

**Board of County Commissioners
Leon County, Florida
and
City of Tallahassee Commission**

**Joint Workshop on the
2023 Cycle Comprehensive
Plan Amendments
and
Infill Development**

**Tuesday
March 7, 2023
1:00 p.m.**

**Leon County Courthouse
County Commission Chambers, 5th Floor
301 S. Monroe St. Tallahassee, FL 32301**

The media and the public can access the meeting in real time on Comcast channel 16, the Leon County Florida channel on Roku, the County's [Facebook](#) page, [YouTube](#) channel, [Twitter](#) and County [web site](#).

**Board of County Commissioners
Leon County, Florida
and
City of Tallahassee Commission**

**Comprehensive Plan Joint Workshop
March 7, 2023
1:00 p.m.**

| Item Number | Workshop Item Title |
|--------------------|--|
| 1 | 2023 Cycle Comprehensive Plan Amendments |
| 2 | Status Report on Infill Development |

**Leon County
Board of County Commissioners**

**Notes for Workshop
Agenda Item #1**

Joint Leon County Board of County Commissioners and City of Tallahassee Commission Workshop

Workshop Item #1

March 7, 2023

Title: Joint Workshop on 2023 Cycle Comprehensive Plan Amendments

Category: Workshop

From: Vincent S. Long, County Administrator
Reese Goad, City Manager

Lead Staff / Alan Rosenzweig, Deputy County Administrator

Project Team: Ken Morris, Assistant County Administrator

Wayne Tedder, Assistant City Manager

Benjamin H. Pingree, Director, Department of PLACE

Artie White, Director, Tallahassee-Leon County Planning Department

Mindy Mohrman, Administrator of Comprehensive Planning

STATEMENT OF ISSUE

This item provides information on the proposed 2023 Cycle amendments to the Tallahassee-Leon County Comprehensive Plan. The purpose of the Joint Workshop is to provide County and City Commissioners an opportunity to review the amendments and request any additional information. Information requested at the workshop will be provided in the materials for the subsequent public hearings. The 2023 Cycle includes one joint text amendment and six small-scale map amendments inside City limits. The joint text amendment will require two joint public hearings, scheduled for April 11 and June 13. Small-scale map amendments require only one public hearing. These amendments are inside City limits and therefore are scheduled for a March 22 public hearing at City Commission chambers.

FISCAL IMPACT

This item has no fiscal impact.

RECOMMENDED ACTIONS

Option 1: Conduct the Joint Workshop on the 2023 Cycle Comprehensive Plan Amendments.

EXECUTIVE SUMMARY

2023 Comprehensive Plan Amendment Cycle Workshop

The purpose of the Joint Workshop for the 2023 Cycle Comprehensive Plan Amendments is to review and consider the proposed amendments and request any additional information to be included as part of the public hearings. The Tallahassee-Leon County Comprehensive Plan (Comprehensive Plan) is a joint document adopted by both the City of Tallahassee and Leon County. The Comprehensive Plan includes Goals, Objectives, and Policies intended to guide economic, social, physical, environmental, and fiscal development of the community over the next 20 to 30 years. It is a dynamic document that can be amended on an annual basis.

The Comprehensive Plan currently provides a vision for growth in the County and City to the year 2030, with that planning horizon being updated as part of the updates to the Land Use and Mobility Elements of the Comprehensive Plan. The Comprehensive Plan includes a number of strategies intended to focus growth in areas with infrastructure that can support development balanced with strategies for protecting and preserving our environmental, rural, and historic resources. The goals, objectives, and policies contained in the Comprehensive Plan set the parameters for the City of Tallahassee and Leon County Land Development Codes (LDCs), which must be consistent with the adopted Comprehensive Plan.

The Comprehensive Plan and LDCs direct how land development occurs in the community. The land development process includes several phases including the initial idea or development concept, consistency with the comprehensive plan, consistency with zoning and land development code, the application of land development regulations through the development of a site plan and the site plan review process and permitting and construction consistent with code and an approved site plan.

The land development process sometimes results in requests to amend the Comprehensive Plan or apply a different zoning to a property. Map amendments to the Comprehensive Plan change the Land Use designation. These amendments must be consistent with the other goals, objectives, and policies in the Comprehensive Plan. Rezonings must also be consistent with the Comprehensive Plan and the LDCs. Ultimately, the land use and zoning set the parameters for the allowed uses on the property. Site plans must be consistent with the land use and zoning of the property. Development in turn must be consistent with an approved site plan. Attachment#11 provides a review of the overall land development process.

