards (section 10-177); criteria of the Land Development Standards Schedule (article IV, division 4 of this chapter); and parking and loading requirements (article VI of this chapter).



SECTION 10-241 RESIDENTIAL PRESERVATION

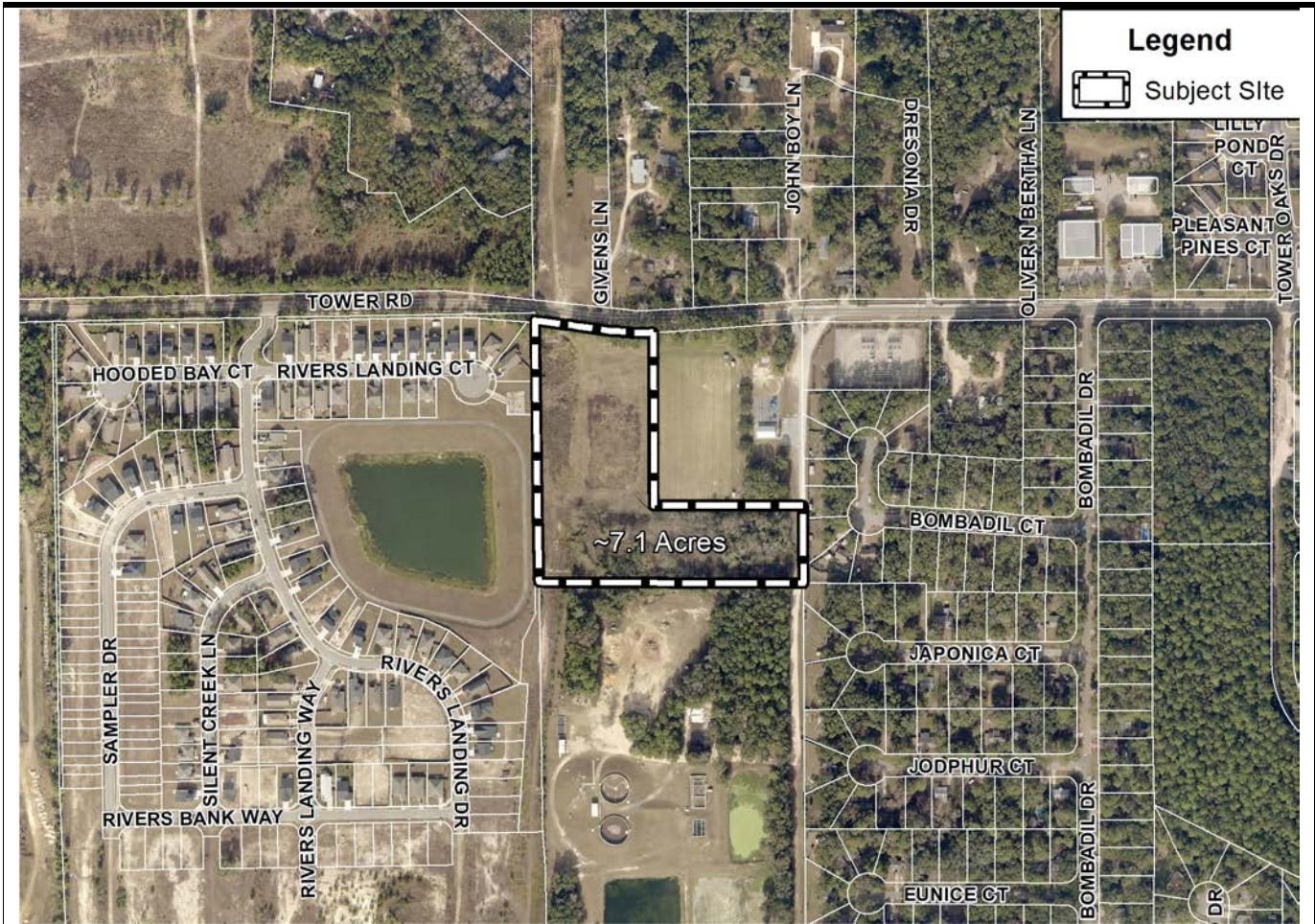
ALLOWABLE USES: APPROPRIATE PERMIT LEVEL AND APPLICABLE DEVELOPMENT AND LOCATIONAL STANDARDS

- P PERMITTED USE
- S SPECIAL EXCEPTION
- R RESTRICTED USE

SIC CODE	RESIDENTIAL PRESERVATION - 1 NAME OF USE	LAND USE TYPE				
		LR	PR	AR	CS	LI
	<b>RESIDENTIAL</b>					
	Dwelling, One-Family	P				
	<b>(Rooming Houses are prohibited)</b>					
	<b>SERVICES</b>					
821	Elementary and secondary schools				S	
866	Religious Organizations				S	
	<b>RECREATION</b>					
	Hiking and Nature Trails		P			
	Picknicking		P			
	Canoe Trails		P			
	Bicycle Trails		P			
	Horseback Riding Trails		P			
	Tot Lots					
	Court Sports					
	Field Sports					
	<b>PUBLIC ADMINISTRATION</b>					
	Police Protection					
	Fire Protection					
	Public Order and Safety					

LEGEND	
LR	= LOW DENSITY RESIDENTIAL
PR	= PASSIVE RECREATION
AR	= ACTIVE RECREATION
CS	= COMMUNITY SERVICES
LI	= LIGHT INFRASTRUCTURE

DEVELOPMENT TYPE				
RESIDENTIAL PRESERVATION-1	SINGLE FAMILY RESIDENTIAL UNITS	SINGLE FAMILY RESIDENTIAL UNITS CLUSTERED	ACTIVE RECREATION	COMM. SERVICES; ACTIVE REC.; PUBLIC, PRIMARY & SECONDARY SCHOOLS
MINIMUM SETBACKS (FT)				
Front Yard		Perimeter Setback		
Building	25	25	25	25
Parking	—	—	20	40
Corner Yard		Perimeter Setback		
Building	20	25	25	25
Parking	—	—	20	40
Interior Side Yard		Perimeter Setback		
Building*	10	15	20	20
Parking	—	—	20	20
Rear Yard		Perimeter Setback		
Building	25	25	25	30
Parking	—	—	20	10
MAXIMUM % OF IMPERVIOUS SURFACE AREA	40	40 (of net area)	10	40
MAX. HEIGHT FEET	35	35	15	35
MIN. LOT AREA (ACRES)	12,100 SQ. FT. AVG OF ALL LOTS CREATED WITH A MINIMUM LOT SIZE OF NO LESS THAN 6,000 SQ. FT.	THE NET DENSITY OF THE PROJECT SITE (CLUSTERED) DEVELOPMENT AND REQUIRED OPEN SPACE) MAY BE NO GREATER THAN 3.6 UNITS PER ACRE		1/2 ACRE
MINIMUM LOT FRONTAGE (FEET)	15	15	15	—



**SUMMARY**

<b>Property Owners:</b> Dr. Robert L. Steele	<b>Property Location:</b> South side of Tower Road between Rivers Landing Drive and Bombadil Drive	<b>TLCPD Recommendation:</b>  <b>Approve</b>
<b>Applicant:</b> Dr. Robert L. Steele		
<b>TLCPD Staff:</b> Stephen M. Hodges	<b>Current Future Land Use &amp; Zoning:</b> <u>Future Land Use:</u> Urban Residential 2 (UR-2) <u>Zoning:</u> Single- and Two-Family Residential District (R-3)	<b>LPA Recommendation:</b>  <b>Approve</b>
<b>Contact Information:</b> Stephen.Hodges@talgov.com (850)891-6408	<b>Proposed Future Land Use &amp; Zoning:</b> <u>Future Land Use:</u> Industry and Mining (IM) <u>Zoning:</u> Light Industrial (M-1)	
Date: November 30, 2018	Updated: February 26, 2019	

**A. REASON FOR REQUESTED CHANGE**

This is a request to change the Future Land Use Map (FLUM) designation on a parcel approximately seven (7) acres in size from Urban Residential 2 to Industry and Mining. The parcel (Tax ID #24-31-20-606-0000) is located on the south side of Tower Road immediately west of Tower Road County Park. The subject site is owned by Dr. Robert Steele, and is currently vacant. It is located within the Urban Service Area.

The existing Urban Residential 2 is a residential category with a density up to 20 units per acre; commercial/retail uses are prohibited. The Industry and Mining category is a recently adopted land use category that addresses research and development, advanced manufacturing, industrial, light industrial, and mining uses. The applicant is requesting the amendment so that they can develop a small portion of the site, which is otherwise encumbered by several high-power electric transmission lines, a stormwater drainage facility, and several drainage, electric utility, and access easements. The portion of the site that would be developed for a light industrial facility is adjacent to an existing sewage treatment facility to the south.

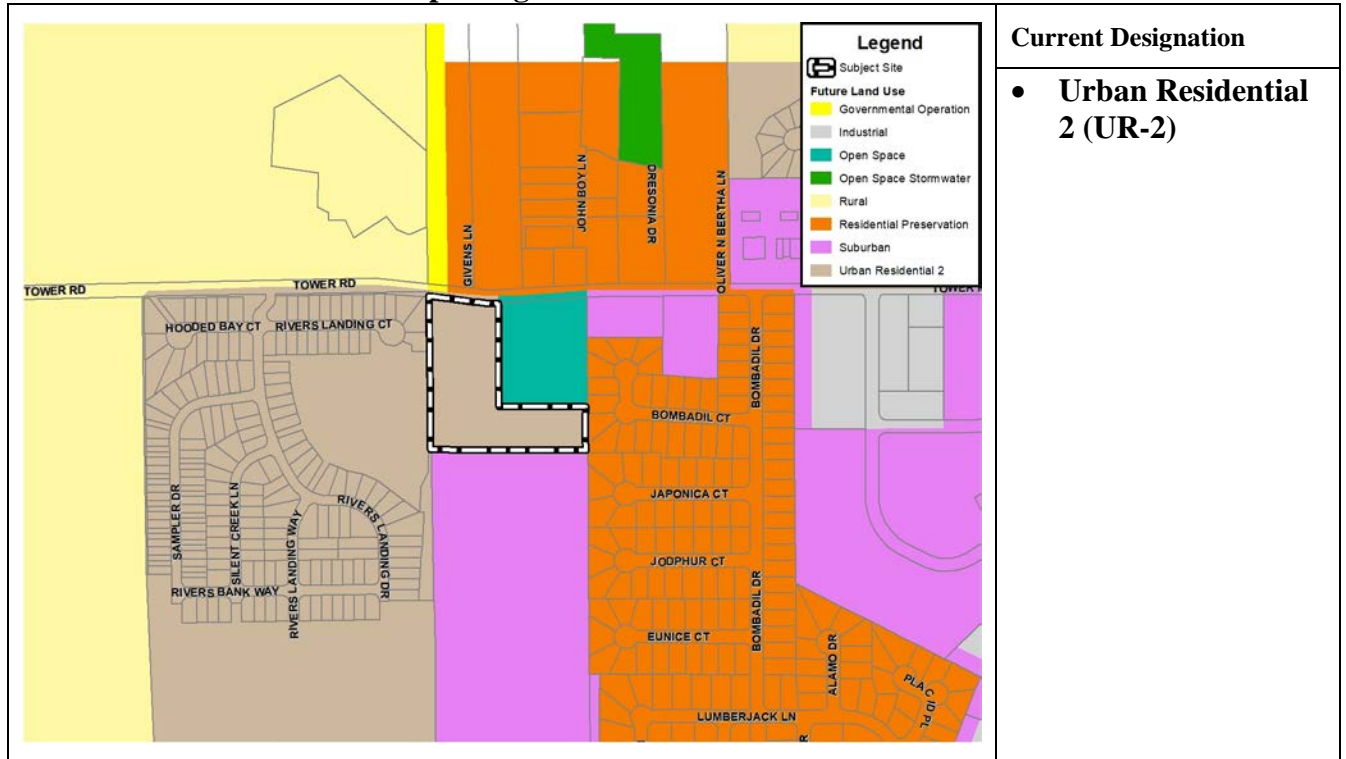
A rezoning application has been filed concurrently with this amendment. A zoning change from Single- and Two-Family Residential District (R-3) to Light Industrial is requested to implement this proposed amendment to the Future Land Use Map.

**B. CURRENT AND PROPOSED FUTURE LAND USE DESIGNATION**

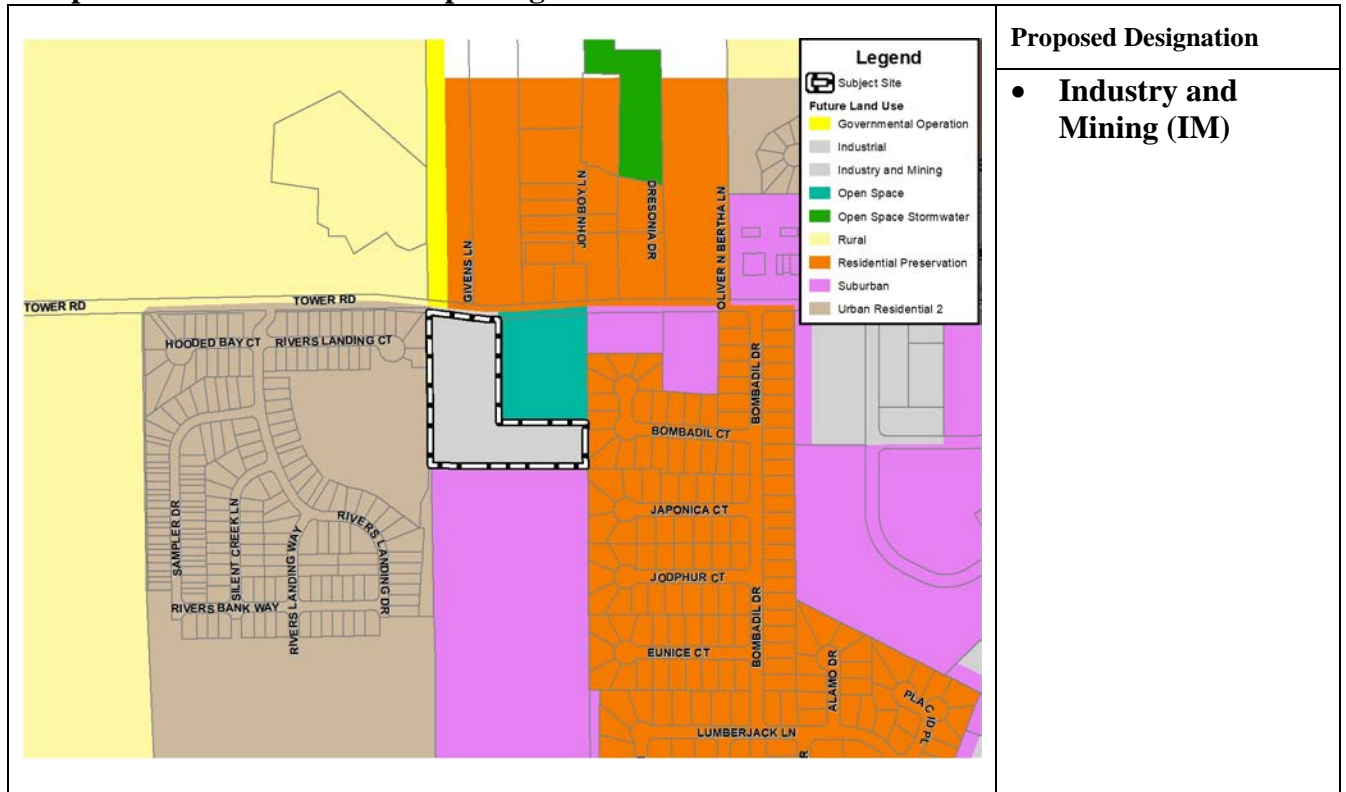
The subject site is currently designated Urban Residential 2 (UR-2) on the FLUM. The proposed amendment would change the FLUM designation of the subject site to Industry and Mining (IM).

The following maps illustrate the current and proposed FLUM designations for the Subject Area.

**Current Future Land Use Map Designation**



**Proposed Future Land Use Map Designation**



### **C. STAFF RECOMMENDATION**

Find that the proposed future land use map amendment is **consistent** with the Tallahassee-Leon County Comprehensive Plan, based on the findings and other information contained in this staff report, and recommend **ADOPTION** of the proposed amendment.

Find that the proposed rezoning is **consistent** with the Tallahassee-Leon County Comprehensive Plan, based on the findings and other information contained in this staff report, and recommend **APPROVAL** of the proposed rezoning.

### **D. LOCAL PLANNING AGENCY (LPA) RECOMMENDATION**

The LPA, at their public hearing on February 5, 2019, voted unanimously to support the staff recommendation finding that the proposed future land use map amendment is consistent with the Tallahassee-Leon County Comprehensive Plan, based on the findings and other information contained in the staff report, and to recommend adoption of the proposed amendment.

At that same public hearing, the LPA also voted unanimously to support the staff recommendation finding that the proposed rezoning is consistent with the Tallahassee-Leon County Comprehensive Plan, based on the findings and other information contained in the staff report, and to recommend approval of the proposed rezoning.

### **E. SUMMARY OF FINDINGS**

Staff presents the following findings of fact:

1. The subject site is vacant, and most or all of the subject site was excavated as a likely sand mine and filled with construction debris, according to records maintained by the Florida Department of Environmental Protection.
2. The site is not particularly suitable for low-density residential development due to its history of mining and landfilling, as well as its location immediately north of an existing wastewater treatment facility.
3. The existing land uses along Tower Road, which is the main transportation route in this area, is a mix of rural, conservation, low-density residential, warehouses, utilities, industrial, offices, and vacant properties.
4. The only legal, public access to the site is via Tower Road.
5. The subject site is heavily encumbered by one or more access, electric utility, and drainage easements. These easements leave less than two acres out of the original seven acres that could be developed.
6. Any development on the unencumbered portion of the subject area would be buffered from any nearby residential uses by these easements and by vegetated buffers required by the Light Industrial zoning district development standards.

## F. STAFF ANALYSIS

### History and Background

The subject site is a vacant parcel approximately 7.1 acres in size on the south side of Tower Road. An aerial photograph of the site from 1970 indicates that the subject site was vacant and forested. However, according to data acquired by the Tallahassee – Leon County Geographic Information Systems (TLCGIS) department, the subject site was identified as a Construction/Demolition and Debris Disposal Site in a Florida Department of Environmental Protection (FDEP) Solid Waste inventory (see following map).



Source: TLCGIS.

Aerial photographs from 1983, 1990, 1994, and 1996 (Attachments #1, 2, 3, and 4) indicate onsite excavation (likely sand mining) and disposal of construction debris on the subject site and a portion of a County-owned parcel immediately east of the subject site. Another sand mine approximately 80 acres in size is located  $\frac{1}{4}$  mile to the west on the south side of Tower Road. It also has been utilized as a Construction/Demolition and Debris Disposal Site and is listed in the same DEP inventory.

An aerial photograph from 2001 (Attachment #5) indicates some remaining debris on the subject site, but that the disposal and filling of the site was largely complete, except for a stormwater facility that receives drainage from the Lakewood Estates and Sterling Woods residential subdivisions located east of the site. Aerial photographs from 2009 (Attachment #6) indicate the present existing use of the subject site. A digital terrain relief map created by TLCGIS (Attachment #7) indicates the relative degree of excavation and filling at this time. Because of this history, the subject site is not an appropriate location for residential development.

The existing land uses along Tower Road have historically included a mix of light and heavy industrial and rural uses, although the development trend in this general area over the last few decades has included low density residential subdivisions. The current mix of uses in this part of the Tallahassee urban area will likely stay stable over the near term, assuming the slow, steady growth in this area.

#### Previous Commission Consideration

In 2006, a major Comprehensive Plan Reform project resulted in the elimination of the Mixed Use (MU) FLUM designation and the establishment of several replacement FLUM categories in those areas previously designated as MU. Comprehensive Plan Map Amendment 2006-2-M-010 eliminated the Mixed Use designation for over 28,000 parcels from the Future Land Use Map, and replaced this designation with clearer, more specific land use categories. These categories included Residential Preservation, Urban Residential-2, University Transition and Suburban.

The one parcel comprising the subject site that was previously categorized Mixed Use in the Comprehensive Plan was amended to Urban Residential 2 as part of Amendment 2006-2-M-010.

The proposed amendment furthers the following Leon County Board of County Commissioners' strategic initiatives:

- Economic Strategic Priority EC2: Support programs, policies and initiatives to attract, create, and promote expansion of business, entrepreneurship, and job creation.
- Environmental Strategic Priority EN3: Promote orderly growth and sustainable practices.

#### Current and Proposed Future Land Use Categories

The complete comprehensive plan policies for Policy 2.2.23: [L] Urban Residential 2 and Policy 2.2.28: [L] Industry and Mining Land Use are included as Attachment #8.

#### *Urban Residential 2 (Current)*

The primary intent of the Urban Residential 2 land use category, which is to be applied only within the Urban Services Area, is to encourage a range of residential density (up to 20 dwelling units per acre), thereby promoting infill development, reducing urban sprawl, and maximizing the efficiency of infrastructure.

The residential development in this part of the Tallahassee urban area does not match the allowable density under this land use category. The single-family residential area to the west of the subject site has an existing zoning designation of R-3, which allows a maximum gross density of eight dwelling units per acre. The types of residential structures in this development are consistent with the intent of the zoning designation, but there is no multi-family residential along Tower Road.

The subject site also has R-3 zoning, but the many easements on the subject site restrict the area available for development (see Attachment #9). The area on the site unencumbered by easements is approximately 1.75 acres located in the southern portion of the site. Any onsite development would have to accommodate vehicular access and parking, stormwater management, and other required infrastructure such as potable water and sewer lines. An existing wastewater treatment facility is also located immediate south of the subject site.



*Industry and Mining (Proposed)*

The primary intent of the Industry and Mining land use category is to encourage light industrial, mining, and heavy industrial uses in appropriate locations that are compatible with nearby residential areas where possible. Because dramatic shifts in the technologies used by these sectors are resulting in operations that are often cleaner, quieter, and less noxious to neighboring uses than traditional industrial uses, industry and mining uses in appropriate locations can help provide necessary jobs and the raw materials needed to support growth and development in the community, as well as being more accessible to residential areas, thereby decreasing commute times and offering transportation alternatives that don't rely solely upon private automobiles.