The annual Comprehensive Plan amendment cycle format, with a second cycle utilized some years when necessary, has been used by the County and City to amend the Comprehensive Plan since its adoption in 1990. This approach is consistent with Policy 1.8.1 of the Intergovernmental Coordination Element which states, "To promote the efficient use of City and County resources, one Comprehensive Plan amendment cycle will be initiated annually. The Board of County Commissioners or City Commission may approve the initiation of additional Comprehensive Plan amendments outside of the annual cycle." This annual Comprehensive Plan Amendment Cycle approach is intended to make it easier for citizens to monitor and participate in the public review process, and provides for efficient use of staff, outreach, and advertising resources.

Included in this workshop item are staff reports and public comments received for all 2023 cycle proposed amendments through February 20, 2023.

The 2023 Cycle includes seven proposed amendments; all of which were filed to the Planning Department by the September 23, 2022 deadline or publicly initiated in accordance with the Local Planning Agency bylaws and Intergovernmental Coordination Element of the Comprehensive Plan.

One amendment is considered a text amendment and addresses the text of goals, objectives, and policies and/or figures, tables, and maps that are not in the Future Land Use Map. This text amendment is described in more detail in this item:

- **TTA 2023 009** - adopts the framework for the Southside Action Plan

Six of the amendments are proposed to amend the Future Land Use Map (FLUM) in the Land Use Element. These six amendments to the Future Land Use Map (map amendments), are located within City limits and are considered small-scale amendments, meaning they are 50 acres or less in size. As described in more detail in this item, these six small-scale map amendments include:

- **TMA 2023 001 – 1718 Mahan Drive** to change the land use designation from Residential Preservation to Urban Residential 2
- **TMA 2023 003 – 5411 Capital Circle SW** to change the land use designation from Heavy Industrial to Suburban
- **TMA 2023 004 – 3534 Thomasville Road** to change the land use designation from Lake Protection to High Intensity Urban Activity Center
- **TMA 2023 005 – Lambert Heights and Merrivale Subdivisions** to change the land use designation from Residential Preservation to University Transition
- **TMA 2023 006 – Tharpe Street at Old Bainbridge Road** to change the land use designation from Government Operational to Suburban
- **TMA 2023 007 – Westwood Plaza** to change the land use designation from Government Operational to University Transition

Text amendments require two public hearings and approval by both the Leon County Board of County Commissioners and the Tallahassee City Commission. The first is a transmittal public hearing, scheduled for April 11, 2023, wherein both Commissions vote to transmit the proposed amendment to the State land planning agency and review agencies. The second is an adoption public hearing, scheduled for June 13, 2023, wherein both Commissions vote to adopt or deny the proposed amendment.

Per Policy 1.8.1 of the Intergovernmental Coordination Element of the adopted Comprehensive Plan, amendments to the Future Land Use Map require the approval of Tallahassee City Commission if the property is located entirely within City limits, and approval of the Leon County Board of County Commissioners if the property is located entirely within unincorporated Leon County. Large-scale map amendments are greater than 50 acres in size and require two

public hearings. Small-scale map amendments are 50 acres or less in size and require only one public hearing. As stated previously, the 2023 Cycle includes six small-scale map amendments inside city limits. The public hearing these proposed amendments is scheduled for March 22, 2023 at City Commission chambers and shall include the City Commission only.

The overall schedule for the 2023 Comprehensive Plan Amendment Cycle is as follows:

Full 2023 Cycle Amendment Schedule:

| | |
|--|---------------------------------|
| Application Cycle | April 2022 – September 23, 2022 |
| Public Open House | December 8, 2022 |
| Local Planning Agency Workshop | January 10, 2023 |
| Additional Public Open House for TMA2023001 | January 26, 2023 |
| Local Planning Agency Public Hearing | February 7, 2023 |
| Joint City-County Workshop | March 7, 2023 |
| City Commission Adoption Public Hearing for Small-Scale Map Amendments | March 22, 2023 |
| First Joint City-County Transmittal Public Hearing | April 11, 2023 |
| Second Joint City-County Adoption Public Hearing | June 13, 2023 |

Public notification for the Comprehensive Plan amendment cycle includes direct mail notices to properties within 1000' of a small-scale map amendment, signage posted at the subject sites, notices printed in the Tallahassee Democrat and Capital Outlook, email notices through the Planning department's email subscription service, and the 2023 Amendment Cycle website. Notification requirements for large-scale map amendments in rural areas of unincorporated Leon County include mailed notifications to property owners within 1,500' of the subject site with a minimum of 30 property owners being notified; however, there are no large-scale map amendments in the 2023 Cycle. Staff held a public open house on the amendments on December 8, 2022 with approximately 16 people in attendance. Staff provided an overview of the proposed amendments and informed the public on the different meetings related to the cycle, and how citizens can provide comments and remain engaged throughout the process. At the request of the Brandt Hills Neighborhood, an additional public open house was held on January 26, 2023 to answer questions on map amendment TMA 2023 001 – 1718 Mahan Drive.