The subject site, having been mined in the past, will not be mined for sand again. The applicant has previously stated that his intention is to construct a small building for light industrial uses. The requested Light Industrial zoning designation will allow this use, but it will preclude mining and heavy industrial uses. Access to the site will need to be provided via Tower Road.

Consistency with Comprehensive Plan

The proposed amendment is consistent with the following goals, objectives, and policies of the Tallahassee-Leon County Comprehensive Plan.

The location of this proposed land use is consistent with Policy 1.1.1 in the Land Use element of the Plan. This policy requires new development to be concentrated in the Urban Service Area (USA), which makes the amendment USA in order to discourage urban sprawl.

The location of this proposed land use is consistent with Policy 1.1.7 in the Land Use element of the Plan. This policy requires higher density and mixed-use development and its ancillary activities be channeled into locations which have proper access to the existing transportation system; minimal environmental constraints; sufficient stormwater treatment capacity; compatible existing land use, and readily available sewer and water infrastructure.

The proposed amendment furthers the intent of the requested Future Land Use Map category (Policy 2.2.28 [L]) and the site is located within the Urban Services Area as required by the policy.

The following policies in the Plan currently provide protection for residential areas from other land uses:

- Policy 2.1.1 of the Land Use element requires that existing residential areas be protected from encroachment of incompatible uses that are destructive to the character and integrity of the residential environment by Comprehensive Plan provisions and land development regulations. This policy also requires the prevention or mitigation of off-site impacts from Industry and Mining land uses.
- Policy 2.2.3 of the Land Use element requires that New light industrial uses shall prevent or mitigate off-site impacts in accordance with the Research and Innovation Land Use category or the Industry and Mining Land Use category and applicable land development regulations.
- Policy 2.2.28 of the Land Use element establishes the Industry and Mining land use category and gives local government additional new and very specific tools it can utilize to prevent or mitigate any environmental or other impacts from these land uses. This policy recognizes that industrial uses vary in their operations and potential for offsite impacts. and it specifically

states that “Whenever possible, noise, vibrations, smoke, dust and particulate matter, odor, and lighting resulting from industry and mining uses shall be prevented.” In cases where impacts cannot be prevented, this policy requires that performance and locational criteria be established within all implementing zoning districts mitigated to avoid negative impacts on adjoining areas.

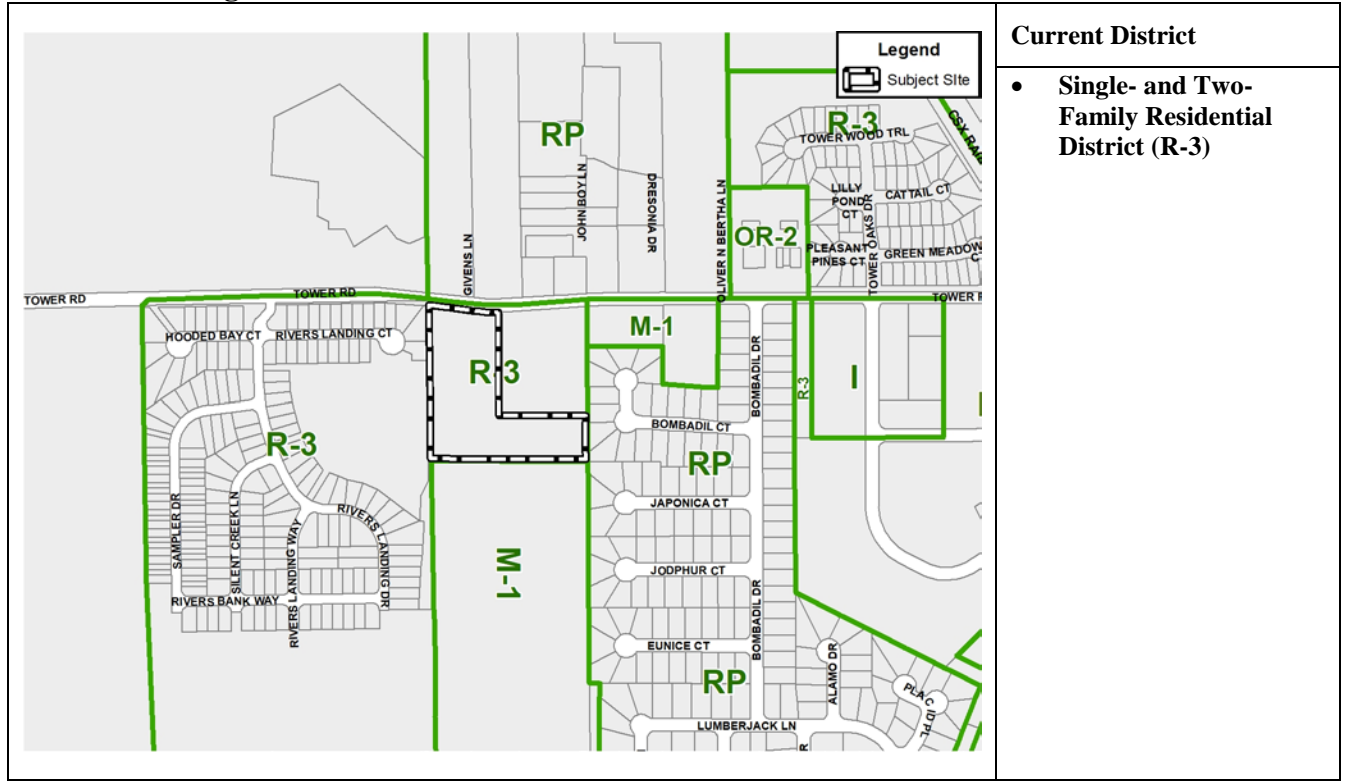
- Policy 2.2.28 also requires areas to be mined to have buffers, a land reclamation plan, fencing, and to be have all necessary state permits and to meet mandatory reclamation requirements where applicable. It also requires heavy industrial land uses to have stringent locational criteria and require extensive buffering and/or relative distance from other land uses. These uses may require employment of techniques to prevent substantial impacts off-site or require mitigation and/or minimization techniques for impacts.

### Zoning

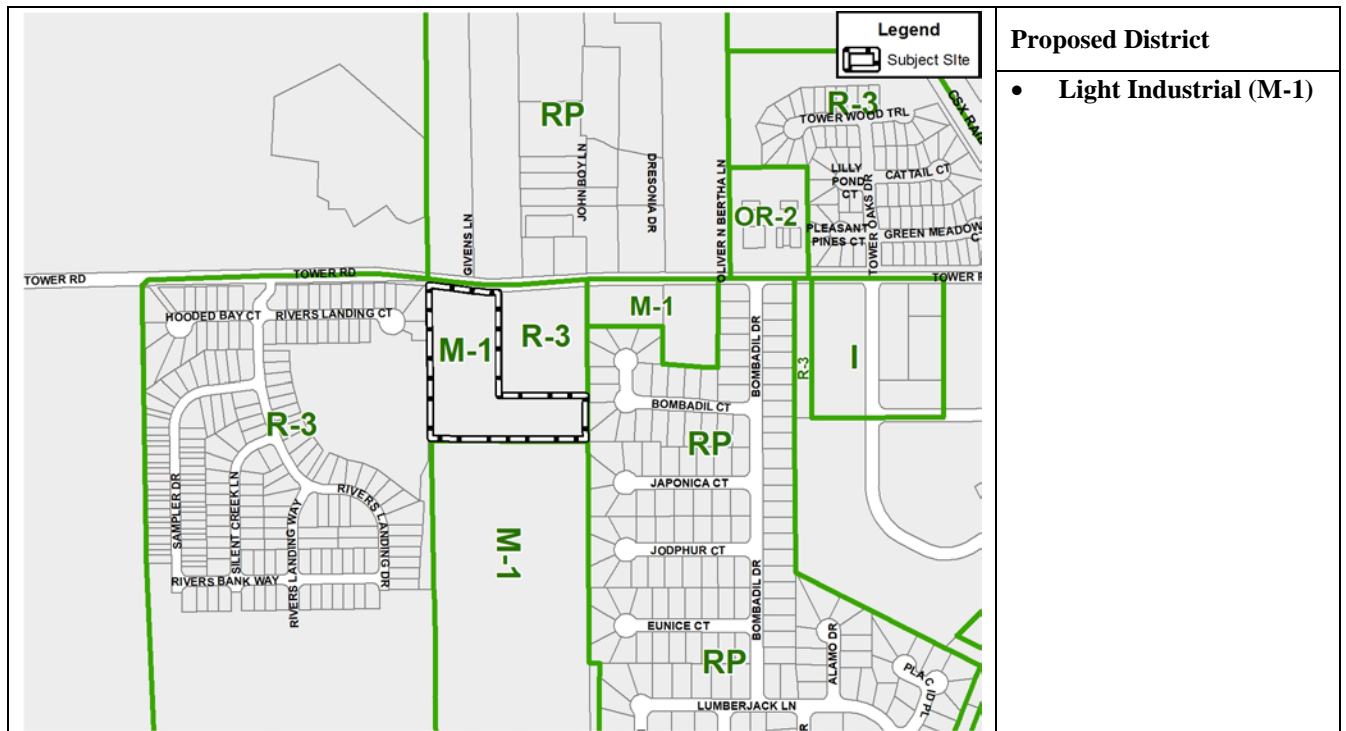
The Land Development Code sections for R-3 Single- and Two-Family Residential District (Section 10-6.637) and M-1 Light Industrial District (Section 10-6.652) zoning is included as Attachment #10.

The following maps illustrate the current and proposed zoning for the subject site.

**Current Zoning**



**Proposed Zoning**



*Current Zoning*

The R-3 district is intended to be located in areas designated Bradfordville Mixed Use, Urban Residential, Urban Residential 2, or Suburban on the Future Land Use Map of the Comprehensive Plan. These categories contain or are anticipated to contain a wide range of single-family and two-family housing types.

The maximum gross density allowed for new residential development in the R-3 district is eight (8) dwelling units per acre. A minimum density of four (4) dwelling units per acre is required when applied to the Urban Residential future land use category. The minimum density is not applicable if constraints of public easements, concurrency, or preservation and/or conservation features preclude the attainment of the minimum densities. Certain community and recreational facilities related to residential uses are also permitted.

Given the fact that the subject site has been mined and filled, and that the developable portion of the site is located adjacent to an existing wastewater treatment facility, the subject site is not an ideal location for residential development as detailed in the R-3 district.

*Requested Zoning*

The M-1 district shall apply to urban areas with convenient access to transportation facilities where light manufacturing, processing, storage, community and recreational facilities, and other activities compatible with light industrial operations are permitted. The district is not intended to accommodate heavy industrial operations or to accommodate commercial or residential development which would restrict the principal light industrial operations.

Existing Land Uses

The existing land use of the subject site is vacant. The existing land uses along Tower Road, which is the main transportation route in this area, is a mix of rural, conservation, low-density residential, warehouses, utilities, industrial, offices, and vacant properties.

The area immediately east, southwest, and north of the subject site is currently low-density residential. The Rivers Landing subdivision to the immediate west of the subject site has a stormwater treatment pond that is adjacent to the site.

The Lakewood Estates residential subdivision is located immediately east of the subject site. It is on the other side of a private gravel road that runs north and south along the eastern boundary of the subject site.

There is a small County park (Tower Road Park) to the northeast of the subject site which has a soccer field. An electric substation is located immediately east of the park on the south side of Tower Road, and a small business that provides portable restroom facilities is located east of the substation on the same side of Tower Road.

The 24-acre area south of the subject site is an active wastewater treatment plant that is owned by Talquin Water and Wastewater, Inc.

At present, there are two high-power electric transmission lines that cross the subject site from north to south. A City of Tallahassee transmission line runs along the western boundary of the site, and a Talquin

Electric Cooperative transmission line runs parallel to the City's line along the eastern boundary of the site.

The existing land uses around the subject site are indicated on the following map.

### Existing Land Use Map



### Infrastructure Analysis

#### *Water/Sewer*

Talquin Electric Cooperative water and sewer services are available at the subject site.

*Schools*

The Subject Site is zoned for Springwood Elementary School, Griffin Middle School, and Godby High School. Because the request zoning designation does not allow residential uses, school concurrency is not an issue.

*Roadway Network*

Access to the subject site would be Tower Road, which is a Minor Collector roadway. The subject site is located outside of the Multimodal Transportation District and transportation concurrency may be applicable. Transportation concurrency would be determined during the site plan approval process.

*Pedestrian and Bicycle Network*

A sidewalk is located along the length of Tower Road from Capital Circle Northwest west to Rivers Landing Road. The subject site is accessible to this sidewalk at its northern boundary.

*Transit Network*

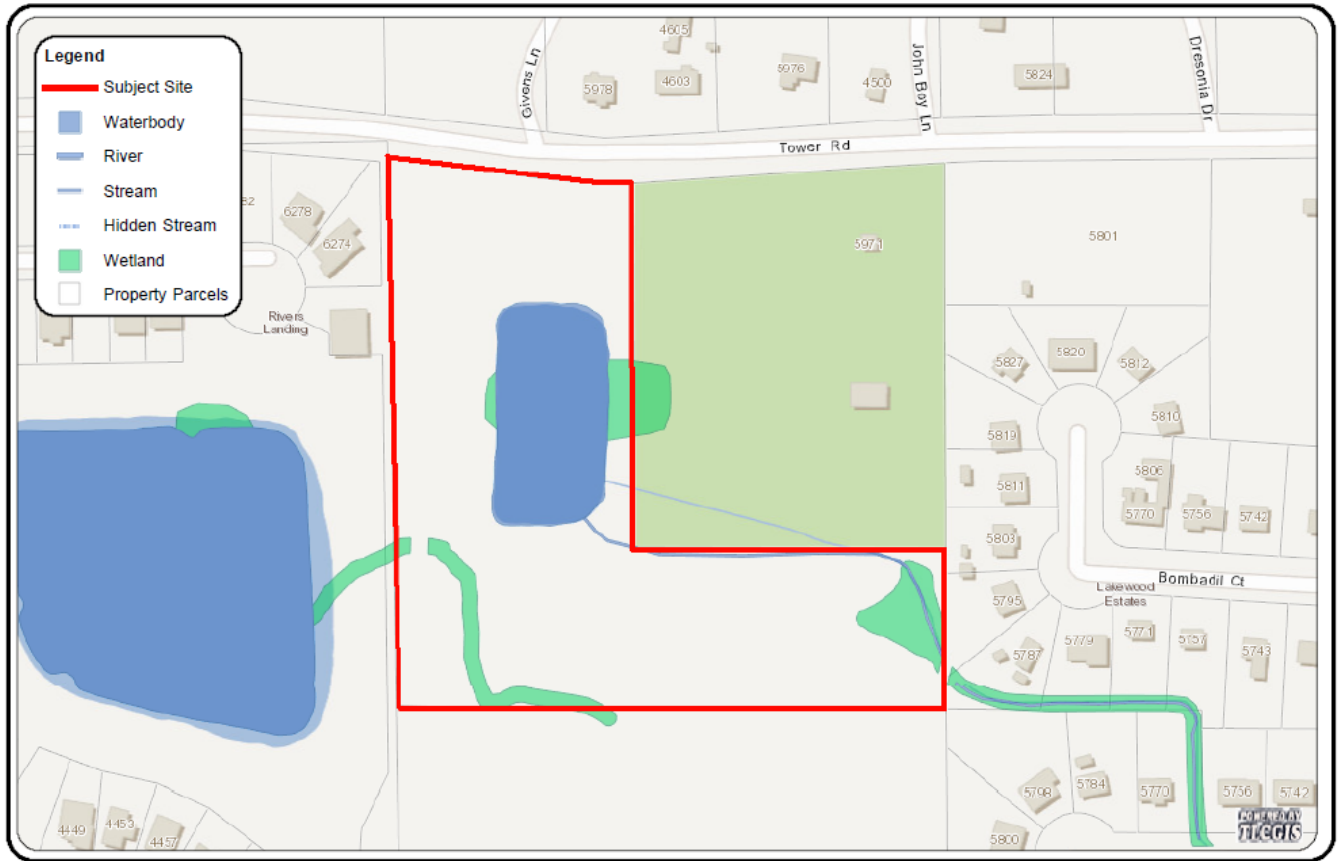
There is no regular public transit service available to the subject site.

Environmental Analysis

Based on data maintained by the Tallahassee – Leon County Geographic Information System interlocal department, the subject site is located in the Ochlockonee Basin. These data indicate the presence of a small intermittent stream located in an earthen ditch that drains from the Lakewood Estates and Sterling Woods residential subdivisions into the stormwater facility located in the northern half of the subject site. The data also indicate small wetland areas located around this facility, the stream on the southeastern corner of the site, and forming a linear depression that drains west into the stormwater facility located in the Rivers Landing subdivision. There are no other significant environmental features onsite.

Proposed improvements and associated mitigation shall be in compliance with the Environmental Management Act and development activities at the site shall comply with the noise ordinance.

The following map indicates the existing environmental features located on and near the subject site.



Source: TLCGIS

**F. PUBLIC OUTREACH AND NOTIFICATION**

An initial mailing was sent to 229 property owners within 1,000 feet of Subject Site.

Public Outreach		Date	Details
X	Mail Notification of Proposed Changes	October 7, 2018	Notices Mailed to Property Owners within 1000 feet
X	Notice of Proposed Land Use Change and Rezoning	November 7, 2018	Two signs providing details of proposed land use and zoning changes posted on subject site
X	Public Open House	November 11, 2018	5:30 PM, Second Floor, Frenchtown Renaissance Center
X	Staff Reports Available Online	January 15, 2019	Email Subscription Notice sent to all users of service

**Public Open House** – 18 citizens attended the public open house on November 11, 2018 to discuss the 2019 Cycle amendments. Regarding this amendment, several citizens asked about the possibility of sand mining, the proposed development onsite, and if there were any protected environmental features.

**G. STAFF REPORT UPDATE**

Below is a list of all public meetings and actions taken by appointed or elected bodies in consideration of this proposed amendment:

Cycle 2019 Meetings		Dates	Time and Locations
X	Local Planning Agency Workshop	January 8, 2019	6:00 PM, Second Floor, Frenchtown Renaissance Center
X	Local Planning Agency Public Hearing	February 5, 2019	6:00 PM, Second Floor, Frenchtown Renaissance Center
X	Joint City-County Commission Workshop	February 26, 2019	1:30 PM, Fifth Floor, Leon County Courthouse
	Joint City-County Transmittal Public Hearing	March 12, 2019	6:00 PM, Fifth Floor, Leon County Courthouse
	Joint City-County Adoption Public Hearing	May 14, 2019	6:00 PM, Fifth Floor, Leon County Courthouse



**Local Planning Agency Workshop – January 8, 2019:** The Local Planning Agency discussed each of the amendments for the 2019 Cycle. Discussion on this amendment generally focused on access and notifications. Because the meeting was a workshop with the Local Planning Agency, citizen comments were not taken at this meeting. Citizen comments will be received at the Local Planning Agency Public Hearing scheduled for February 5, 2019. Although citizen comments are not taken at the workshop, six members of the public were in attendance to hear the discussion.

**Local Planning Agency Public Hearing – February 5, 2019:** The Local Planning Agency voted unanimously to recommend approval of the proposed Future Land Use Map Amendment and rezoning, consistent with the staff recommendation. No citizens spoke to the LPA on this proposed amendment and rezoning.