The Local Planning Agency (LPA) Public Hearing was held on February 7, 2023. The LPA recommended approval of the text amendment and five of the six small-scale map amendments. The LPA recommended denial of one of the small-scale map amendments (TMA 2023 005). Several citizens attended to speak about the following proposed amendments:

- TMA 2023 001 (1718 Mahan Drive) had five speakers, four with comments of support or questions, and one representing the applicant.
- TMA 2023 003 (5411 Capital Circle) had one speaker representing the applicant.
- TMA 2023 004 (3534 Thomasville Road) had one speaker representing the applicant.
- TMA 2023 005 (Lambert Heights/Merrivale Subdivisions) had two speakers who spoke against the amendment.

- TMA 2023 006 (Tharpe at Old Bainbridge) had two speakers, one who spoke against the amendment and one representing the applicant.

In addition to the open house and public hearings, citizens can submit comments on proposed amendments through the [website](#), by returning the public comment section of the mailed notices, via email, or via fax. The written comments received for TMA 2023 001–1718 Mahan Drive, TMA 2023 005–Lambert Heights and Merrivale Subdivisions, and TMA2023 007–Westwood Plaza are included as Attachments 3, 7, and 10. The remaining amendments proposed for this cycle have received no written comments.

The purpose of the Joint Workshop for the 2023 Cycle Comprehensive Plan amendments is to review and consider the proposed amendments and request any additional information to be brought back as part of the public hearings. The Joint Workshop format facilitates a conversation between the Board of County Commissioners and the City Commission on amendments to the joint Tallahassee-Leon County Comprehensive Plan.

SUPPLEMENTAL INFORMATION

The proposed 2023 Cycle Comprehensive Plan Amendments include:

- 1 Text Amendment
- 6 Small-Scale Map Amendments (50 acres or fewer) within City of Tallahassee limits

The 2023 Cycle Comprehensive Plan amendments are as follows:

Joint Text Amendment: P A R T M E N T

Amendment: TTA 2023 009 – Southside Action Plan

Applicant: Tallahassee-Leon County Planning Department

Jurisdiction: Joint Leon County and City of Tallahassee

Staff: Mindy Mohrman

Synopsis: The City Commission adopted the Southside Action Plan at its meeting on January 18, 2023 and initiated the proposed Southside Action Plan text amendment into the 2023 Comprehensive Plan amendment cycle. The proposed amendment amends *Goal 11 [L] Southern Strategy Area* in the Land Use Element to rename it as the Southside Action Plan and updates the associated goals, objectives, and policies. Additional updates to the Vision Statement, Utilities element, Housing Element, and Capital Improvements Element to replace Southern Strategy Area with the adopted Southside Action Plan are included in this amendment.

This proposed amendment advances the County’s FY2022-FY2026 Strategic Initiative:

- *Continue to support updates to the Comprehensive Plan that encourage annexation of southside properties within the Urban Services Area. (2022-41).*

This particular Strategic Initiative aligns with the Board’s Governance Strategic Priority:

- *(G5) Exercise responsible stewardship of County resources, sound financial management, and ensure that the provision of services and community enhancements are done in a fair and equitable manner.*

The proposed Comprehensive Plan amendment encourages the annexation of southside properties within the Urban Services Area into City limits, by supporting public and private investments and encouraging development, redevelopment, and rehabilitation, which often results in annexation.

Text Amendment: The Southside Action Plan originated with a Tallahassee-Leon County Comprehensive Plan policy adopted in 1998, called the “Southern Strategy Area,” or SSA. The policy was adopted by the City and County Commissions in response to the growing concerns about the unbalanced development happening throughout Tallahassee and Leon County. In 2021, the City and County Commissions revisited the SSA policies after more than 20 years since they were adopted into the Comprehensive Plan, and initiated the Southside Action Plan, or SAP. At the Joint Workshop on April 13, 2021, the County and City Commissions approved the Southside Action Plan approach.