**H. ATTACHMENTS**

- Attachment #1: Aerial photographs from 1970
- Attachment #2: Aerial photographs from 1983
- Attachment #3: Aerial photographs from 1990
- Attachment #4: Aerial photographs from 1996
- Attachment #5: Aerial photographs from 2001
- Attachment #6: Aerial photographs from 2009
- Attachment #7: Digital Terrain Relief Map
- Attachment #8: Existing Easements Affecting Subject Site
- Attachment #9: Comprehensive Plan policies
- Attachment #10: Land Development Code sections

**Legend**

- Subject Site in 1970
- Property Parcels



POWERED BY  
**TLCGIS**



**Land Information Map**

**DISCLAIMER**

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November 26, 2018

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Leon County Courthouse  
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**Legend**

- Subject Site in 1983
- Property Parcels



Land Disturbance

Land Disturbance



**Land Information Map**

**DISCLAIMER**

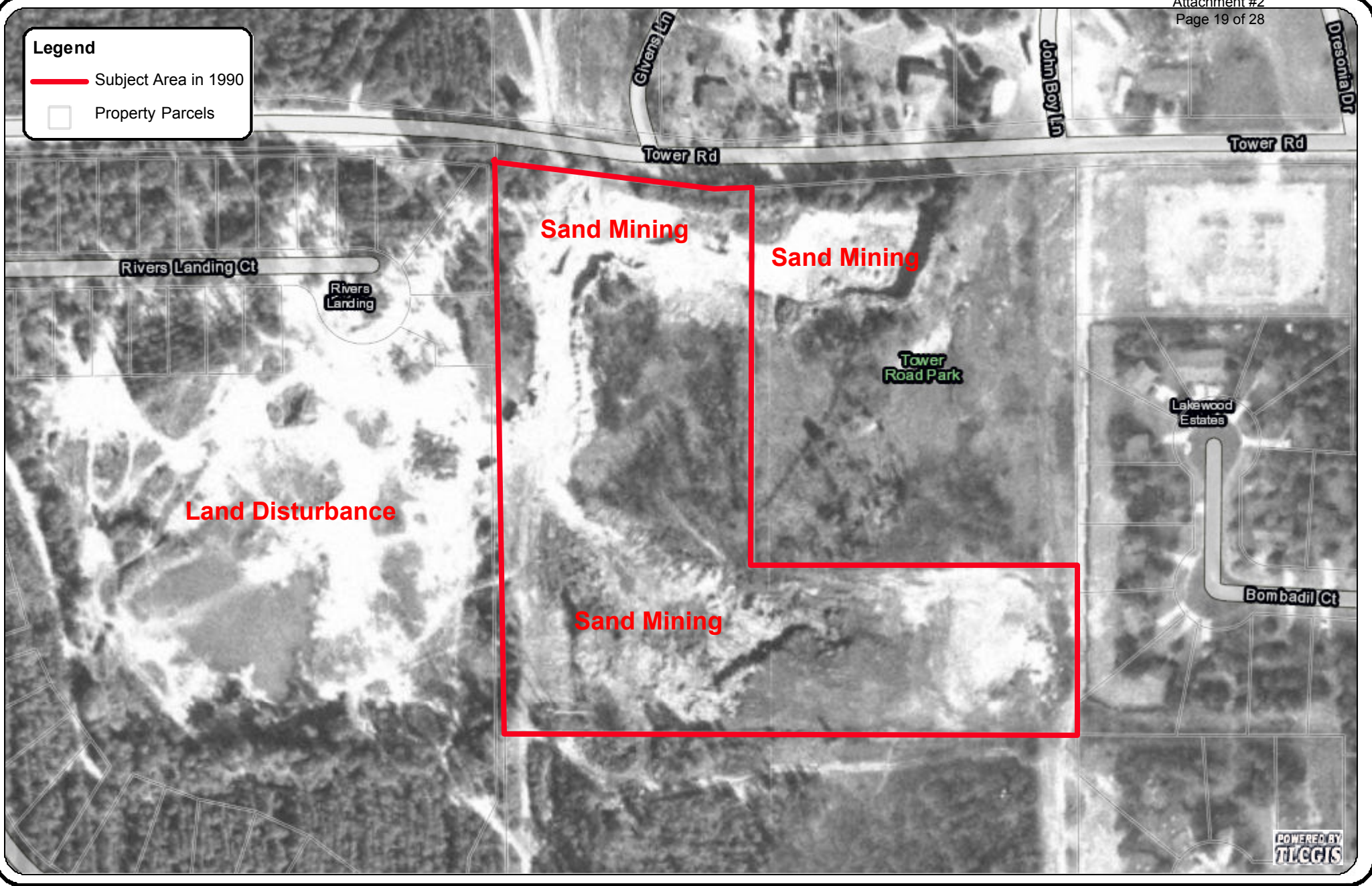
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**Legend**

- Subject Area in 1990
- Property Parcels



**Land Information Map**

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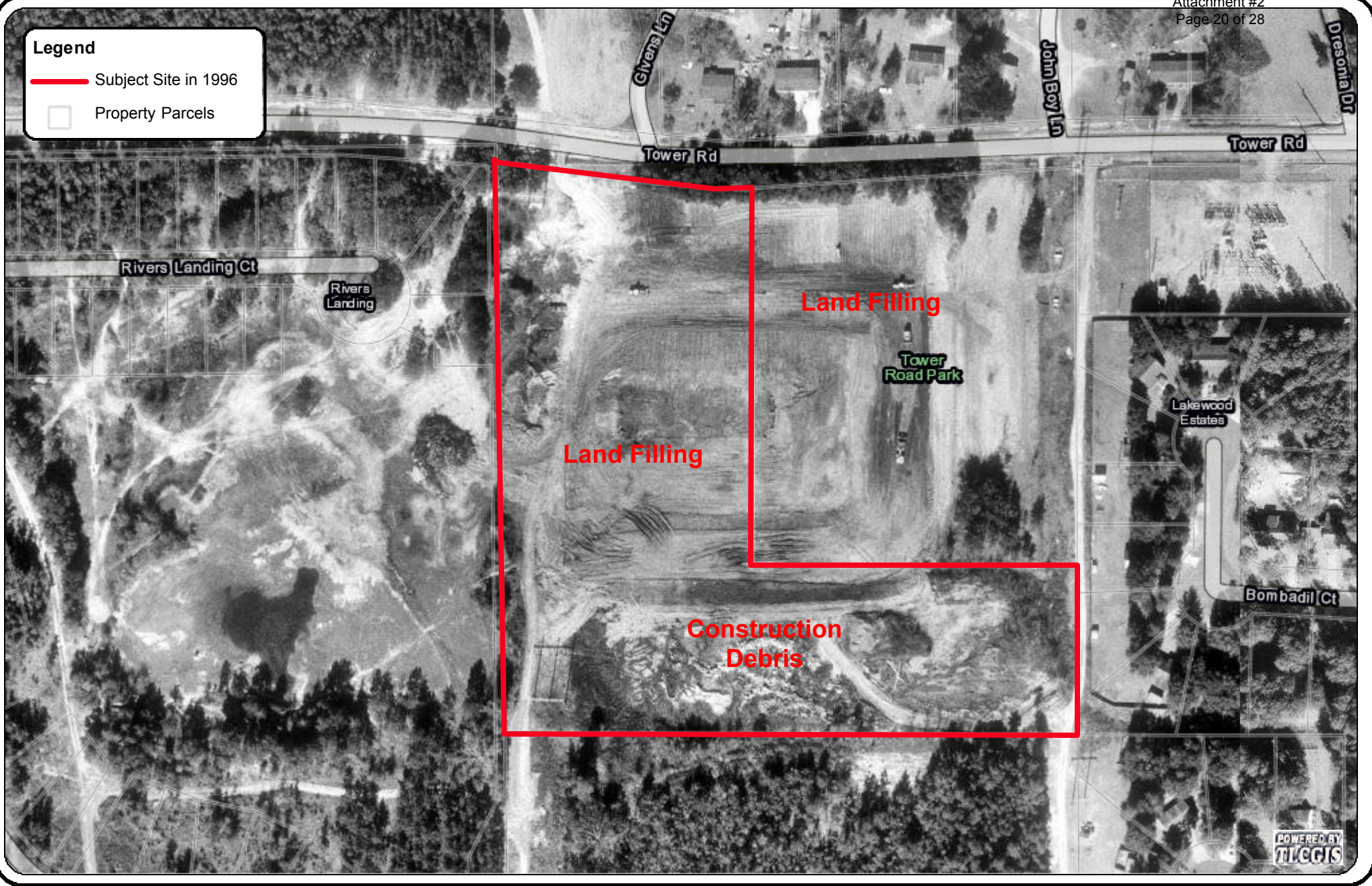
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- Subject Site in 1996
- Property Parcels



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**Land Information Map**

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**Legend**

- Subject Site in 2001
- Property Parcels



**Land Information Map**

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**Legend**

- Subject Site in 2009
- Property Parcels



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**Land Information Map**

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**Legend**

- Subject Site
- Property Parcels



**Land Information Map**

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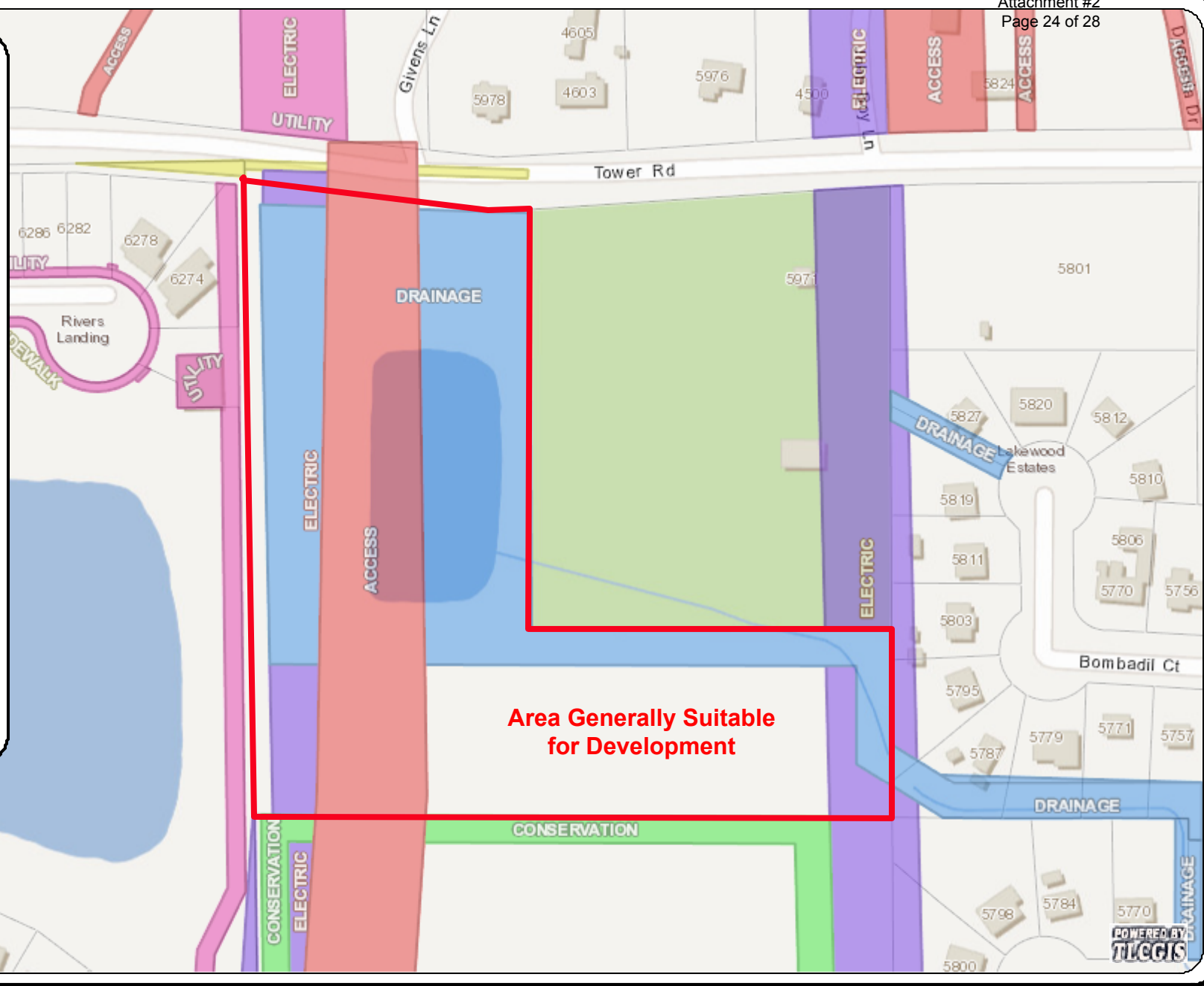
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- Legend**
- Subject Site
  - Access Easements
  - Right-of-Way Easements
  - Drainage Easements
  - Conservation Easements
  - Conservation Drainage Easements
  - Water Easements
  - Sewer Easements
  - Utility Easements
  - Electric Easements
  - Sidewalk Easements
  - Gas Easements
  - Abandoned Easements
  - Miscellaneous Easements
  - Property Parcels



**Area Generally Suitable  
for Development**



**Land Information Map**

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**2019 Comprehensive Plan Amendment Cycle  
LMA201901  
Tower Road Light Industrial**

**Attachment #9**

**Policy 2.2.24: [L]** (REV. EFF. 7/26/06; REV. EFF. 3/14/07; REV. EFF. 1/22/16)

**URBAN RESIDENTIAL 2**

The primary intent of the Urban Residential 2 land use category, which is to be applied only within the Urban Services Area, is to encourage a range of density (20 dwelling units per acre) housing, thereby promoting infill development, reducing urban sprawl, and maximizing the efficiency of infrastructure. The implementing zoning district(s) shall contain design standards as well as locational criteria in order to accomplish these goals. The Urban Residential 2 category allows townhouses, single-family detached, two-family, and multiple-family dwelling units as well as open space/recreation and community facilities related to residential uses. The implementing zoning district(s) within the land development regulations shall further specify the allowable uses. Urban Residential 2 may serve as a transition category between lower density residential categories and more intensive development such as higher density residential and/or office land uses or major roadways where alternative modes of transportation are available to support the increased residential densities. The category is not intended to be applied within the interior of an existing designated residential preservation area, unless to correct, legal non-conforming uses and/or densities. The maximum residential density within the Urban Residential 2 category is 20 units per acre.

**Policy 2.2.28: [L]** (EFF. 5/31/18)

**INDUSTRY AND MINING LAND USE**

**INTENT**

Advanced manufacturing, industrial uses, and mining are important parts of the economy in the City of Tallahassee and Leon County. Dramatic shifts in the technologies used by these sectors are resulting in operations that are often cleaner, quieter, and less noxious to neighboring uses than traditional industrial uses. Industry and mining uses in appropriate locations provide necessary jobs and the raw materials needed to support growth and development in the community.

Industry and mining uses intended for the distribution of manufactured goods should be encouraged in areas with access to the Tallahassee International Airport or the Florida Department of Transportation's (FDOT) Strategic Intermodal System (SIS) facilities. Because of the need for infrastructure and public services, the Industry and Mining Land Use shall only apply to areas located within the Urban Services Area.

Because industrial uses vary in their operations and potential for offsite impacts, performance and locational criteria shall be established in the City and County land development codes for the implementing zoning districts. Whenever possible, noise, vibrations, smoke, dust and particulate matter, odor, and lighting resulting from industry and mining uses shall be prevented. In cases where the impacts cannot be prevented, they shall be mitigated to avoid negative impacts on properties in the vicinity of these uses.

**ALLOWABLE LAND USES, DENSITIES, AND INTENSITIES**

The Industry and Mining Land Use category accommodates a variety of uses that may have similar demands on public infrastructure. Light industrial, mining, and heavy industrial uses are allowable in the Industry and Mining Land Use.

1. Light Industrial – Light Industrial uses shall be permitted at a maximum intensity of 30,000 square feet of gross building floor area per acre. Ancillary residential uses (intended for caretaking, maintenance, the temporary lodging of employees, or security) may not exceed two units per acre.
2. Mining – Mining uses shall be permitted subject to applicable landscaping and natural area requirements and the dimensional standards included in land development regulations. A land reclamation plan shall be submitted demonstrating that upon termination of the activity, the land shall be returned to a condition that will allow an effective reuse compatible with surrounding properties. All mining uses are subject to fencing requirements as identified in the land development regulations. Mining uses may be subject to an Environmental Resource Permit (ERP) pursuant to Chapter 373, F.S., and Rule 62-330, Florida Administrative Code (F.A.C.) and mandatory reclamation requirements pursuant to Chapter 378, F.S., and Rule 62C-39, F.A.C.
3. Heavy Industrial – Heavy Industrial uses shall be permitted at a maximum intensity of 30,000 square feet of gross building floor area per acre. All applicable development must comply with Title 14 Code of Federal Regulations Part 77.9 Construction or alteration requiring notice. Those industries that have the potential to result in any other pollution of the air or ground shall adhere to existing local, state and federal operational or industry standards, and avoid or mitigate these potential impacts. These areas shall have stringent locational criteria and require extensive buffering and/or relative distance from other land uses. These uses may require employment of techniques to prevent substantial impacts off-site or require mitigation and/or minimization techniques for impacts. Ancillary commercial uses designed to serve adjacent workers may be permitted.

**SPECIAL CONDITIONS**

The following special conditions shall apply to the Industry and Mining Land Use category:

1. Administrative offices that support and are functionally related to onsite activities are allowed in any of the implementing zoning districts for the Industry and Mining Land Use.
2. Site plans must demonstrate the protection of adjacent non-industry and mining properties through development standards outlined in the land development codes.
3. A plan for vehicular access to and from the site addressing heavy trucks and equipment must be submitted with site plans and must demonstrate compatibility with adjacent land uses.
4. Hydraulic fracturing, commonly referred to as fracking, is not a permitted use in the Industry and Mining Land Use.

***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 1.1.7: [L] (EFF. 7/16/90)***

Higher density and mixed use development and its ancillary activities shall be channeled into locations which have proper access to the existing transportation system; minimal environmental constraints; sufficient stormwater treatment capacity; compatible existing land use and readily available sewer and water infrastructure.

Section 10-6.637. R-3 Single- and Two-Family Residential District.

1. District Intent	PERMITTED USES								
	2. Principal Uses				3. Accessory Uses				
The R-3 district is intended to be located in areas designated Bradfordville Mixed Use, Urban Residential, Urban Residential 2, or Suburban on the Future Land Use Map of the Comprehensive Plan which contain or are anticipated to contain a wide range of single-family and two-family housing types. The maximum gross density allowed for new residential development in the R-3 district is 8 dwelling units per acre; a minimum density of 4 dwelling units per acre is required when applied to the Urban Residential future land use category. The minimum density is not applicable if constraints of public easements, concurrency, or preservation an/or conservation features preclude the attainment of the minimum densities. Certain community and recreational facilities related to residential uses are also permitted.	(1) Community facilities related to residential uses including religious facilities, police/fire stations, and elementary, middle, vocational, and exceptional student education schools. Libraries and high schools are prohibited. Other community facilities may be allowed in accordance with Section 10-6.806 of these regulations. (2) Golf courses. (3) Passive and active recreational facilities. (4) Single-family attached dwellings. (5) Single-family detached dwellings. (6) Two-Family dwellings. (7) Zero-lot line single-family detached dwellings.				(1) 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 33 percent of the floor area or cubic volume of the principal use or structure, as determined by the County Administrator or designee. (2) Light infrastructure and/or utility services and facilities necessary to serve permitted uses, as determined by the County Administrator or designee.				
DEVELOPMENT STANDARDS									
Use Category	4. Minimum Lot or Site Size			5. Minimum Building Setbacks				6. Maximum Building Restrictions	
	a. Lot or Site Area	b. Lot Width	c. Lot Depth	a. Front	b. Side-Interior Lot	c. Side-Corner Lot	d. Rear	a. Building Size (excluding gross building floor area used for parking)	b. Building Height (excluding stories used for parking)
Single-Family Detached Dwellings	5,000 square feet	50 feet	100 feet	20 feet	7.5 feet on each side; or any combination of setbacks that equals at least 15 feet, provided that no such setback shall be less than 5 feet	15 feet	25 feet	not applicable	3 stories
Single-Family Attached Dwellings	3,750 square feet end unit; 2,400 square feet interior lot	37.5 feet end unit; 25 feet interior lot	80 feet	20 feet	not applicable	15 feet	25 feet	maximum length: 8 units	3 stories
Zero-Lot Line Single-Family Detached Dwellings	3,750 square feet	30 feet interior lot; 40 feet corner lot	100 feet	20 feet	0 feet one side; 5 feet other side	15 feet	25 feet	not applicable	3 stories
Two-Family Dwellings	8,000 square feet	60 feet	100 feet	20 feet	same as for single-family detached dwellings	15 feet	25 feet	not applicable	3 stories
Any Permitted Principal Non-Residential Use	12,000 square feet	60 feet	100 feet	25 feet	same as for single-family detached dwellings	15 feet	25 feet	10,000 square feet of gross building floor area per acre	3 stories

**GENERAL NOTES:**

1. If central sanitary sewer is not available, residential development is limited to a minimum of 0.50 acre lots and non-residential development is limited to a maximum of 2,500 square feet of building area. Community service facilities are limited to a maximum of 5,000 square feet of building area or a 500 gallon septic tank. Also, refer to Sanitary Sewer Policy 2.1.12 of the Comprehensive Plan for additional requirements.
2. Refer to the Environmental Management Act (EMA) for information pertaining to the regulation of environmental features (preservation/conservation features), stormwater management requirements, etc.
3. Refer to the Concurrency Management Ordinance for information pertaining to the availability of capacity for certain public facilities (roads, parks, etc.).



March 13, 2019

Mr. Ray Eubanks  
Plan Processing Administrator  
State Land Planning Agency - Department of Economic Opportunity  
Caldwell Building  
107 East Madison Street - MSC 160  
Tallahassee, Florida 32399-4120

Dear Mr. Eubanks:

The Tallahassee-Leon County Planning Department hereby transmits proposed amendments for 2019 Cycle for the City of Tallahassee and Leon County to amend the joint Tallahassee-Leon County 2030 Comprehensive Plan. These amendments are submitted pursuant to the Local Planning Agency public hearing, as well as the March 12, 2019 joint City Commission and Board of County Commissioners transmittal public hearing.

The appropriate state agencies have been copied on this letter and provided with a complete amendment package and supporting data and analysis in Portable Document Format (PDF).

This transmittal package includes one (1) large-scale map amendment and one (1) text amendment. Supporting materials are included within this transmittal packet as follows:

- Attachment #1: Summary Chart of 2019 Cycle Amendments
- Attachment #2: Transmitted 2019 Amendments
- Attachment #3: Supporting Documentation and Staff Reports

All of the amendments in this package are being submitted under the expedited state review process. The anticipated month of adoption for the 2019 amendments is May 2019.

The amendments are not applicable to an area of critical state concern.

If you have any questions concerning the proposed amendments, please contact Artie White at (850) 891-6400; 300 South Adams Street, Tallahassee, FL 32301; FAX: (850) 891-6404; e-mail [artie.white@talgov.com](mailto:artie.white@talgov.com)

Sincerely,

Cherie Bryant, AICP  
Planning Director

cc:

Department of Agriculture and Consumer Services (w/attachments)  
Department of Education (w/attachments)



CITY OF

**TALLAHASSEE-LEON COUNTY PLANNING DEPARTMENT**



Department of Environmental Protection (w/attachments)  
Department of State (w/attachments)  
Florida Fish and Wildlife Conservation Commission (w/attachments)  
Department of Transportation, District Three (w/attachments)  
Apalachee Regional Planning Council (w/attachments)  
Northwest Florida Water Management District (w/attachments)

Jessica Icerman (w/o attachments)  
Lou Norvell (w/o attachments)



**ATTACHMENT #1**  
**SUMMARY CHART**

**MATRIX FOR 2019 CYCLE AMENDMENTS**

A = Approve  
D = Denial  
AM = Approve as Modified

<i>Item #</i>	<i>Amendment To:</i>	<i>Nature of Proposed Amendment</i>	<i>Planning Staff Recommendation</i>	<i>LPA Recommendation</i>	<i>Board/Commission Position</i>	<i>Status</i>
<b>TMA 2019 002</b>	<b>FUTURE LAND USE MAP Murat Subdivision</b>	<b>From:</b> Residential Preservation <b>To:</b> University Transition 9.08 acres	<b>AM</b> <b>(Approve with Expansion Area)</b>	<b>AM</b> <b>(Approve with Expansion Area)</b>	<b>AM</b> <b>(Approve with Expansion Area)</b>	<b>Small Scale Map Amendment Adopted March 12, 2019</b>
<b>LMA 2019 01</b>	<b>FUTURE LAND USE MAP Tower Road Light Industrial</b>	<b>From:</b> Urban Residential-2 <b>To:</b> Industry and Mining 7.0 acres	<b>A</b>	<b>A</b>	<b>A</b>	<b>Small Scale Map Amendment Adopted March 12, 2019</b>
<b>LMA 2019 02</b>	<b>FUTURE LAND USE MAP Bexar LLC Property</b>	<b>From:</b> Urban Residential-2 <b>To:</b> Suburban 39.5 acres	<b>A</b>	<b>A</b>	<b>A</b>	<b>Large Scale Map Amendment Transmitted March 12, 2019</b>
<b>TTA 2019 005</b>	<b>CAPITAL IMPROVEMENTS ELEMENT Leon County Schools District Facilities Work Program</b>	Update Policy 1.2.8 addressing the process for adopting the District School Facilities Work Program (as an ordinance instead of a Comprehensive Plan amendment) consistent with Florida Statutes.	<b>A</b>	<b>A</b>	<b>A</b>	<b>Text Amendment Transmitted March 12, 2019</b>

**ATTACHMENT #2**  
**TRANSMITTED AMENDMENTS**

**Map Amendment LMA 2019 02**  
**Bexar LLC Property**

39.5 Acres

From: Urban Residential-2

To: Suburban

**Staff Recommendation:**

*Approval*

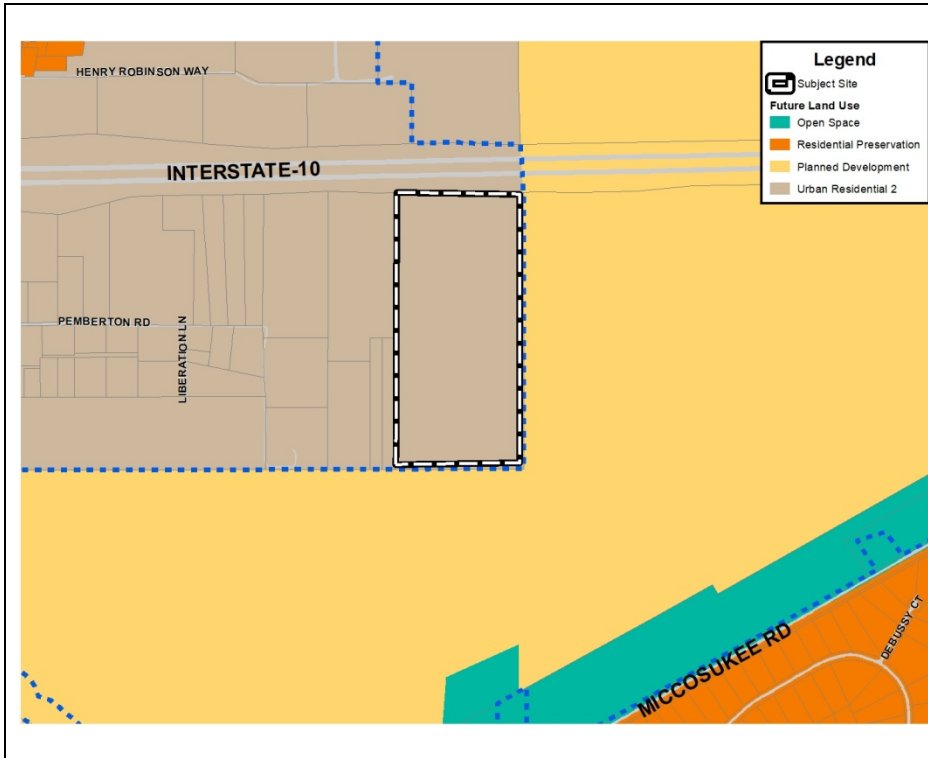
**Local Planning Agency:**

*Approval*

**Commission:**

*Approval*

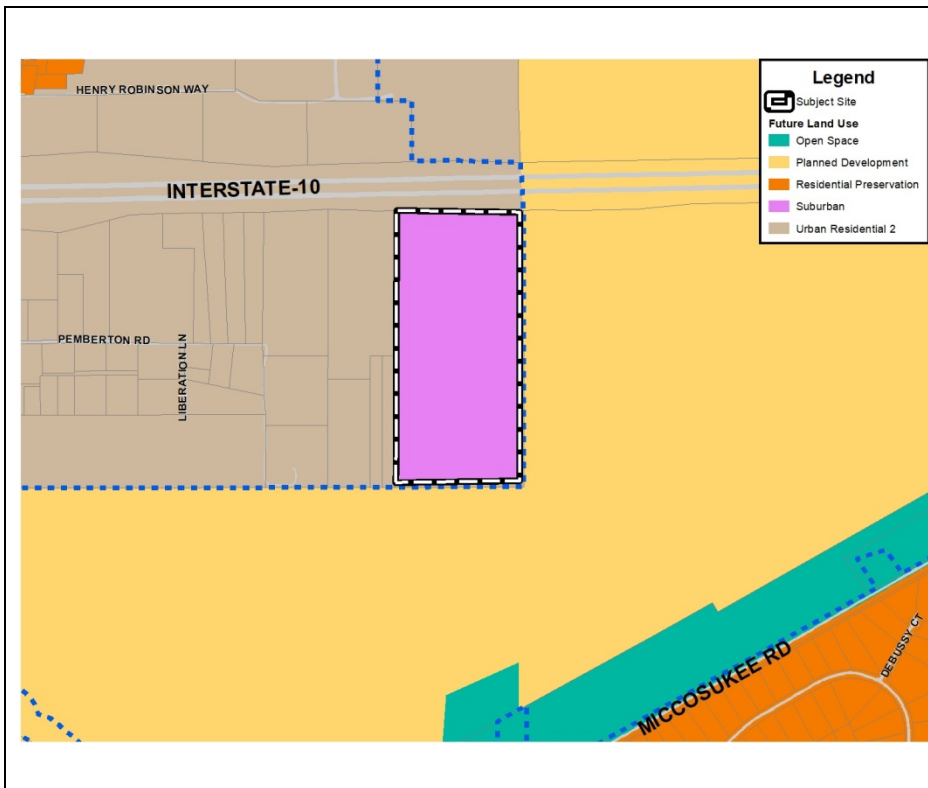
### Current Future Land Use Map Designation



### Current Designation

- **Urban Residential-2**

### Proposed Future Land Use Map Designation



### Proposed Designation

- **Suburban**

# **Text Amendment TTA 2019 005**

Proposed text amendment to the Capital  
Improvements Element

**Staff Recommendation:**

*Approval*

**Local Planning Agency:**

*Approval*

**City Commission:**

*Approval*

**County Commission:**

*Approval*

**Text Amendment TTA 2019 005**

Policy 1.2.8: [CI]

~~Leon County Schools' 2016-2017 five-year District Facilities Work Program (as adopted by Leon County Schools on October 25, 2016) is hereby adopted by reference into the five-year Schedule of Capital Improvements.~~ The five-year Schedule of Capital Improvements will be evaluated and updated annually to reflect existing and future public school facility needs to ensure that the School District's five-year capital plan is financially feasible and that the adopted level-of service standard for public schools is achieved and maintained.

**ATTACHMENT #3**  
**Supporting Documents**





**SUMMARY**

Property Owners:	Property Location:	TLCDP Recommendation:
William A. Messer, Stephanie L. Messer, James Messer, Laurye S. Messer, Greg & Emily Ahlum	Parcel #: 11-11-20-480-0000 0 Pemberton Road Tallahassee, FL	<b>Approve</b>
<b>Applicant:</b> Bexar LLC		
TLCDP Staff:	Current Future Land Use & Zoning:	LPA Recommendation:
T.J. Lewis	<u>Future Land Use:</u> Urban Residential 2 (UR 2) <u>Zoning:</u> Single Family Detached, Attached Two-Family Residential(R-3)	<b>Approve</b>
Contact Information:	Proposed Future Land Use & Zoning:	
<a href="mailto:TJ.Lewis@talgov.com">TJ.Lewis@talgov.com</a> (850) 891-6451	<u>Future Land Use:</u> Suburban <u>Zoning:</u> Single Family Detached, Attached Two-Family Residential (R-3)	
<b>Date:</b> September 28, 2018	<b>Updated:</b> March 13, 2019	

**A. REASON FOR REQUESTED CHANGE**

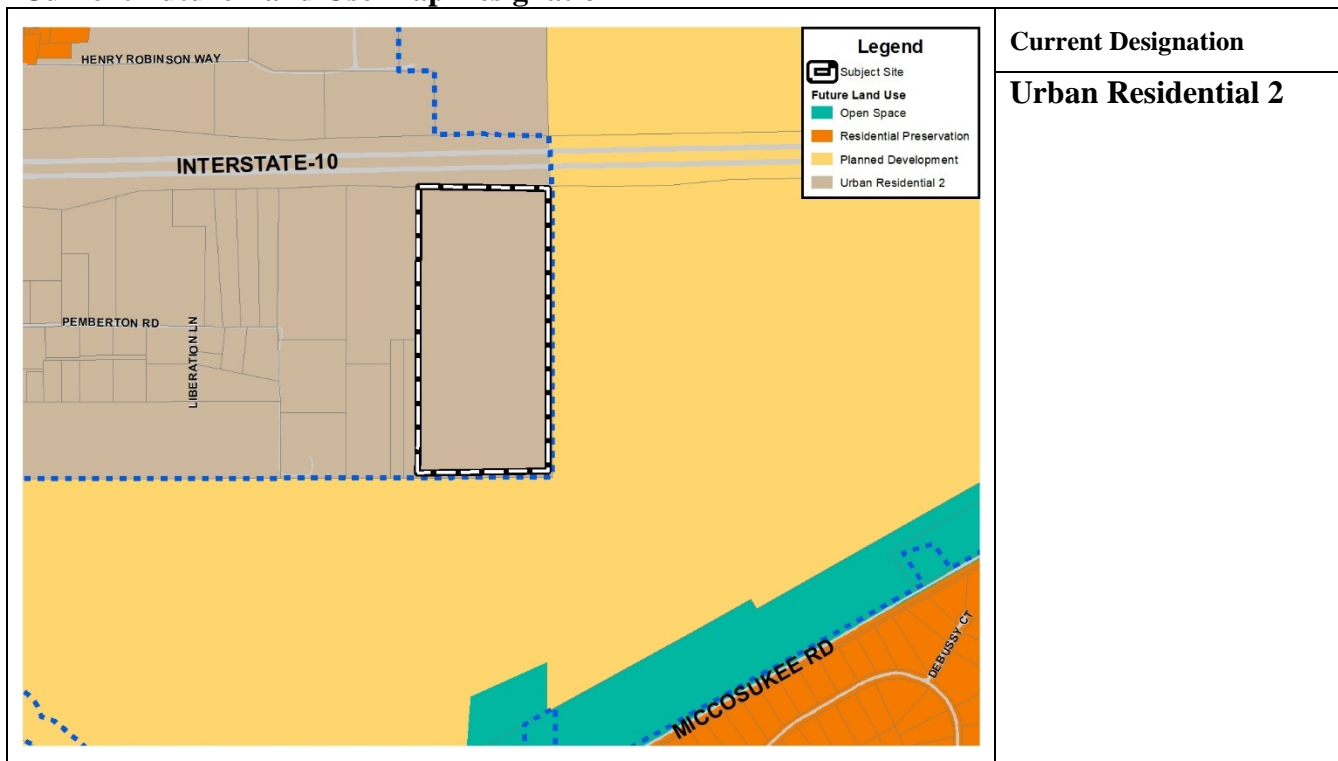
The applicant has actively monitored the progress being made in the planning and funding of improvements to the Welaunee Plantation development, including the planned Welaunee Boulevard and proposed Thornton Road extension. Under proposed concepts, those roadways would result in a four-lane arterial south of the applicant’s property and potentially provide for access to the applicant’s approximate 40-acre parcel.

The applicant seeks to pursue a mixed-use development on their property near the proposed town center, potential interchange at Interstate 10, and the future Welaunee Boulevard. Under the current future land use designation, *Urban Residential 2*, the subject property could be eligible for a residential development with maximum gross density of 20 dwelling units per acre that allows for townhouses, single-family detached, two-family, and multiple-family dwelling units as well as open space/recreation and community facilities related to residential uses. Under the proposed Future Land Use Category, *Suburban*, the property could be eligible for development of up to 20 dwelling units per acre, as well as non-residential intensities up to 80,000 square feet per acre.

**B. CURRENT AND PROPOSED FUTURE LAND USE DESIGNATION**

The following map illustrates the current FLUM designation for the Subject Area.

**Current Future Land Use Map Designation**



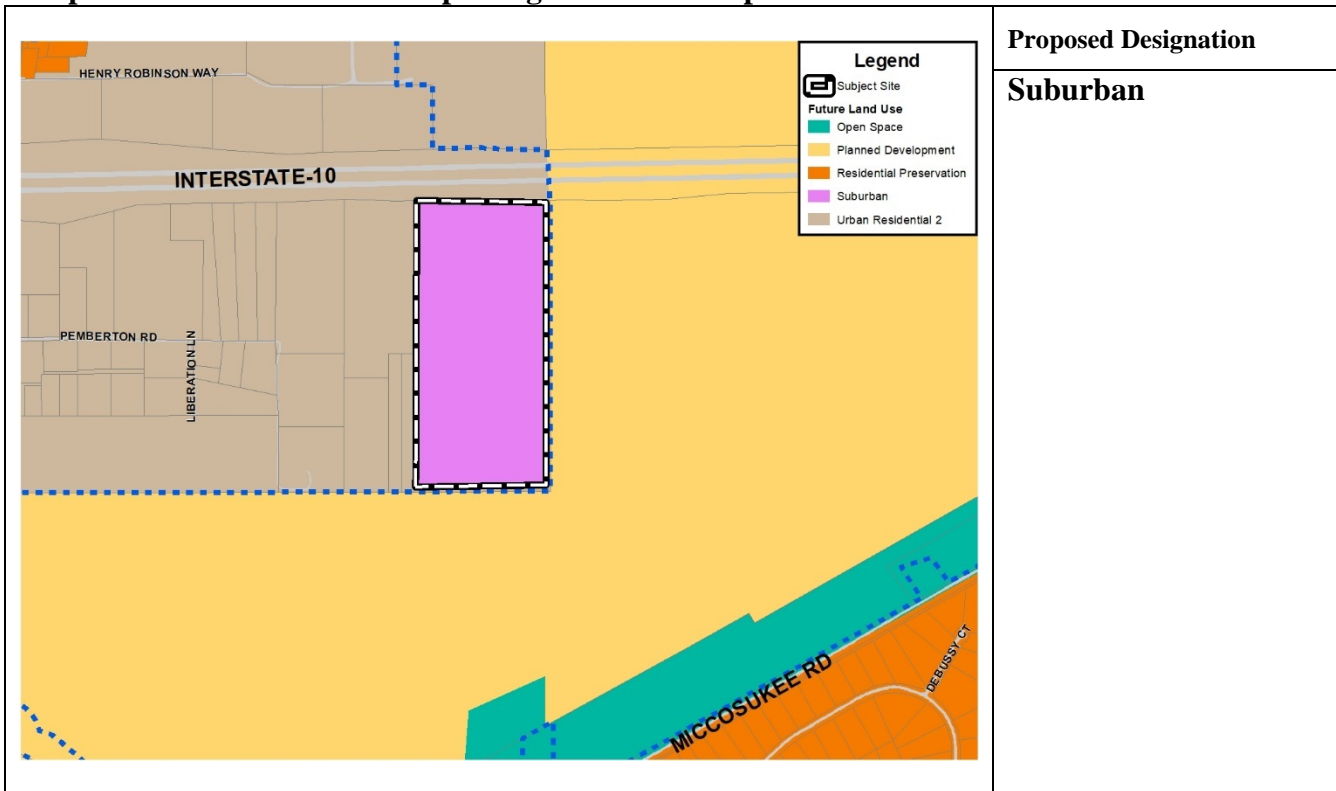
The Subject Area is currently designated *Urban Residential 2* on the FLUM. The proposed amendment would change the FLUM designation of the area to *Suburban*.

Policy 2.2.24: [L] establishes the *Urban Residential 2* land use category. *Urban Residential 2* is intended to encourage a range of density in housing up to 20 dwelling units per acre, thereby promoting infill development, reducing urban sprawl and maximizing the efficiency of infrastructure.

*Urban Residential 2* allows townhouses, single-family detached, two-family, and multiple family dwelling units as well as open space/recreation and community facilities related to residential uses. *Urban Residential 2* may serve as a transition category between lower density residential categories and more intensive development, such as higher density residential and/or office land uses or major roadways where alternative modes of transportation are available to support the increased residential densities. Density ranges can be increased up to 25% above the maximum limits for the purpose of providing affordable housing units consistent with Policy 2.1.14: [L].

The following map illustrates the proposed FLUM designation for the Subject Area.

**Proposed Future Land Use Map Designation with Expansion Area**



**Objective 2.2:** [L] of the Comprehensive Plan provides guidance for the mapping of future land use categories. These categories are designed to promote a variety of land use types and patterns to meet the needs of the community.

**Policy 2.2.5:** [L] establishes the *Suburban* land use category. The primary function of the *Suburban* designation is to create an environment for economic investment or reinvestment through the mutually advantageous placement of employment and shopping opportunities with convenient access to low to medium density residential land uses. *Suburban* recognizes the manner in which much of Tallahassee-Leon County has developed since the 1940s. The category predominantly consists of single-use projects that are interconnected whenever feasible. Mixed-use projects and the principles of traditional neighborhood developments are encouraged, though not required. The Suburban category is most suitable for those areas outside of the Central Core. However, additional areas inside the Central Core may be designated as appropriate based on existing land use pattern.

To complement the residential aspects of this development pattern, recreational opportunities, cultural activities, commercial goods and services should be located nearby. To reduce automobile dependency of residents and employers alike, mass transit stops should be located at large commercial centers and appropriate street and pedestrian connections established between commercial and residential areas. Except within mixed-use centers, larger scale commercial development should be buffered from adjacent residential neighborhoods.

Development shall comply with the Suburban Intensity Guidelines, as referenced in Table 4 of Policy 2.2.5: [L] of the Comprehensive Plan. Business activities are not intended to be limited to serve area residents; and as a result, may attract shoppers from throughout larger portions of the community.

Allowed land uses within the Suburban Future Land Use Category shall be regulated by zoning districts which implement the intent of this category, and which recognize the unique land use patterns, character, and availability of infrastructure in the different areas within the Suburban Future Land Use Category.

### **STAFF RECOMMENDATION**

Find that the proposed future land use map amendment is **consistent** with the Tallahassee-Leon County Comprehensive Plan, based on the findings and other information contained in this staff report, and recommend **ADOPTION** of the proposed amendment.

### **C. LOCAL PLANNING AGENCY (LPA) RECOMMENDATION**

Find that the proposed future land use map amendment is **consistent** with the Tallahassee-Leon County Comprehensive Plan, based on the findings and other information contained in this staff report, and recommend **ADOPTION** of the proposed amendment.

Find that the proposed rezoning is **consistent** with the Tallahassee-Leon County Comprehensive Plan, based on the findings and other information contained in this staff report, and recommend **APPROVAL** of the proposed rezoning.

### **D. SUMMARY OF FINDINGS**

The subject property is within the Urban Services Area and located adjacent to Interstate 10 within Unincorporated Leon County. The site consists of one vacant parcel totaling 39.4 +/- acres under single ownership. The area west and north of the applicant's property is developed with platted and un-platted single-family residential communities. The Welaunee Toe – East Planned Unit Development (PUD) is situated adjacent to east and south of the subject property and was approved on August 28, 2013. The Welaunee Toe – East PUD will include a town center and a mixture of commercial, residential, office and institutional uses. A new I-10 interchange at Welaunee Boulevard is also proposed within the PUD boundaries and will support increased intensity of land uses in this area. The Welaunee Toe – East is owned by the City of Tallahassee.

The current Future Land Use, *Urban Residential 2*, allows for residential densities up to 20 units per acre. The requested *Suburban* future land use category also allows for residential densities up to 20 units per acre, but also allows for non-residential uses. The non-residential intensities under the Suburban future land use category would be up to 80,000 square feet per acre.

The applicant's stated intent is to create vehicular access to the subject property via connection to the proposed Welaunee Boulevard. This section of Welaunee Boulevard is still in the planning and design phase, but construction of the roadway, along with requisite water and sewer services, are within the 5-year

Capital Improvements Element. Because the requisite infrastructure is considered funded, staff recommends approval of the FLUM change to allow non-residential uses once infrastructure becomes available.

The current zoning, Single Family Detached, Attached Two-Family Residential (R-3), establishes a maximum gross density for new residential development in the R-3 district at 8 dwelling units per acre. This zoning can implement EITHER the *Urban Residential 2* land use OR the *Suburban* land use; therefore, a concurrent rezoning is not necessary to implement the proposed map amendment. Furthermore, the Suburban Land Use policy (Policy 2.2.5 [L]) states “In those areas lacking the necessary infrastructure, the Land Development Regulations may designate a low intensity interim use. Any evaluation of a proposed change of zoning to a more intensive district shall consider, among other criteria, the availability of the requisite infrastructure.” Consistent with this policy, staff recommends the subject area maintain the current zoning, until such time that the alignment of Welaunee Boulevard is finalized, and exact roadway, water, and sewer access points are determined. This will allow for efficient planning of the infrastructure networks to and within the subject site. The applicant would be required to connect to any public roadways stubbed to the subject site from the Welaunee Toe - East PUD per Mobility Policies 1.4.4 and 1.4.5.

There are limited environmental features on the subject property. However, it should be noted that this parcel drains into the Lake Lafayette Basin with a contributing watershed, Mount Hornbem (1,724 acres). This area contains variable densities of residential land uses, from residential subdivisions to large-tract individual parcels, along with light agricultural and silvicultural uses.

This land use change provides opportunities to connect with and support a mix of uses proposed for the Welaunee Toe East PUD within the general area, while also serving as a buffer between the currently established low-density single family residential communities located north and west of it, and the mix of commercial, office, residential, and civic uses proposed for lands south and east of it. The change from Urban Residential 2 to Suburban allows for an opportunity to create an environment for economic investment or reinvestment through the mutually advantageous placement of employment and shopping opportunities with convenient access to low to medium density residential land uses consistent with the intent of the Suburban land use category.

## **E. STAFF ANALYSIS**

### History and Background

The subject site consists of one vacant parcel totaling 39.4 +/- acres under single ownership. Surrounding land uses include interstate highway to the north, vacant, unimproved land to the south, vacant unimproved land to the east and single-family estate homes to the west. The development pattern near the subject site consists of single-family housing on large lots of more than 1 acre accessible by a privately maintained single-lane dirt road, Pemberton Road. The applicant’s parcel is separated from Pemberton Road by two privately-owned parcels in use as Class I Cropland, and Class II Grazing.

The greater area surrounding the applicant’s property is developed with platted and un-platted single-family residential communities within a mile radius. The applicant’s property is situated 1,200 feet south of the Buckhead residential subdivision, which is situated on the northern side of Interstate 10. Approximately 3,500 feet west of the applicant’s property is a master planned residential subdivision, Centre Court. Centerville Trace, another master-planned community is located 5,805 feet to the west. The Applicant’s property is bordered on the East and South by large 428.54 +/- acre tract of land commonly referred to as the, “Welaunee Toe East” which is owned by the City of Tallahassee.

***The Welaunee Toe – East Planned Unit Development (PUD)***

The PUD was approved on August 28, 2013, as a component of a larger Welaunee Plantation located in northeastern section of Tallahassee / Leon County. According to the PUD:

The subject tract lies in the eastern portion of what is commonly referred to as the “Toe” of Welaunee Plantation and is owned by the City of Tallahassee.

The development of the PUD is governed by the Welaunee Critical Area Plan (CAP) which was adopted by the Tallahassee City Commission and the Leon County Board of County Commissioners in 2002. The entire PUD is within the Urban Service Area boundary. The CAP was integrated into the Tallahassee-Leon County Comprehensive Plan shortly after it was adopted in 2002. The PUD is subject to the covenants and restrictions included in the Special Warranty Deed recorded in the public records of Leon County, Florida, in Book 3450 at Page 596. The property is not currently accessible from Interstate 10. It is anticipated that the Welaunee Toe east will be afforded access to the extended Welaunee Boulevard, which will serve as a principal arterial East from the west.

The proposed Welaunee Toe - East PUD provides for the development of 1,454 dwelling units as provided for in the CAP. An additional 25% density bonus above the CAP limit of 1,454 dwelling units is allowed under the Inclusionary Housing Ordinance (IDO Number 04-0-90AA). This provides for an overall PUD Residential CAP Entitlement of 1,817 dwelling units. Overall residential density is projected to be 4.2 dwelling units per acre (Total Site Acreage divided by the Residential CAP Entitlement with density bonus applied).

According to the CAP, the Welaunee Toe – East Town Center and Neighborhood Center non-residential uses are planned at an estimated 272,441 gross square feet of retail and office uses which are permitted within the Town and Neighborhood Centers. The allowable ranges of uses within the Town and Neighborhood Centers have been established at 50% to 65% for retail uses and 35% to 50% for office uses for Phase I. At build out, the mix of uses in Town and Neighborhood Centers are planned at approximately 55% retail and 45% office. The CAP-required open space/recreational uses are provided through a combination of dedicated conservation, preservation, open space and park areas that have been located within various zoning districts of the PUD. The allocation per the CAP has been established at 15-25% for Primary Open Space and Recreational uses. Other uses of the PUD include stormwater management facilities, other community infrastructure and community services, and road rights-of-way.

In support of the Application for Land Exchange, a Comprehensive Plan Text Amendment entitled *Welaunee Plantation Access from Thornton Road (PCT130113)* was initiated by the City on October 24, 2012. Specifically, if the amendment is approved by the State of Florida, Trustees of the Internal Improvement Trust Fund (TIITF), Policy 13.1.4: Transportation (2) (B) would be amended to read that access to the Toe from Miccosukee Road shall occur only within approved road access corridors across the Miccosukee Canopy Road Greenway at Thornton Road, Edenfield Road, and Dempsey Mayo. All impacts to the canopy road protection zone from such access roads shall be minimized. Within the Staff Analysis, the preliminary recommendation was to Approve Amendment Request PCT130113 with an effective date tied to approval of the Thornton Road Land Exchange by TIITF.

### Welaunee Boulevard

Regional connections of the roadway network within the Welaunee Toe – East PUD shall be provided via connectivity to the Canopy PUD segment and a future northern extension of Welaunee Boulevard, a principal arterial roadway, which is planned to connect to an interchange with Interstate 10 or an overpass until approval of an interchange is obtained.

The alignment of the Welaunee Boulevard overpass and / or interchange has not been predetermined. The future overpass and interchange at Interstate 10 and Welaunee Boulevard will be provided subject to approval by the Federal Highway Administration (FHWA) and Florida Department of Transportation (FDOT). An overpass may exist until an interchange is approved. No specific phase plan or development schedule has been determined for the Welaunee Toe – East PUD.

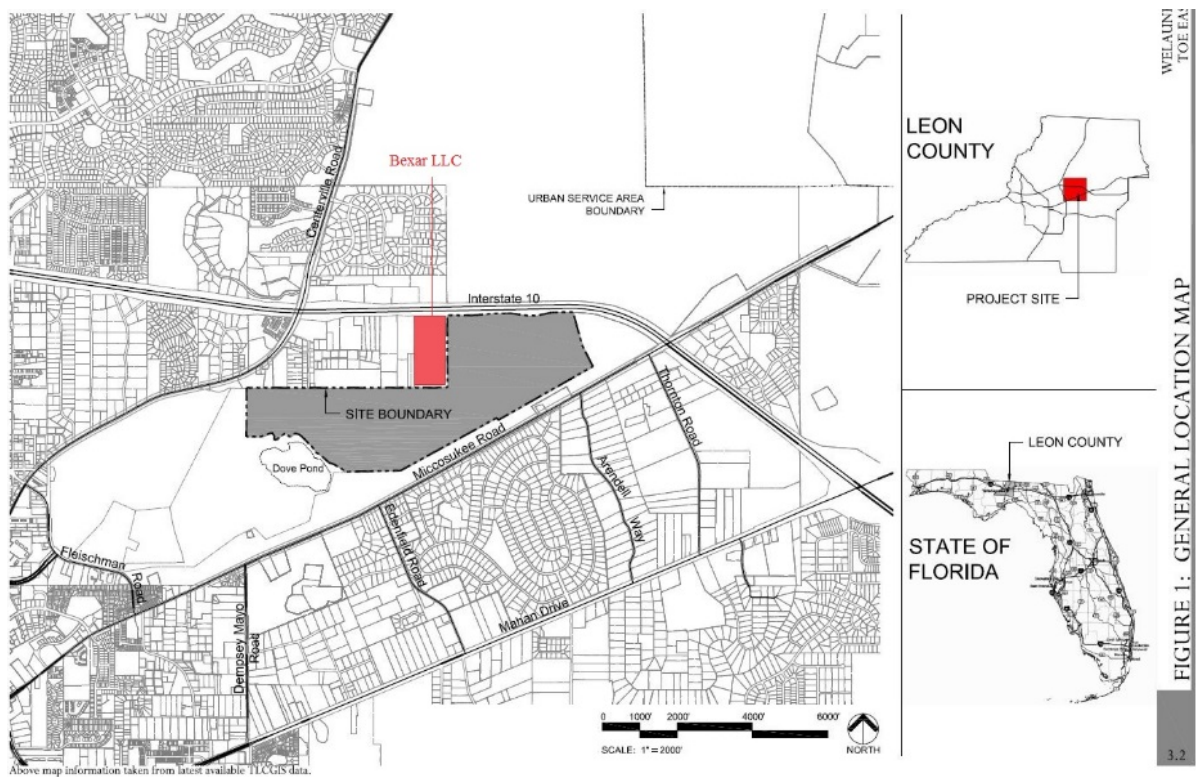


Figure 1: Showing the General location of the Welaunee Toe – East PUD relative to the subject property.

### Infrastructure Analysis

#### Water/Sewer

According to the applicants estimates, this amendment is projected to result in additional demand for 135,100 gpd on the future land use map which is the difference between the current potable water demand and the proposed future potable water demand. This estimate assumes a reasonable worst case mixed use development scenario of 50% non-residential, 50% residential. The analysis assumes that non-residential development would result in reduced impacts on potable water facilities.

This Amendment will result in an additional demand for 135,100 gpd on the future land use map which is the difference between the current sanitary sewer demand and the newly proposed sanitary sewer demand

from the proposed plan amendment. This estimate assumes a reasonable worst case mixed use development scenario of 50% non-residential, 50% residential. The analysis assumes that non-residential development would result in reduced impacts on sewer facilities. The City of Tallahassee Water Resources Engineering Division has noted that the subject parcel does not have sewer service available at this location. Additionally, the Division has noted that Water and Sewer will be available when this section of Welaunee PUD is developed.

At present time, the applicant’s property is not serviced by the municipal water and sewer system. A potable water and sewer system are planned components of the Welaunee Toe East PUD, which runs south and east of the applicant’s property and could potentially serve to provide connections to the municipal water and sewer system. The applicant’s analysis projects their proposed development would result in additional demand for 135,100 gallons per day. This analysis assumes a mixed-use development scenario of 50% residential 50% non-residential. Increased non-residential development is expected to reduce demand on water resources. Actual demand is to be determined at the time of development review.

Use	Max Units / FAR	Estimated Rate	Total Water/Sewer Usage
<b>Existing FLUM (Urban Residential 2)</b>			
Urban Residential 2 20 Dwelling Units / Acre	40 Acres 800 Dwelling Units	160 gallons per capita per day	300,800 gpd
<b>Total Potable Water/Sewer Demand Existing FLUM (UR2)</b>			300,800 gpd
Suburban (Up to 20 dwelling units per acre)	20 Acres 400 Dwelling Units	160 gallons per capita per day	150,400 gpd
Medical Center (Allows Office, Commercial, Recreational, Light Infrastructure & Community Service) (up to 80,000 SF/acre)	20 Acres 1,600,000 SF	0.15 gpd/gross sq. ft.	240,000 gpd
<b>Total Potable Water/Sewer Demand for Suburban</b>			390,400 gpd
<b>Projected Impact</b>			+89,600 gpd

Analysis assumes 2.35 persons per dwelling unit. Analysis is based on a development scenario with 50% of the site dedicated to residential and 50% to non-residential uses in the Medical Center zoning district.

*Schools*

The proposed Amendment retains the existing zoning and therefore no change in allowable residential development between the current Urban Residential 2 land use category and the proposed Suburban land use category. At the time of development review, the applicant will be required to specify the amount of residential proposed on the site and the actual impacts will be determined by the Tallahassee-Leon County Planning Department and Leon County Public Schools at the time including any school concurrency fees.

*Roadway Network*

Currently, Pemberton Road provides partial access to the applicant’s property; an access easement is required to cross the neighboring parcels separating the applicant’s property from Pemberton Road. Pemberton Road is a privately-maintained dirt roadway with inadequate composition to support a mixed-use development. The applicant’s property is situated between two designated Canopy Roads, but lacks vehicular access to either roadway for safe ingress and egress. Requisite sewer, water and roadway



infrastructure via Welaunee Boulevard is within the 5-year Capital Improvement Plan. Depending on final engineering, Welaunee Boulevard will either immediately abut the subject parcel or come close to the parcel along City of Tallahassee owned land. In the case of the latter, access can be negotiated with the City at points that will most benefit the area transportation network. The applicant would be required to connect to any public roads extended to the subject property per Mobility Policies 1.4.4 and 1.4.5.

**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 subarterial streets stubbed to the boundary of the development plan by previously approved development plans or existing development.

*Pedestrian and Bicycle Network*

The applicant's property is not located within or adjacent to any pedestrian or bicycle network facilities. The proposed typical section for Welaunee Boulevard does include pedestrian and bicycle facilities and the applicant would be required to comply with Policy 1.4.4 above regarding multimodal access.

*Transit Network*

The applicant's property is not currently located within or adjacent to any StarMetro or other transit network facilities.

Environmental Analysis

There are limited environmental features on the subject property, however, it should be noted that this parcel drains into the Lake Lafayette Basin with a contributing watershed, Mount Hornbem (1,724 acres). This area contains variable densities of residential land uses, from residential subdivisions to large-tract individual parcels, along with light agricultural and silvicultural uses.

**F. CONSISTENCY WITH COMPREHENSIVE PLAN**

Development Patterns	Allowed Land Uses	Gross Residential Density	Non-Residential Intensity	Percentage Mix of Uses
<b>Low Density Residential</b>	Res., Rec., LI&CS	0 to 8 Units / Acre	10,000 Sq. Ft. / Acre	65-80%
<b>Low Density Residential Office</b>	Res., Off., Rec., LI&CS	0 to 8 Units / Acre	10,000 Sq. Ft. / Acre	
<b>Medium Density Residential</b>	Res., Rec., LI&CS	8 to 16 Units / Acre	20,000 Sq. Ft. / Acre	
<b>Medium Density Residential Office</b>	Res., Off., Ancil. 1 <sup>st</sup> Fl. Comm., Rec., LI&CS & Post-Secondary Schools	8 to 20 Units / Acre	20,000 Sq. Ft. / Acre	
<b>Village Center</b>	Res., Off., Comm. Up to 50,000 SF,*	8 to 16 Units / Acre	12,500 Sq. Ft. / Acre	
<b>Urban Pedestrian Center</b>	Res., Off., Comm., Rec., LI&CS	6 to 16 Units / Acre	Up to 20,000 SF / Acre	35-50%
<b>Suburban Corridor</b>	Res., Off., Comm., Rec., LHI&CS	Up to 16 Units / Acre	Up to 25,000 SF / Acre	
<b>Medical Center</b>	Res., Off., Comm., Rec., LI&CS	6 to 20 Units / Acre	80,000 SF / Acre	
<b>Business Park</b>	Off., Res., Comm.	Up to 16 Units / Acre	20,000 SF / Acre	5-10%

Key: **Res.** = Residential, **Rec.** = Recreational, **LI&CS** = Light Infrastructure & Community Service, **Off.** = Office

\*Centers shall not be located closer than ¼ mile to another village center or commercial development including more than 20,000 SF of floor area.

- **Policy 1.1.1: [L] 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.**

*Analysis:* The subject property is within the Urban Services Area and located adjacent to Interstate 10 within Unincorporated Leon County. .

- **Policy 1.1.5: [L] Future Land Use Map densities and intensities are intended to reflect the availability of capital infrastructure. Capital infrastructure, which supports higher land use densities and intensities, consists of sewer and water, roads, mass transit, solid waste, drainage, and parks.**

*Analysis:* The current Future Land Use, *Urban Residential 2*, allows for residential densities up to 20 units per acre. The requested *Suburban* future land use category also allows for residential densities up to 20 units per acre, but also allows for non-residential uses. The non-residential intensities under the *Suburban* future land use category would be up to 80,000 square feet per acre.

The current zoning, Single Family Detached, Attached Two-Family Residential (R-3), establishes a maximum gross density for new residential development in the R-3 district at 8 dwelling units per acre. This zoning can implement the *Urban Residential 2* land use or the *Suburban* land use; therefore a concurrent rezoning is not necessary to implement the proposed map amendment. Because the subject site is not served by sanitary sewer at this time, the minimum lot size allowable is one-half acre (Policy 1.2.1 [SS], Utilities Element). However, infrastructure is expected to become available with the extension of Welaunee Boulevard.

- **Policy 1.1.7: [L] Higher density and mixed-use development and its ancillary activities shall be channeled into locations which have proper access to the existing transportation system; minimal environmental constraints; sufficient stormwater treatment capacity; compatible existing land use and readily available sewer and water infrastructure.**

*Analysis:*

The requisite infrastructure is funded within the 5-year CIP. The current zoning should remain in place until such time as the final access points are determined. The rezoning could also account for compatibility with existing land uses.

- **Policy 1.1.11: [L] 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.**
  - 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 to assure accessibility by the general public.**
  - 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.**
  - 6) The Planned Development Future Land Use Category applies to large land holdings that will be developed for a mix of land uses.**
  - 8) Goals, Objectives and Policies which further add guidance by outlining courses of action to be taken in conjunction within the instruments listed above to further assure implementation. These instruments do not act independently of each other. Rather, they combine to form a set of parameters in which land use decisions are made consistent with a growth management strategy designed to address the issues important to the community.**

*Analysis:* The Applicant's property is situated within the Urban Services Area. There are limited environmental features on the subject property; however, it should be noted that this parcel drains into the Lake Lafayette Basin with a contributing watershed, Mount Hornbem (1,724 acres). This area contains variable densities of residential land uses, from residential subdivisions to large-tract individual parcels, along with light agricultural and silvicultural uses.

Currently, Welaunee Boulevard in the Project Development and Environment (PD&E) phase and there is no timeline for the construction of the Thornton Road extension.

The Suburban land use category would allow for the implementation of integrated commercial land uses into a future transportation network connecting to the proposed Welaunee Boulevard or Thornton Road extension. The Land Use Category would provide for Residential land uses up to 20 dwelling units per acre, and non-residential land uses up to 80,000 square feet per acre.

#### **LEVEL OF SERVICE (REGULATIONS)**

- **Objective 1.3: [L] Achieve and maintain the adopted level of service standards set forth within the Tallahassee-Leon County Comprehensive Plan.**

**Policy 1.3.1: [L] 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.**

*Analysis:* Potential connection points to Public Facilities to support the subject site are planned as a part of the Welaunee Toe East development. The property owner will be required to undergo concurrency review at the time of development review.

- **Policy 2.1.4: [L] Residential densities shall not be permitted that would exceed the ability of local government or other providers to deliver capital facilities and services in a cost-effective manner.**

*Analysis:* At present time, the subject property is eligible for up to 20 dwelling units per acre. Under the proposed Suburban future land use category, the same maximum dwelling unit per acre remains at 20 dwelling units per acre. Approval of the Suburban land use category for the applicant's property would not result in an increase in the allowable residential density for this site.

#### **FUTURE LAND USE MAP CATEGORIES**

**Objective 2.2: [L] 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.**

*Analysis:* Applicant's property contains limited environmental features, as previously noted. Under the current land use category and the proposed *Suburban* future land use category, the applicant's property would be eligible for the development of up to 20 dwelling units per acre. The proposed *Suburban* land use would allow up to 80,000 SF of non-residential space, based on development pattern. The subject property is compatible with minor commercial, minor and major office, other low density residential, passive and active recreational activities, light infrastructure and community services under a Planned Unit Development. Access to transportation facilities does not exist at this time, however, the proposed Welaunee Boulevard extension northward, and the possible extension of Thornton Road might provide the subject site with the needed availability of transportation infrastructure. Other infrastructure necessary for water, sewer systems to service the proposed Welaunee Toe East development, will provide the applicant's property the necessary connection points for the availability of infrastructure. Currently, there is no timetable for the development of Welaunee Toe East PUD.

**Policy 2.2.5: [L] Allowed land uses within the Suburban Future Land Use Category shall be regulated by zoning districts which implement the intent of this category, and which recognize the unique land use patterns, character, and availability of infrastructure in the different areas within the Suburban Future Land Use Category. In those areas lacking the necessary infrastructure, the Land Development Regulations may designate a low intensity interim use. Any evaluation of a proposed change of zoning to a more intensive district shall consider, among other criteria, the availability of the requisite infrastructure.**

*Analysis:* The current zoning (R-3 Single Family Detached, Attached Two-Family Residential) is allowable in both the current Future Land Use Map designation (Urban Residential 2) and the proposed Future Land Use Map designation (Suburban); therefore the proposed map amendment would not necessitate a rezoning.

## Utilities Element

- **Policy 1.2.1: [SS] The land use designations on the Future Land Use Map notwithstanding, the densities and intensities authorized by such land use designations shall not be allowed until such time as central water and sewer services are available, except as provided in Policy 1.2.3: [SS] and 1.2.4: [SS] below. The minimum lot size for a septic tank shall be one-half acre.**

*Analysis:* The *Urban Residential 2* land use category allows for up to 20 dwelling units per acre, single-use development. The *Suburban* land use category would also allow for up to 20 dwelling units per acre, but would also permit the development of non-commercial uses on the subject site up to 80,000 square feet per acre. The proposed amendment could result in a net 89,600 gpd impact to the municipal water and sewer system. Currently, the subject site is not serviced by the City's Central Water and Sewer system but the requisite facilities are funded within the 5-year Capital Improvements Plan.

- **Policy 1.2.3: [SS] With the exception of community facilities authorized by Policy 2.1.2 [SS], inside the Urban Service Area any non-residential development that is calculated to generate a wastewater flow in excess of 900 gallons per day must be connected to a central sanitary sewer service. For the purposes of administering this specific policy, Rule 64E-6.008 F.A.C. shall be used in calculating estimated sewage flows attributable to various types of non-residential development.**

*Analysis:* The applicant estimates its potential development at 50% residential / 50% non-residential would result in the total wastewater flow of 300,800 gpd, which is more than 900 gallons per day. Applicant shall be required to connect to a central sanitary sewer system.

### **Welaunee Critical Planning Area**

- **Objective 13.1: Planned Development through 2020**

**By 2020, the Welaunee Critical Planning Area may develop in the portions which are south of Interstate 10 (“Toe”) and south of Miccosukee Road and north of U.S. 90 (“Heel”) with a development pattern that includes predominantly walkable neighborhoods, mixed-use centers, a major employment center, diversity of housing choices, protection of conservation and preservation areas, and a transportation system which accommodates both vehicular and non-vehicular transportation.**

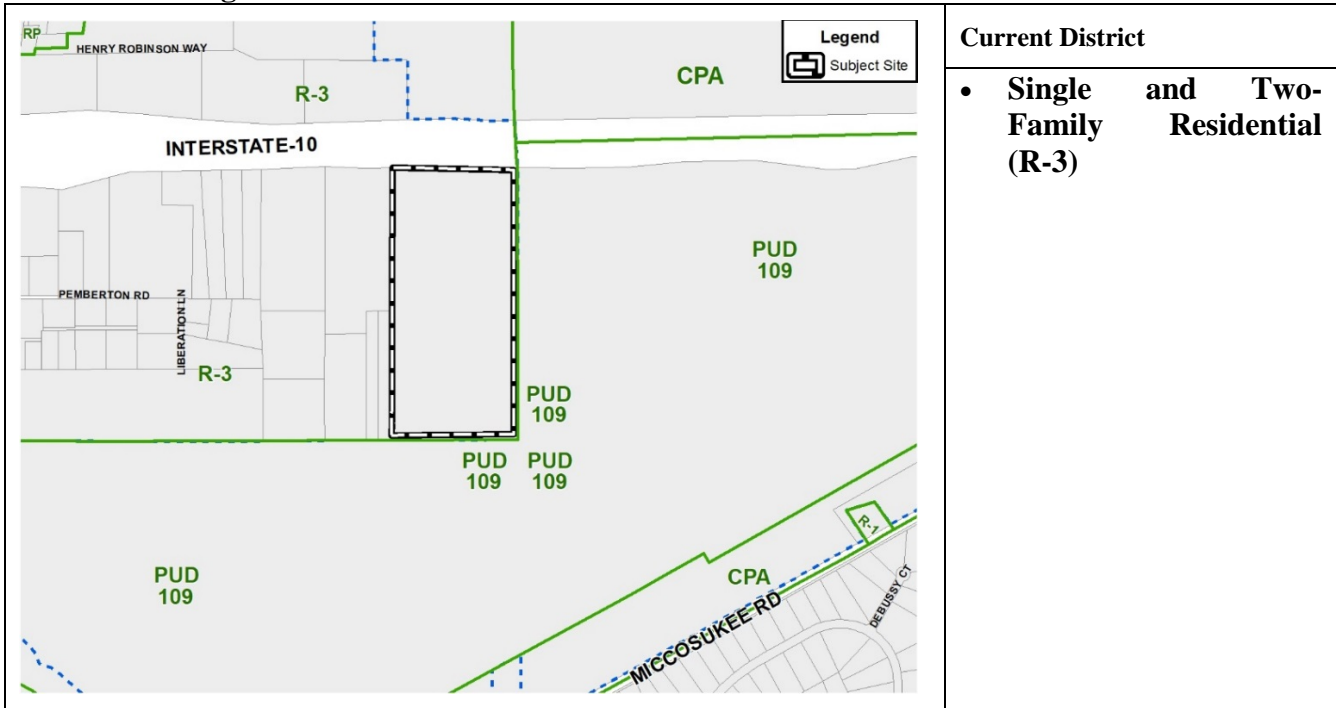
*Analysis:* The site is located adjacent to low density residential uses and a proposed mixed-use PUD which may include retail, office, and institutional uses. Proximity to a mix of the proposed future uses and the location of the property near a proposed I-10 interchange, positions this property to be a transition between the low-density residential communities that are currently established around it and the proposed mixed-use Welaunee Toe East PUD. This property is located outside of the Urban Core and could support a mix of uses within its general area, while also providing opportunities to better connect the community’s transportation infrastructure making it an ideal location for the proposed Suburban land use category.

Allowed land uses within the Suburban land use category shall be regulated by zoning districts which implement the intent of this category, and which recognize the unique land use patterns, character, and availability of infrastructure in the different areas within the Suburban Future Land Use Category. Under the proposed Suburban land use category, the subject property could retain its current Single Family Detached, Attached Two-Family Residential (R-3) zoning until such time as requisite infrastructure is extended to the property.

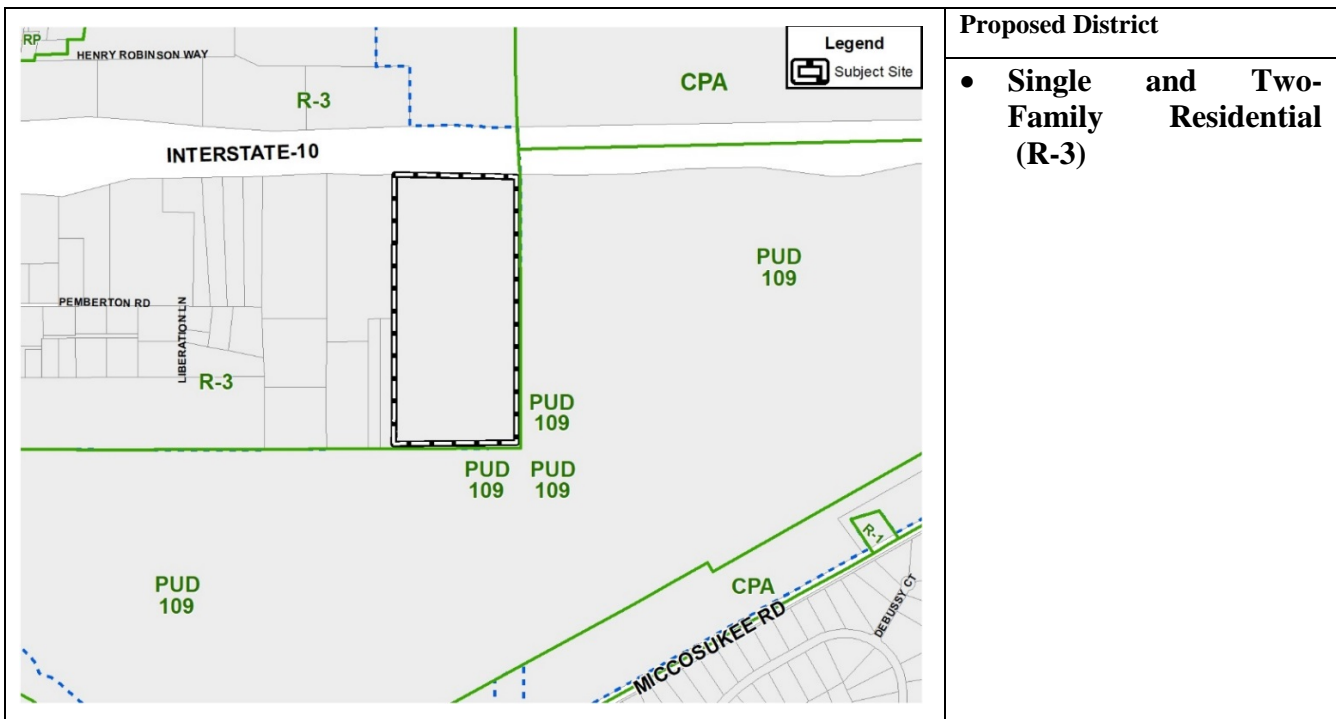
**G. ZONING**

The following maps illustrate the current and proposed zoning for the Subject Site.

**Current Zoning**



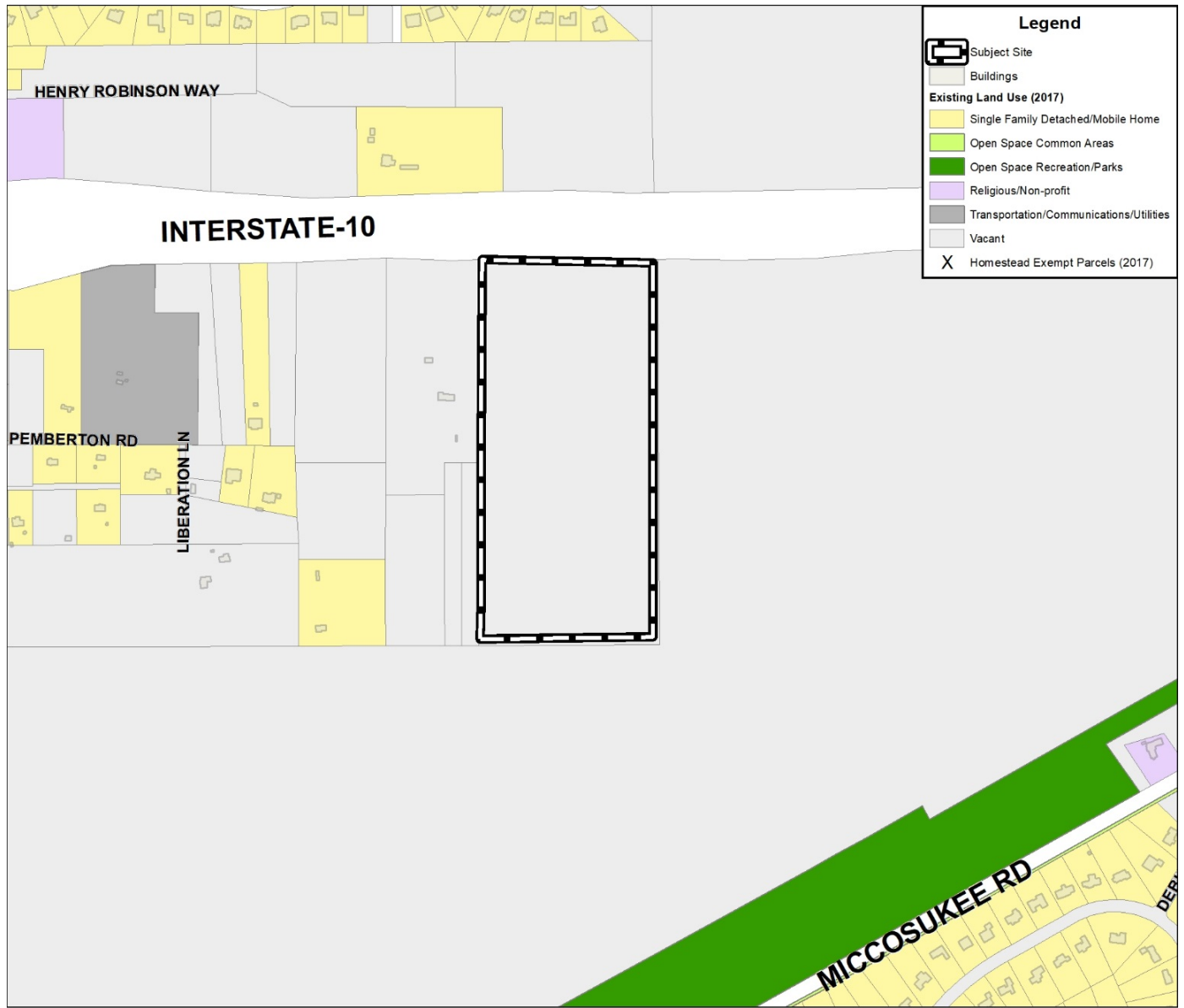
**Proposed Zoning**



Existing Land Uses

The applicant's land is an unimproved vacant parcel. This subject site is bounded by Vacant/Undeveloped properties on all sides. Interstate 10 serves as the northern boundary of the property. There are lower density single family residences between the applicant's land and Centerville Road that have been developed at a low-density / large lot residential pattern. The Buckhead neighborhood, located north of Interstate 10 is the closest platted residential subdivision to the applicant's property.

**Existing Land Use Map**





**H. PUBLIC OUTREACH AND NOTIFICATION**

An initial mailing was sent to 15 property owners within 1,000 feet of Subject Site.

Public Outreach		Date	Details
X	Mail Notification of Proposed Changes	November 9, 2018	Notices Mailed to Property Owners within 1000 feet
X	Notice of Proposed Land Use Change and Rezoning	November 5, 2018	Two signs providing details of proposed land use and zoning changes posted on subject site
X	First Public Open House	November 29, 2018	5:30 PM, Second Floor, Frenchtown Renaissance Center
X	Staff Reports Available Online	December 29, 2018	Email Subscription Notice sent to all users of service

**Public Open House - November 29, 2018:** 18 citizens attended the open house to discuss the 2019 Cycle amendments. Regarding this amendment, citizens asked about the timeline for adopting the proposed amendment and residents of the community serviced by Pemberton Road, a privately maintained one-lane dirt road, expressed opposition to the proposed comprehensive plan amendment.

**I. STAFF REPORT UPDATE**

Below is a list of all public meetings and actions taken by appointed or elected bodies in consideration of this proposed amendment:

Cycle 2018 Meetings		Dates	Time and Locations
X	Local Planning Agency Workshop	January 8, 2019	3:00 PM, Second Floor, Frenchtown Renaissance Center
X	Local Planning Agency Public Hearing	February 5, 2019	6:00 PM, Second Floor, Frenchtown Renaissance Center
X	Joint City-County Commission Workshop	February 26, 2019	1:00 PM, Fifth Floor, Leon County Courthouse
X	Joint City-County Transmittal Public Hearing	March 12, 2019	6:00 PM, Fifth Floor, Leon County Courthouse
	Joint City-County Adoption Public Hearing	May 14, 2019	6:00 PM, Fifth Floor, Leon County Courthouse

**Local Planning Agency Workshop – January 8, 2019:** The Local Planning Agency discussed each of the amendments for the 2019 Cycle. There were no questions from the Local Planning Agency on this amendment. Because the meeting was a workshop with the Local Planning Agency, citizen comments were not taken at this meeting. Citizen comments will be received at the Local Planning Agency Public Hearing scheduled for February 5, 2019. Although citizen comments are not taken at the workshop, six members of the public were in attendance to hear the discussion.

**Local Planning Agency Public Hearing – February 5, 2019:** The Local Planning Agency voted unanimously to recommend approval of the proposed Future Land Use Map Amendment and rezoning, consistent with the staff recommendation. The Applicant spoke at the Public Hearing and was available to answer questions. No other public comments were received at the Public Hearing.

**J. ATTACHMENTS**

- Attachment #1: Comprehensive Plan policies
- Attachment #2: Land Development Code sections



**Attachment #1**

Comprehensive Plan Policies

- Policies 2.2.24: [L] Urban Residential 2 (UR-2)
- Policy 2.2.5: [L] Suburban (SUB)

***Policy 2.2.24: [L]***

URBAN RESIDENTIAL 2 (REV. EFF. 7/26/06; REV. EFF. 3/14/07; REV. EFF. 1/22/16)

The primary intent of the Urban Residential 2 land use category, which is to be applied only within the Urban Services Area, is to encourage a range of density (4-20 dwelling units per acre) housing, thereby promoting infill development, reducing urban sprawl, and maximizing the efficiency of infrastructure. The implementing zoning district(s) shall contain design standards as well as locational criteria to accomplish these goals. The Urban Residential category allows townhouses, single-family detached, two-family, and multiple-family dwelling units as well as open space/recreation and community facilities related to residential uses. The implementing zoning district(s) within the land development regulations shall further specify the allowable uses. Urban Residential 2 may serve as a transition category between lower density residential categories and more intensive development such as higher density residential and/or office land uses or major roadways where alternative modes of transportation are available to support the increased residential densities. The category is not intended to be applied within the interior of an existing designated residential preservation area, unless to correct, legal non-conforming uses and/or densities. The maximum residential density within the Urban Residential 2 category is 20 units per acre.

***Policy 2.2.5: [L]***

**SUBURBAN (EFF. 3/14/07)**

To create an environment for economic investment or reinvestment through the mutually advantageous placement of employment and shopping opportunities with convenient access to low to medium density residential land uses. Employment opportunities should be located near residential areas, if possible within walking distance. This category recognizes the manner in which much of Tallahassee-Leon County has developed since the 1940s. The category predominantly consists of single-use projects that are interconnected whenever feasible. Mixed-use projects and the principles of traditional neighborhood developments are encouraged, though not required. The Suburban category is most suitable for those areas outside of the Central Core. However, additional areas inside the Central Core may be designated as appropriate based on existing land use pattern.

To complement the residential aspects of this development pattern, recreational opportunities, cultural activities, commercial goods and services should be located nearby. To reduce automobile dependency of residents and employers alike, mass transit stops should be located at large commercial centers and appropriate street and pedestrian connections established between commercial and residential areas. Except within mixed use centers, larger scale commercial development should be buffered from adjacent residential neighborhoods.

Development shall comply with the Suburban Intensity Guidelines. Business activities are not intended to be limited to serve area residents; and as a result may attract shoppers from throughout larger portions of the community.

Suburban Intensity Guidelines ( EFF. 3/14/07; REV. EFF. 7/14/14)

Table 4: Suburban Intensity Guidelines

Development Patterns	Allowed Land Uses	Gross Residential Density	Non-Res Intensity	Percentage Mix of Uses
Low Density Residential	Residential, Recreation, Light Infrastructure & Community Service	0 to 8 UNITS/ (4)	10,000 SQ FT/ACRE	65-80%
Low Density Residential Office	Residential, Office, Recreation, Light Infrastructure & Community Service	0 to 8 UNITS/ (4)	10,000 SQ FT/ACRE (5)	
Medium Density Residential	Residential, Recreation, Light Infrastructure & Community Service	8 to 16 UNITS/ ACRE	20,000 SQ FT/ACRE	
Medium Density Residential Office	Residential, Office, Ancillary 1 <sup>st</sup> Floor Commercial, Recreation, Light Infrastructure, Community Service & Post-Secondary Schools	8 to 20 UNITS/ ACRE	20,000 SQ FT/ACRE <sup>(6)</sup>	65-80%
Village Center	Residential, Office, Commercial up to 50,000 SQ FT, maximum business size. Centers shall not be located closer than ¼ mile to another village center or commercial development including more than 20,000 SQ FT of floor area.	8 to 16 UNITS/ ACRE	12,500 SQ FT/ACRE per parcel for center 20 acres or less (7)	
Urban Pedestrian Center	Residential, Office, Commercial, Recreation, Light Infrastructure & Community Service	6 to 16 UNITS/ (3) ACRE	Up to 20,000 SQ FT/ACRE (3)	
Suburban Corridor	Residential, Office, Commercial, Recreation, Light & Heavy Infrastructure & Community Service	Up to 16 UNITS/ ACRE	Up to 25,000 SQ FT/ACRE (8)	35-50%
Medical Center	Residential, Office, Commercial, Recreation, Light Infrastructure & Community Service	6 to 20 UNITS/ (1) ACRE	80,000 SQ FT/ACRE (2)	
Business Park	Office, Residential and Commercial	Up to 16 UNITS/ ACRE	20,000 SQ FT/ ACRE	
Light Industrial	Office, Commercial up to 10,000 SQ FT per business, Light Industrial, Recreation, Light & Heavy Infrastructure, Community Service & Post- Secondary Schools and ancillary residential	1 UNIT/ DEVELOP MENT	20,000 SQ FT/ ACRE (9)	5-10%

Notes:

- (1) 8 units/acre minimum for exclusively residential;
- (2) Hospitals up 176,000 sq ft/acre;
- (3) 20 units/acre and 40,000 sq ft/acre for multiple use development; Combined residential and non-residential development may have up to 40,000 SF and up to a six story building. Residential use, office use and commercial use is allowed.
- (4) Low Density Residential and Residential Office development patterns can have a minimum of 1 unit per acre if water and sewer are not available.
- (5) The maximum square footage is increased to 12,500 SF if the project is a mixed-use development.

- (6) The maximum square footage increases to 40,000 SF per acre and maximum height increases to six stories if 50% of parking is structured. This provision only applies to areas previously designated as Mixed Use C
- (7) 250,000 SF of total development permitted on 20 to 30 acre centers.
- (8) Storage areas may be 50,000 SF per acre. Office and Retail is allowed.
- (9) Storage areas may be 50,000 SF per acre.

While mixed land uses are encouraged in the Suburban Future Land Use Category, the more prevalent pattern will be a compatibly integrated mix of single-use developments that include low and medium density residential, office, retail and light industrial development. Allowed land uses within the Suburban Future Land Use Category shall be regulated by zoning districts which implement the intent of this category, and which recognize the unique land use patterns, character, and availability of infrastructure in the different areas within the Suburban Future Land Use Category. In those areas lacking the necessary infrastructure, the Land Development Regulations may designate a low intensity interim use. Any evaluation of a proposed change of zoning to a more intensive district shall consider, among other criteria, the availability of the requisite infrastructure.



**Attachment #2**

Land Development Code Sections

- Section 10-6.637 Single- and Two-Family Residential District (R-3)

Section 10-6.637. R-3 Single- and Two-Family Residential District.

<b>1. District Intent</b>	<b>PERMITTED USES</b>								
	<b>2. Principal Uses</b>				<b>3. Accessory Uses</b>				
The R-3 district is intended to be located in areas designated Bradfordville Mixed Use, Urban Residential, Urban Residential 2, or Suburban on the Future Land Use Map of the Comprehensive Plan which contain or are anticipated to contain a wide range of single-family and two-family housing types. The maximum gross density allowed for new residential development in the R-3 district is 8 dwelling units per acre; a minimum density of 4 dwelling units per acre is required when applied to the Urban Residential future land use category. The minimum density is not applicable if constraints of public easements, concurrency, or preservation an/or conservation features preclude the attainment of the minimum densities. Certain community and recreational facilities related to residential uses are also permitted.	(1) Community facilities related to residential uses including religious facilities, police/fire stations, and elementary, middle, vocational, and exceptional student education schools. Libraries and high schools are prohibited. Other community facilities may be allowed in accordance with Section 10-6.806 of these regulations. (2) Golf courses. (3) Passive and active recreational facilities. (4) Single-family attached dwellings. (5) Single-family detached dwellings. (6) Two-Family dwellings. (7) Zero-lot line single-family detached dwellings.				(1) 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 33 percent of the floor area or cubic volume of the principal use or structure, as determined by the County Administrator or designee. (2) Light infrastructure and/or utility services and facilities necessary to serve permitted uses, as determined by the County Administrator or designee.				
<b>DEVELOPMENT STANDARDS</b>									
<b>Use Category</b>	<b>4. Minimum Lot or Site Size</b>			<b>5. Minimum Building Setbacks</b>				<b>6. Maximum Building Restrictions</b>	
	<b>a. Lot or Site Area</b>	<b>b. Lot Width</b>	<b>c. Lot Depth</b>	<b>a. Front</b>	<b>b. Side-Interior Lot</b>	<b>c. Side-Corner Lot</b>	<b>d. Rear</b>	<b>a. Building Size (excluding gross building floor area used for parking)</b>	<b>b. Building Height (excluding stories used for parking)</b>
Single-Family Detached Dwellings	5,000 square feet	50 feet	100 feet	20 feet	7.5 feet on each side; or any combination of setbacks that equals at least 15 feet, provided that no such setback shall be less than 5 feet	15 feet	25 feet	not applicable	3 stories
Single-Family Attached Dwellings	3,750 square feet end unit; 2,400 square feet interior lot	37.5 feet end unit; 25 feet interior lot	80 feet	20 feet	not applicable	15 feet	25 feet	maximum length: 8 units	3 stories
Zero-Lot Line Single-Family Detached Dwellings	3,750 square feet	30 feet interior lot; 40 feet corner lot	100 feet	20 feet	0 feet one side; 5 feet other side	15 feet	25 feet	not applicable	3 stories
Two-Family Dwellings	8,000 square feet	60 feet	100 feet	20 feet	same as for single-family detached dwellings	15 feet	25 feet	not applicable	3 stories
Any Permitted Principal Non-Residential Use	12,000 square feet	60 feet	100 feet	25 feet	same as for single-family detached dwellings	15 feet	25 feet	10,000 square feet of gross building floor area per acre	3 stories

**GENERAL NOTES:**

1. If central sanitary sewer is not available, residential development is limited to a minimum of 0.50 acre lots and non-residential development is limited to a maximum of 2,500 square feet of building area. Community service facilities are limited to a maximum of 5,000 square feet of building area or a 500 gallon septic tank. Also, refer to Sanitary Sewer Policy 2.1.12 of the Comprehensive Plan for additional requirements.
2. Refer to the Environmental Management Act (EMA) for information pertaining to the regulation of environmental features (preservation/conservation features), stormwater management requirements, etc.
3. Refer to the Concurrency Management Ordinance for information pertaining to the availability of capacity for certain public facilities (roads, parks, etc.).

<b>SUMMARY</b>		
<b>Applicant:</b>	<b>Proposed Change</b>	<b>TLCDP Recommendation:</b>
Tallahassee-Leon County Planning Department	The proposed amendment would provide for the adoption of the District Facilities Work Program by ordinance as part of the Capital Improvements Schedule instead of providing for the adoption by reference in Policy 1.2.8 [CI].	<b>Approve</b>
<b>TLCDP Staff:</b> Julie Christesen	<b>Comprehensive Plan Element</b> Capital Improvements Element	<b>LPA Recommendation:</b>  <b>Approve</b>
<b>Contact Information:</b> <a href="mailto:Julie.Christesen@talgov.com">Julie.Christesen@talgov.com</a> 850-891-6433	<b>Policy Number(s)</b>  Policy 1.2.8	
<b>Date:</b> November 26, 2018	<b>Updated:</b> March 13, 2019	

**A. SUMMARY:**

This proposed amendment changes the procedure for adopting the Leon County Schools 5-Year District Facilities Work Program. The proposed amendment would provide for the adoption of the District Facilities Work Program by ordinance as part of the Capital Improvements Schedule instead of providing for the adoption by reference in Policy 1.2.8 [CI]. This amendment is proposed to improve consistency with Ch. 163.3177(3)(b), Florida Statutes.

**B. STAFF RECOMMENDATION:**

Approve.

**C. LOCAL PLANNING AGENCY (LPA) RECOMMENDATION:**

Approve.

**D. PROPOSED POLICY CHANGE:**

Policy 1.2.8: [CI] (EFF. 6/6/08; ~~REV. ANNUALLY~~) ~~Leon County Schools' 2016-2017 five year District Facilities Work Program (as adopted by Leon County Schools on October 25, 2016) is hereby adopted by reference into the five year Schedule of Capital Improvements.~~ The five-year Schedule of Capital Improvements will be evaluated and updated annually to reflect existing and future public school facility needs to ensure that the School District's five-year capital plan is financially feasible and that the adopted level-of service standard for public schools is achieved and maintained.

**E. APPLICANT'S REASON FOR THE AMENDMENT:**

In recent years, the City of Tallahassee and Leon County have adopted the Leon County Schools' 5-year District Facilities Work Program (LCS Plan) update by reference through Policy 1.2.8 [CI] in the Capital Improvements Element of the Tallahassee-Leon County Comprehensive Plan. Per Florida Statute, the LCS Plan should be adopted by ordinance as part of the annual Capital Improvements Schedule, instead of by a Comprehensive Plan amendment.

This change would resolve an outdated Policy 1.2.8 of the Capital Improvements Element. Therefore, a Comprehensive Plan amendment to delete the first sentence of Policy 1.2.8 is necessary.

**F. STAFF ANALYSIS**

History and Background

Consistent with Florida Statutes Chapter 163.3177(3)(a), the comprehensive plan shall contain a capital improvements element designed to consider the need for and the location of public facilities in order to encourage the efficient use of such facilities and set forth:

1. A component that outlines principles for construction, extension, or increase in capacity of public facilities, as well as a component that outlines principles for correcting existing public facility deficiencies, which are necessary to implement the comprehensive plan. The components shall cover at least a 5-year period.
2. Estimated public facility costs, including a delineation of when facilities will be needed, the general location of the facilities, and projected revenue sources to fund the facilities.
3. Standards to ensure the availability of public facilities and the adequacy of those facilities to meet established acceptable levels of service.

4. A schedule of capital improvements which includes any publicly funded projects of federal, state, or local government, and which may include privately funded projects for which the local government has no fiscal responsibility. Projects necessary to ensure that any adopted level-of-service standards are achieved and maintained for the 5-year period must be identified as either funded or unfunded and given a level of priority for funding.

5. The schedule must include transportation improvements included in the applicable metropolitan planning organization's transportation improvement program adopted pursuant to s. 339.175(8) to the extent that such improvements are relied upon to ensure concurrency and financial feasibility. The schedule must be coordinated with the applicable metropolitan planning organization's long-range transportation plan adopted pursuant to s. 339.175(7).

Based on this Statute, the Leon County Schools 5-Year District Facilities Work Program needs to be included in the Capital Improvements Schedule.

The Leon County Schools 5-Year District Facilities Work Program must be financially feasible. According to Section 1013.35(4), Florida Statutes, the adopted district educational facilities plan shall:

- (a) Be a complete, balanced, and financially feasible capital outlay financial plan for the district.
- (b) Set forth the proposed commitments and planned expenditures of the district to address the educational facilities needs of its students and to adequately provide for the maintenance of the educational plant and ancillary facilities, including safe access ways from neighborhoods to schools.

Section 163.3177(3)(b), Florida Statutes, states that the capital improvements element must be reviewed by the local government on an annual basis. Modifications to update the 5-year capital improvement schedule may be accomplished by ordinance and may not be deemed to be amendments to the local comprehensive plan.

Pursuant to Section 163.3177(3)(b), Florida Statutes, this amendment will allow the LCS Plan to be adopted by ordinance. Historically the LCS Plan has been adopted by reference in Policy 1.2.8 [CI]; however, this proposed amendment allows the LCS Plan to be adopted by ordinance and aligns the process with current state law.

**STAFF REPORT UPDATE**

Below is a list of all public meetings and actions taken by appointed or elected bodies in consideration of this proposed amendment:

Cycle 2019 Meetings		Dates	Time and Locations
X	Local Planning Agency Workshop	January 8, 2019	6:00 PM, Second Floor, Frenchtown Renaissance Center
X	Local Planning Agency Public Hearing	February 5, 2019	6:00 PM, Second Floor, Frenchtown Renaissance Center
X	Joint City-County Commission Workshop	February 26, 2019	1:00 PM, Fifth Floor, Leon County Courthouse
X	Joint City-County Transmittal Public Hearing	March 12, 2019	6:00 PM, Fifth Floor, Leon County Courthouse
	Joint City-County Adoption Public Hearing	May 14, 2019	6:00 PM, Fifth Floor, Leon County Courthouse

**Public Open House - November 29, 2018:** 18 citizens attended the open house to discuss the 2019 Cycle amendments. There were no questions or comments on this proposed amendment.

**Local Planning Agency Workshop – January 8, 2019:** The Local Planning Agency discussed each of the amendments for the 2019 Cycle. Discussion on this amendment generally focused on why this amendment was brought forward at this time. It was brought forward to ensure compliance with statutory requirements. Because the meeting was a workshop with the Local Planning Agency, citizen comments were not taken at this meeting. Citizen comments will be received at the Local Planning Agency Public Hearing scheduled for February 5, 2019. Although citizen comments are not taken at the workshop, six members of the public were in attendance to hear the discussion.

**Local Planning Agency Public Hearing – February 5, 2019:** The Local Planning Agency voted unanimously to recommend approval of the proposed Comprehensive Plan text amendment, consistent with the staff recommendation. There were no citizen comments.

**Joint City-County Transmittal Public Hearing –** Both the Board of County Commissioners and the City Commission voted to transmit the proposed amendment to the State Land Planning Agency and other review agencies. There were no citizen comments on the item.

**F. CONCLUSION:**

Based on the above analysis, Planning Department staff recommends approval of the amendment request to be consistent with to Section 163.3177(3)(b), Florida Statutes.

**H. ATTACHMENTS:**

Attachment #1: Florida Statutes Section 163.3177(3)

**Attachment #1**

**Florida Statute 163.3177 (3)(b)**

The capital improvements element must be reviewed by the local government on an annual basis. Modifications to update the 5-year capital improvement schedule may be accomplished by ordinance and may not be deemed to be amendments to the local comprehensive plan.





May 21, 2019

Mr. Ray Eubanks  
Plan Processing Administrator  
State Land Planning Agency - Department of Economic Opportunity  
Caldwell Building  
107 East Madison - MSC 160  
Tallahassee, Florida 32399

Re: Adopted Comprehensive Plan Amendments Package (19-01ESR)

Dear Mr. Eubanks:

The Tallahassee-Leon County Planning Department hereby submits the adopted large scale map and text amendments for the 2019 Comprehensive Plan Amendment Cycle for the City of Tallahassee and Leon County, amending the joint Tallahassee-Leon County 2030 Comprehensive Plan. These amendments are submitted pursuant to the Joint City-County Commission adoption public hearing on May 14, 2019.

As transmitted to the State Land Planning Agency and review agencies, the adopted amendments package includes one large-scale map amendment and one text amendment. The Tallahassee City Commission and Leon County Board of County Commissioners adopted the Comprehensive Plan amendments as transmitted to the State Land Planning Agency. No additional changes were made in the adopted amendments that the Department of Economic Opportunity did not previously review. Concurrency has not been rescinded for any amendment.

Enclosed are the following ordinances adopting the comprehensive plan amendments:

- Leon County Ordinance No. 19-05 adopted May 14, 2019
- City of Tallahassee Ordinance 19-O-12 adopted May 14, 2019
- Leon County Ordinance No. 19-06 adopted May 14, 2019

The appropriate review agencies are copied on this letter and provided with a complete adopted amendments package in Portable Document Format (PDF).

If you have any questions concerning the proposed amendments, please contact Artie White at (850) 891-6400; 300 South Adams Street, Tallahassee, FL 32301; FAX: (850) 891-6404; e-mail [artie.white@talgov.com](mailto:artie.white@talgov.com).

Sincerely,

Cherie Bryant, AICP  
Planning Manager  
Tallahassee-Leon County Planning Department



**TALLAHASSEE-LEON COUNTY PLANNING DEPARTMENT**



cc:

Department of Agriculture and Consumer Services (w/attachments)  
Department of Education (w/attachments)  
Department of Environmental Protection (w/attachments)  
Department of State (w/attachments)  
Florida Fish and Wildlife Conservation Commission (w/attachments)  
Department of Transportation, District Three (w/attachments)  
Apalachee Regional Planning Council (w/attachments)  
Northwest Florida Water Management District (w/attachments)

Jessica Icerman (w/o attachments)  
Lou Norvell (w/o attachments)

**MATRIX FOR 2019 CYCLE AMENDMENTS**

A = Approve  
D = Denial  
AM = Approve as Modified

<i>Item #</i>	<i>Amendment To:</i>	<i>Nature of Proposed Amendment</i>	<i>Planning Staff Recommendation</i>	<i>LPA Recommendation</i>	<i>Board/Commission Position</i>	<i>Status</i>
<b>TMA 2019 002</b>	<b>FUTURE LAND USE MAP Murat Subdivision</b>	<b>From:</b> Residential Preservation <b>To:</b> University Transition 9.08 acres	<b>AM</b> <b>(Approve with Expansion Area)</b>	<b>AM</b> <b>(Approve with Expansion Area)</b>	<b>AM</b> <b>(Approve with Expansion Area)</b>	<b>Small Scale Map Amendment Adopted March 12, 2019</b>
<b>LMA 2019 01</b>	<b>FUTURE LAND USE MAP Tower Road Light Industrial</b>	<b>From:</b> Urban Residential-2 <b>To:</b> Industry and Mining 7.0 acres	<b>A</b>	<b>A</b>	<b>A</b>	<b>Small Scale Map Amendment Adopted March 12, 2019</b>
<b>LMA 2019 02</b>	<b>FUTURE LAND USE MAP Bexar LLC Property</b>	<b>From:</b> Urban Residential-2 <b>To:</b> Suburban 39.5 acres	<b>A</b>	<b>A</b>	<b>A</b>	<b>Large Scale Map Amendment Adopted May 14, 2019</b>
<b>TTA 2019 005</b>	<b>CAPITAL IMPROVEMENTS ELEMENT Leon County Schools District Facilities Work Program</b>	Update Policy 1.2.8 addressing the process for adopting the District School Facilities Work Program (as an ordinance instead of a Comprehensive Plan amendment) consistent with Florida Statutes.	<b>A</b>	<b>A</b>	<b>A</b>	<b>Text Amendment Adopted May 14, 2019</b>

Adoption Amendment Package  
19-01ESR

**Adopted Map and Text Amendments**

See attached.

**A copy of any data and analyses the local government deems appropriate:**

No additional data and analysis. The local government is relying on previously submitted data and analysis.

**Copies of executed ordinances**

See attached.

**List of additional changes made in the adopted amendment that the Department of Economic Opportunity did not previously review:**

None.

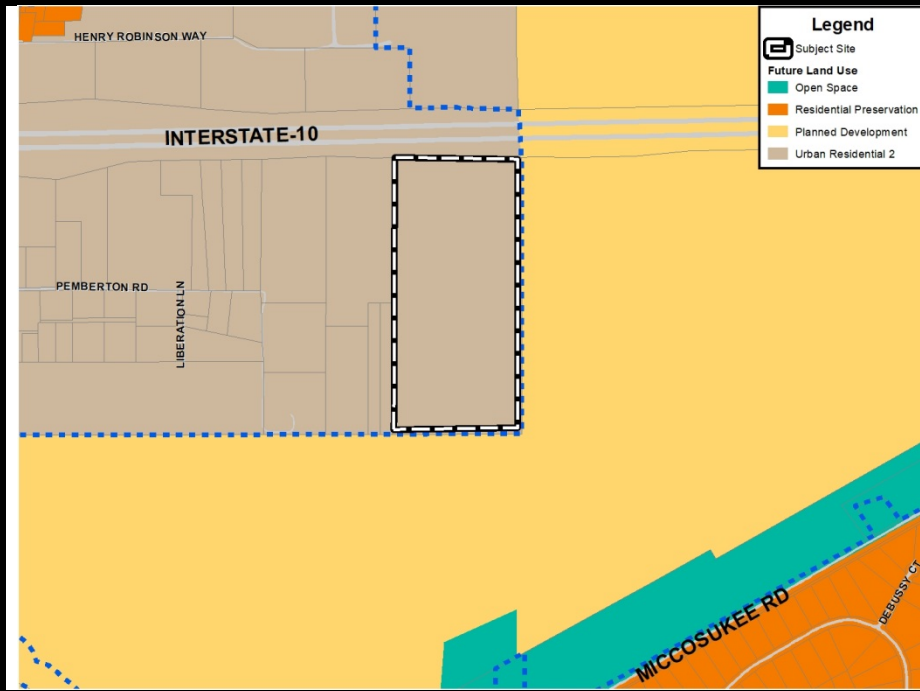
**List of findings of the local governing body, if any, that were not included in the ordinance and which provided the basis of the adoption or determination not to adopt the proposed amendment:**

None.

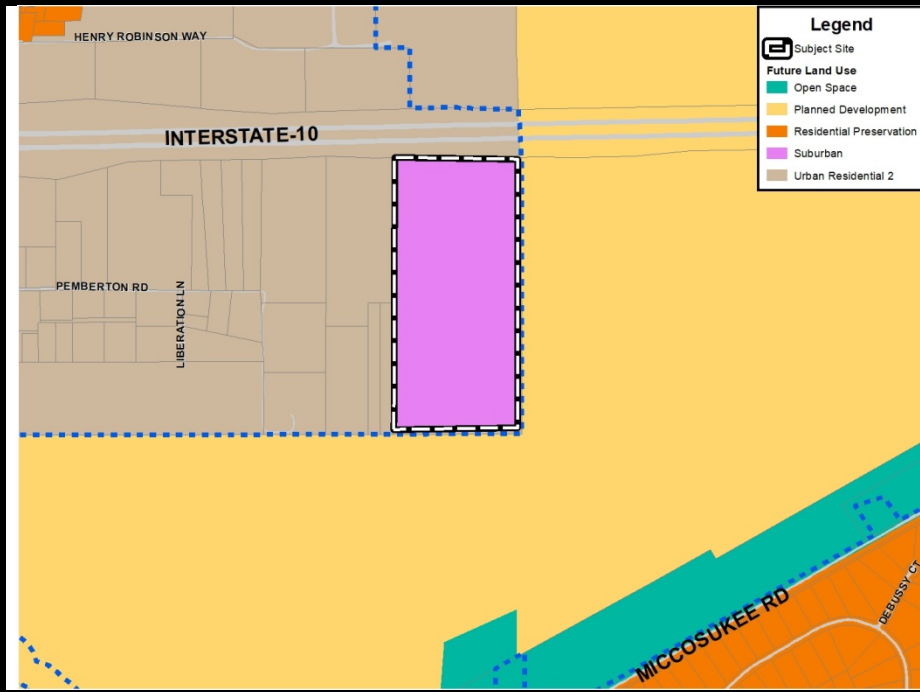
**Statement indicating the relationship of the additional changes not previously reviewed by the Department of Economic Opportunity in response to the comment letter from the Department of Economic Opportunity:**

Not applicable.

# Map Amendment LMA 2019 02



- Formerly**
- Urban Residential 2



- As Adopted**
- Suburban

**Text Amendment TTA 2019 005**

Policy 1.2.8: [CI]

~~Leon County Schools' 2016-2017 five-year District Facilities Work Program (as adopted by Leon County Schools on October 25, 2016) is hereby adopted by reference into the five-year Schedule of Capital Improvements.~~ The five-year Schedule of Capital Improvements will be evaluated and updated annually to reflect existing and future public school facility needs to ensure that the School District's five-year capital plan is financially feasible and that the adopted level-of service standard for public schools is achieved and maintained.

ORDINANCE NO. 2019- 05

1  
2  
3  
4 **AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF**  
5 **LEON COUNTY, FLORIDA, AMENDING THE 2030 TALLAHASSEE-**  
6 **LEON COUNTY COMPREHENSIVE PLAN; ADOPTING AN**  
7 **AMENDMENT TO THE FUTURE LAND USE MAP; PROVIDING FOR**  
8 **APPLICABILITY AND EFFECT; PROVIDING FOR CONFLICTS;**  
9 **PROVIDING FOR SEVERABILITY; PROVIDING FOR A COPY TO BE**  
10 **ON FILE WITH THE TALLAHASSEE-LEON COUNTY PLANNING**  
11 **DEPARTMENT; AND PROVIDING FOR AN EFFECTIVE DATE.**

12  
13  
14 WHEREAS, Chapters 125 and 163, Florida Statutes, empowers the Board of County  
15 Commissioners of Leon County to prepare and enforce comprehensive plans for the development  
16 of the County; and

17 WHEREAS, Sections 163.3161 through 163.3215, Florida Statutes, the Community  
18 Planning Act, empowers and requires the Board of County Commissioners of Leon County to (a)  
19 plan for the County's future development and growth; (b) adopt and amend comprehensive  
20 plans, or elements or portions thereof, to guide the future growth and development of the  
21 County; (c) implement adopted or amended comprehensive plans by the adoption of appropriate  
22 land development regulations; and (d) establish, support, and maintain administrative  
23 instruments and procedures to carry out the provisions and purposes of the Act; and

24 WHEREAS, Ordinance 90-30 was enacted on July 16, 1990, to adopt the Tallahassee-  
25 Leon County 2010 Comprehensive Plan for the unincorporated area of Leon County. The City  
26 of Tallahassee also adopted a plan for its municipal area by separate ordinance; and

27 WHEREAS, the horizon year for the Tallahassee-Leon County Comprehensive Plan is  
28 now 2030 and the Comprehensive Plan is now known as the Tallahassee-Leon County 2030  
29 Comprehensive Plan; and

30 WHEREAS, pursuant to Section 163.3184, Florida Statutes, the Board of County  
31 Commissioners of Leon County has held several public work sessions, public meetings, and  
32 public hearings on the proposed amendment to the comprehensive plan, with due public notice

1 having been provided, to obtain public comment, and has considered all written and oral  
2 comments received during said work sessions, public meetings and public hearings; and

3 WHEREAS, pursuant to Section 163.3184, Florida Statutes, the Board of County  
4 Commissioners of Leon County transmitted copies of the proposed amendment to the  
5 comprehensive plan to the Department of Economic Opportunity as the State Land Planning  
6 Agency and other state and regional agencies for written comment; and

7 WHEREAS, pursuant to Section 163.3184, Florida Statutes, the Board of County  
8 Commissioners of Leon County held a public hearing with due public notice having been  
9 provided on the proposed amendment to the comprehensive plan; and

10 WHEREAS, the Board of County Commissioners of Leon County further considered all  
11 oral and written comments received during such public hearing, including the data collection and  
12 analyses packages, the recommendations of the Tallahassee-Leon County Local Planning  
13 Agency, and the Objections, Recommendations, and Comments Report of the Department of  
14 Economic Opportunity; and

15 WHEREAS, in exercise of its authority, the Board of County Commissioners of Leon  
16 County has determined it necessary and desirable to adopt the amendment to the comprehensive  
17 plan to preserve and enhance present advantages; encourage the most appropriate use of land,  
18 water and resources, consistent with the public interest; overcome present handicaps; and deal  
19 effectively with future problems that may result from the use and development of land within  
20 Leon County, and to meet all requirements of law;

21 BE IT ORDAINED by the Board of County Commissioners of Leon County, Florida,  
22 that:

23 **Section 1. Purpose and Intent.**

24 This Ordinance is hereby enacted to carry out the purpose and intent of, and exercise the  
25 authority set out in the Community Planning Act, Sections 163.3161 through 163.3215, Florida  
26 Statutes, as amended.



1 **Section 2. Map Amendment.**

2  
3 The Ordinance does hereby adopt the following portion of the text attached hereto as  
4 Exhibit “A,” and made a part hereof, as an amendment to the Tallahassee-Leon County 2030  
5 Comprehensive Plan, as amended, and does hereby amend “The Tallahassee-Leon County 2030  
6 Comprehensive Plan,” as amended, in accordance therewith, being an amendment to the  
7 following Plan element:

8 Map Amendment LMA 2019-02, which relates to the Future Land Use Map.

9  
10 **Section 3. Applicability and Effect.**

11 The applicability and effect of this update to the 2030 Comprehensive Plan shall be as  
12 provided by the Community Planning Act, Sections 163.3161 through 163.3215, Florida  
13 Statutes, and this Ordinance, and shall apply to all properties under the jurisdiction of Leon  
14 County.

15 **Section 4. Conflict with Other Ordinances and Codes.**

16 All ordinances or parts of ordinances of the Code of Laws of Leon County, Florida, in  
17 conflict with the provisions of this Ordinance are hereby repealed to the extent of such conflict.

18 **Section 5. Severability.**

19 If any provision or portion of this Ordinance is declared by any court of competent  
20 jurisdiction to be void, unconstitutional, or unenforceable, then all remaining provisions and  
21 portions of this Ordinance shall remain in full force and effect.

22 **Section 6. Copy on File.**

23 To make the Tallahassee-Leon County 2030 Comprehensive Plan available to the public,  
24 a certified copy of the enacting ordinance, as well as certified copies of the Tallahassee-Leon  
25 County 2030 Comprehensive Plan and these updates thereto, shall also be located in the

1 Tallahassee-Leon County Planning Department. The Planning Director shall also make copies  
2 available to the public for a reasonable publication charge.

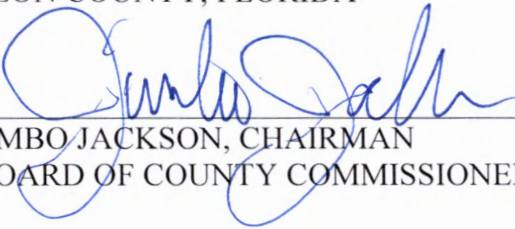
3 **Section 7. Effective Date.**

4 The effective date of this Plan update shall be according to law and the applicable statutes  
5 and regulations pertaining thereto.

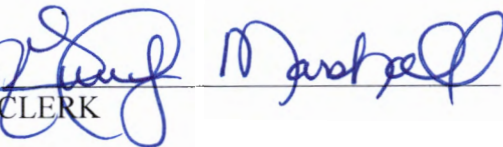
6 DULY PASSED AND ADOPTED BY the Board of County Commissioners of Leon  
7 County, Florida, this 14<sup>th</sup> day of May, 2019.



LEON COUNTY, FLORIDA

BY:   
JIMBO JACKSON, CHAIRMAN  
BOARD OF COUNTY COMMISSIONERS

16 ATTESTED BY:  
17 GWENDOLYN MARSHALL, CLERK  
18 OF THE COURT AND COMPTROLLER

19  
20  
21 BY:   
22 CLERK

23  
24 APPROVED AS TO FORM:  
25 COUNTY ATTORNEY'S OFFICE  
26 LEON COUNTY, FLORIDA

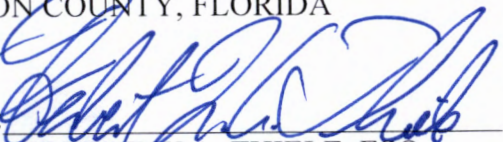
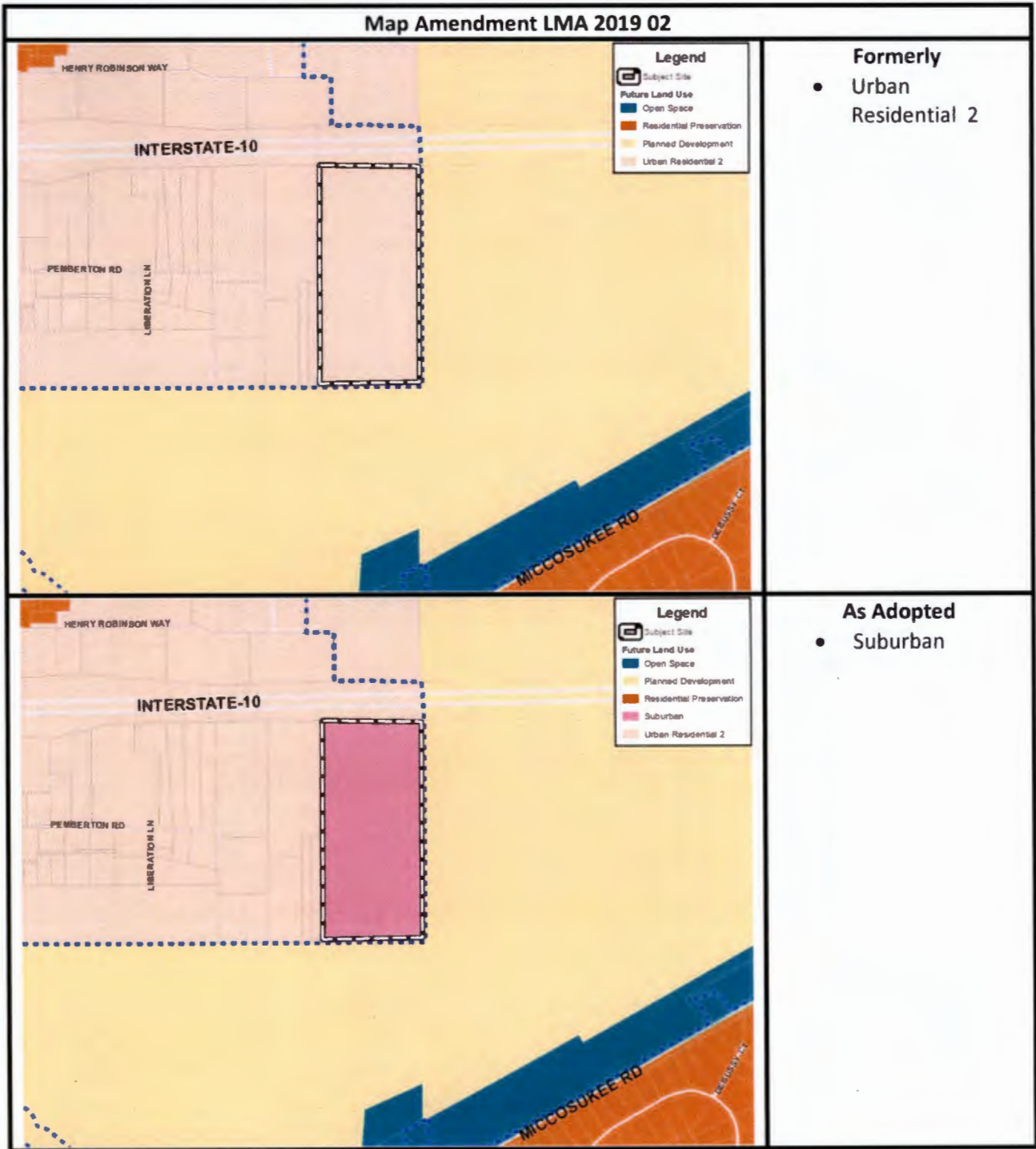
27  
28  
29 BY:   
30 HERBERT W.A. THIELE, ESQ.  
31 COUNTY ATTORNEY

Exhibit A



ORDINANCE NO. 19-O-12

1  
2  
3 **AN ORDINANCE OF THE CITY OF TALLAHASSEE ADOPTING A TEXT**  
4 **AMENDMENT TO THE 2030 TALLAHASSEE/LEON COUNTY COMPREHENSIVE**  
5 **PLAN; PROVIDING FOR SEVERABILITY AND CONFLICTS; AND PROVIDING AN**  
6 **EFFECTIVE DATE.**  
7

8 WHEREAS, Chapters 163 and 166, Florida Statutes, empower the City Commission of the City  
9 of Tallahassee to prepare and enforce comprehensive plans for the development of the City;  
10 and,

11 WHEREAS, Sections 163.3161 through 163.3215, Florida Statutes, the Community Planning  
12 Act, empower and require the City Commission of the City of Tallahassee to (a) plan for  
13 the City's future development and growth; (b) adopt and amend comprehensive plans, or  
14 elements or portions thereof, to guide the future growth and development of the City; (c)  
15 implement adopted or amended comprehensive plans by the adoption of appropriate land  
16 development regulations; and (d) establish, support, and maintain administrative  
17 instruments and procedures to carry out the provisions and purposes of the Act; and,

18 WHEREAS, pursuant to Section 163.3184, Florida Statutes, the City Commission of the City of  
19 Tallahassee has held several public work sessions, public meetings and several public  
20 hearings with due public notice having been provided, on these amendments to the  
21 Comprehensive Plan; and,

22 WHEREAS, on May 23, 2017, pursuant to Section 163.3184, Florida Statutes, the City  
23 Commission of the City of Tallahassee transmitted copies of the proposed amendments  
24 of the comprehensive plan to the Department of Economic Opportunity and other state  
25 and regional agencies for written comment; and,

26 WHEREAS, the City Commission of the City of Tallahassee considered all oral and written  
27 comments received during public hearings, including the data collection and analyses  
28 packages, the recommendations of the Local Planning Agency/Planning Commission; and,  
29

1 WHEREAS, in exercise of its authority, the City Commission of the City of Tallahassee has  
2 determined it necessary and desirable to adopt these amendments to the comprehensive  
3 plan to preserve and enhance present advantages; encourage the most appropriate use of  
4 land, water and resources, consistent with the public interest; overcome present handicaps;  
5 and deal effectively with future problems that may result from the use and development of  
6 land within the City of Tallahassee, and to meet all requirements of law.

7 NOW THEREFORE, BE IT ENACTED by the People of the City of Tallahassee, Florida, as  
8 follows, that:

9 **Section 1. Purpose and Intent.**

10 This ordinance is hereby enacted to carry out the purpose and intent of, and exercise the authority  
11 set out in, Sections 163.3161 through 163.3215, Florida Statutes, the Community Planning Act.

12 **Section 2. Text Amendment.**

13 The ordinance does hereby adopt the following portion of the text attached hereto as Exhibit  
14 "A," and made a part hereof, as an amendment to the Tallahassee-Leon County 2030  
15 Comprehensive Plan, as amended, and does hereby amend "The Tallahassee-Leon County 2030  
16 Comprehensive Plan," as amended, in accordance therewith, being an amendment to the following  
17 Plan element:

18 Text Amendment TTA2019005 which relates to the Capital Improvements Element.

19 **Section 3. Conflict With Other Ordinances and Codes.**

20 All ordinances or parts of ordinances of the Code of Ordinances of the City of Tallahassee, Florida,  
21 in conflict with the provisions of this ordinance are hereby repealed to the extent of such conflict.

22 **Section 4. Severability.**

23 If any provision or portion of this ordinance is declared by any court of competent  
24 jurisdiction to be void, unconstitutional, or unenforceable, then all remaining provisions and  
25 portions of this Ordinance shall remain in full force and effect.

1 **Section 5. Copy on File.**

2 To make the Tallahassee-Leon County 2030 Comprehensive Plan available to the public, a  
3 certified copy of the enacting ordinance, as well as certified copies of the Tallahassee-Leon  
4 2030 Comprehensive Plan and these amendments thereto, shall also be located in the Tallahassee-  
5 Leon County Planning Department. The Planning Director shall also make copies available to  
6 the public for a reasonable publication charge.

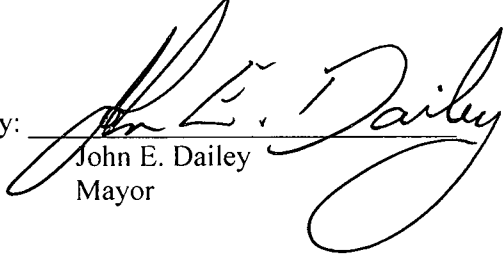
7 **Section 6. Effective Date.**

8 The effective date of these Plan amendments shall be according to law and the applicable statutes  
9 and regulations pertaining thereto.

10 INTRODUCED in the City Commission on the 10<sup>th</sup> day of April, 2019.

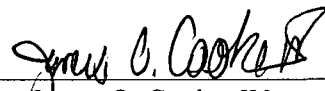
11 PASSED by the City Commission on the 14<sup>th</sup> day of May, 2019.

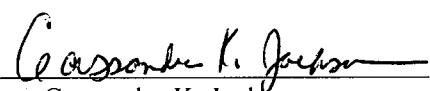
CITY OF TALLAHASSEE

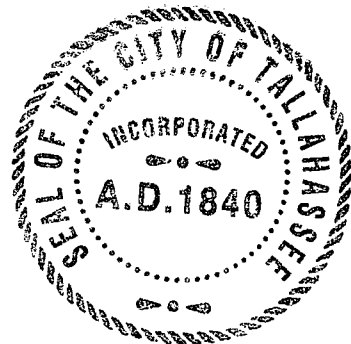
By:   
John E. Dailey  
Mayor

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22 ATTEST:

APPROVED AS TO FORM

23  
24  
25  
26 By:   
James O. Cooke, IV  
City Treasurer-Clerk

27 By:   
Cassandra K. Jackson  
City Attorney



Ordinance No. 19-O-12

Exhibit A

Text Amendment TTA 2019 005

*Policy 1.2.8: [CI]*

*Leon County Schools' 2016-2017 five-year District Facilities Work Program (as adopted by Leon County Schools on October 25, 2016) is hereby adopted by reference into the five-year Schedule of Capital Improvements. The five-year Schedule of Capital Improvements will be evaluated and updated annually to reflect existing and future public school facility needs to ensure that the School District's five-year capital plan is financially feasible and that the adopted level-of-service standard for public schools is achieved and maintained.*

ORDINANCE NO. 2019- 06

1  
2  
3  
4 **AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF**  
5 **LEON COUNTY, FLORIDA, AMENDING THE 2030 TALLAHASSEE-**  
6 **LEON COUNTY COMPREHENSIVE PLAN; ADOPTING AN**  
7 **AMENDMENT TO THE CAPITAL IMPROVEMENTS ELEMENT;**  
8 **PROVIDING FOR APPLICABILITY AND EFFECT; PROVIDING FOR**  
9 **CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR A**  
10 **COPY TO BE ON FILE WITH THE TALLAHASSEE-LEON COUNTY**  
11 **PLANNING DEPARTMENT; AND PROVIDING FOR AN EFFECTIVE**  
12 **DATE.**  
13

14  
15 WHEREAS, Chapters 125 and 163, Florida Statutes, empowers the Board of County  
16 Commissioners of Leon County to prepare and enforce comprehensive plans for the development  
17 of the County; and

18 WHEREAS, Sections 163.3161 through 163.3215, Florida Statutes, the Community  
19 Planning Act, empowers and requires the Board of County Commissioners of Leon County to (a)  
20 plan for the County's future development and growth; (b) adopt and amend comprehensive  
21 plans, or elements or portions thereof, to guide the future growth and development of the  
22 County; (c) implement adopted or amended comprehensive plans by the adoption of appropriate  
23 land development regulations; and (d) establish, support, and maintain administrative  
24 instruments and procedures to carry out the provisions and purposes of the Act; and

25 WHEREAS, Ordinance 90-30 was enacted on July 16, 1990, to adopt the Tallahassee-  
26 Leon County 2010 Comprehensive Plan for the unincorporated area of Leon County. The City  
27 of Tallahassee also adopted a plan for its municipal area by separate ordinance; and

28 WHEREAS, the horizon year for the Tallahassee-Leon County Comprehensive Plan is  
29 now 2030 and the Comprehensive Plan is now known as the Tallahassee-Leon County 2030  
30 Comprehensive Plan; and

31 WHEREAS, pursuant to Section 163.3184, Florida Statutes, the Board of County  
32 Commissioners of Leon County has held several public work sessions, public meetings, and  
33 public hearings on the proposed amendment to the comprehensive plan, with due public notice



1 having been provided, to obtain public comment, and has considered all written and oral  
2 comments received during said work sessions, public meetings and public hearings; and

3 WHEREAS, pursuant to Section 163.3184, Florida Statutes, the Board of County  
4 Commissioners of Leon County transmitted copies of the proposed amendment to the  
5 comprehensive plan to the Department of Economic Opportunity as the State Land Planning  
6 Agency and other state and regional agencies for written comment; and

7 WHEREAS, pursuant to Section 163.3184, Florida Statutes, the Board of County  
8 Commissioners of Leon County held a public hearing with due public notice having been  
9 provided on the proposed amendment to the comprehensive plan; and

10 WHEREAS, the Board of County Commissioners of Leon County further considered all  
11 oral and written comments received during such public hearing, including the data collection and  
12 analyses packages, the recommendations of the Tallahassee-Leon County Local Planning  
13 Agency, and the Objections, Recommendations, and Comments Report of the Department of  
14 Economic Opportunity; and

15 WHEREAS, in exercise of its authority, the Board of County Commissioners of Leon  
16 County has determined it necessary and desirable to adopt the amendment to the comprehensive  
17 plan to preserve and enhance present advantages; encourage the most appropriate use of land,  
18 water and resources, consistent with the public interest; overcome present handicaps; and deal  
19 effectively with future problems that may result from the use and development of land within  
20 Leon County, and to meet all requirements of law;

21 BE IT ORDAINED by the Board of County Commissioners of Leon County, Florida,  
22 that:

23 **Section 1. Purpose and Intent.**

24 This Ordinance is hereby enacted to carry out the purpose and intent of, and exercise the  
25 authority set out in the Community Planning Act, Sections 163.3161 through 163.3215, Florida  
26 Statutes, as amended.

1 **Section 2. Text Amendment.**

2  
3 The Ordinance does hereby adopt the following portion of the text attached hereto as  
4 Exhibit “A,” and made a part hereof, as an amendment to the Tallahassee-Leon County 2030  
5 Comprehensive Plan, as amended, and does hereby amend “The Tallahassee-Leon County 2030  
6 Comprehensive Plan,” as amended, in accordance therewith, being an amendment to the  
7 following Plan element:

8 Text Amendment TTA 2019-005, which relates to the Capital Improvements Element.

9  
10 **Section 3. Applicability and Effect.**

11 The applicability and effect of this update to the 2030 Comprehensive Plan shall be as  
12 provided by the Community Planning Act, Sections 163.3161 through 163.3215, Florida  
13 Statutes, and this Ordinance, and shall apply to all properties under the jurisdiction of Leon  
14 County.

15 **Section 4. Conflict with Other Ordinances and Codes.**

16 All ordinances or parts of ordinances of the Code of Laws of Leon County, Florida, in  
17 conflict with the provisions of this Ordinance are hereby repealed to the extent of such conflict.

18 **Section 5. Severability.**

19 If any provision or portion of this Ordinance is declared by any court of competent  
20 jurisdiction to be void, unconstitutional, or unenforceable, then all remaining provisions and  
21 portions of this Ordinance shall remain in full force and effect.

22 **Section 6. Copy on File.**

23 To make the Tallahassee-Leon County 2030 Comprehensive Plan available to the public,  
24 a certified copy of the enacting ordinance, as well as certified copies of the Tallahassee-Leon  
25 County 2030 Comprehensive Plan and these updates thereto, shall also be located in the

1 Tallahassee-Leon County Planning Department. The Planning Director shall also make copies  
2 available to the public for a reasonable publication charge.

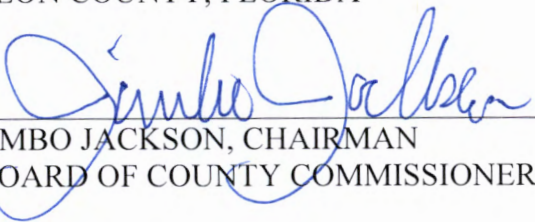
3 **Section 7. Effective Date.**

4 The effective date of this Plan update shall be according to law and the applicable statutes  
5 and regulations pertaining thereto.

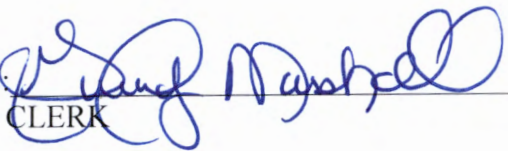
6 DULY PASSED AND ADOPTED BY the Board of County Commissioners of Leon  
7 County, Florida, this 14<sup>th</sup> day of May, 2019.



LEON COUNTY, FLORIDA

BY:   
JIMBO JACKSON, CHAIRMAN  
BOARD OF COUNTY COMMISSIONERS

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15  
16 ATTESTED BY:  
17 GWENDOLYN MARSHALL, CLERK  
18 OF THE COURT AND COMPTROLLER

19  
20  
21 BY:   
22 CLERK

23  
24 APPROVED AS TO FORM:  
25 COUNTY ATTORNEY'S OFFICE  
26 LEON COUNTY, FLORIDA

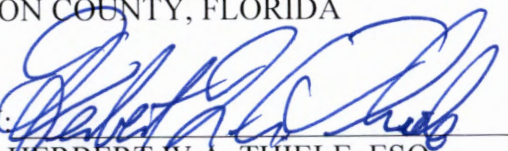
27  
28  
29 BY:   
30 HERBERT W.A. THIELE, ESQ.  
31 COUNTY ATTORNEY

Exhibit A

**Text Amendment TTA 2019 005**

Policy 1.2.8: [CI]

~~Leon County Schools' 2016-2017 five-year District Facilities Work Program (as adopted by Leon County Schools on October 25, 2016) is hereby adopted by reference into the five-year Schedule of Capital Improvements.~~ The five-year Schedule of Capital Improvements will be evaluated and updated annually to reflect existing and future public school facility needs to ensure that the School District's five-year capital plan is financially feasible and that the adopted level-of service standard for public schools is achieved and maintained.