After initiation of the SAP, renewed efforts were made to listen to the southside community about what they wanted to see in the area and what it might take to make it happen. Over a period of several months staff conducted extensive outreach to engage with southside residents, business owners, and other community stakeholders through community conversations, public meetings, neighborhood events, and the Southside Action Plan survey. Through this process community priorities were established and included in the proposed amendment to the Comprehensive Plan to update Goal 11 [L] of the Land Use Element to reflect the goals, objectives, and policies identified by the SAP.

Southside Action Plan Implementation

Following the adoption of the proposed text amendments to the Comprehensive Plan, the next steps are to implement projects that reflect the community priorities of beautification, investment, and engaged and activated citizens, and report back metrics related to these priorities at future Board and City Commission retreats. This framework for implementation includes Comprehensive Plan policy updates, strategic objectives and initiatives, and tracking of projects on the southside. The SAP prioritizes community-driven projects that are small-scale in nature and have immediate, tangible benefits to residents and other parties invested in the Southside. These are projects that are quick to implement and visible to community members. In addition, it is a priority of the SAP to continue public and private investments in long-term capital improvements and investments. With the adoption of the SAP, community-driven projects, as well as public investment and private investment activities will be supported and tracked. This includes public investments through the Blueprint Intergovernmental Agency, tracking of annexations of southside property in the unincorporated areas of the SAP boundary, and the expansion of water and sewer services.

| Community-Driven | Public | Private |
|--|---|--|
| Community Events Soul of Southside Festival Southside Tour of Homes Neighborhood Clean-ups Beautification Projects | Water and Sewer Infrastructure Sidewalk Construction Additional Street Lighting Blueprint Projects Capital Improvements Fire Station 17 Development | Infill on Vacant Lots Redevelopment Projects Rehabilitation of Homes Rehabilitation of Commercial Properties |

At its January 18, 2023 meeting, the City Commission adopted the SAP and initiated the proposed Southside Action Plan text amendment. This proposed amendment is needed to replace the former Southern Strategy Area with the adopted Southside Action Plan and provide consistency with this change throughout other elements.

The content of the proposed Goal, Objective, and Policies reads as follows:

A full strike through of all Objectives and Policies is provided in Appendix A of Attachment 1.

Goal 11: [L] – Southside Action Plan

A plan shall be developed and monitored to align with the community’s desire for a framework of action in the southern part of the Tallahassee urban area. To achieve this goal, the local governments shall develop a Southside Action Plan that complements long-term public and private investment with small-scale visible improvements that are relatable and community driven. This approach recognizes that the vision of Southside citizens is essential to guiding the development, redevelopment, and rehabilitation of the Southside; and that the community’s vision focuses on three main areas of improvement: Beautification, Investment, and Engaged and Activated Citizens.

Objective 11.1 [L] – Beautification

Beautify and enhance both public and private spaces across the Southside Action Plan area by improving maintenance and increasing investment.

Policy 11.1.1: [L]

Focus local government beautification efforts in shared public spaces by frequently maintaining and enhancing existing public areas. Support citizen and business investment on private property and shared spaces.

Objective 11.2 [L] – Investment

Direct collaborative efforts of both the public and private sectors towards an increase of homeownership, diverse development and redevelopment types, business variety, and infrastructure in the Southside Community.

Policy 11.2.1: [L]

Identify projects that initiate further investment opportunities in the Southside Community. Support partnerships across federal, state, city and county governments with non-profits and private organizations to identify resources for housing, homeownership, business, and infrastructure for the public.

Policy 11.2.2: [L]

Investment within the Southside Action Plan area shall not occur at the expense of the natural environment or water quality in a manner which is found to be inconsistent with local government initiatives, policies, rules or regulations.

Objective 11.3 [L] – Engaged and Activated Citizens

Foster community involvement and celebration of the Southside.

Policy 11.3.1: [L]

Encourage citizens, neighborhoods, and businesses in the Southside to be engaged and actively involved in community-led projects. Promote projects, empower residents, and connect efforts with resources.

Objective 11.4 [L] – Southside Action Plan Evaluation and Update; Relation to Other Goals Objectives & Policies

Monitor the implementation of the Southside Action Plan.

Policy 11.4.1: [L]

The Tallahassee-Leon County Planning Department will monitor project implementation of the Southside Action Plan by reporting annually on Objective 11.1, 11.2, and 11.3; in coordination with the Leon County and the City of Tallahassee strategic plans.

Consistency with Comprehensive Plan

The proposed text amendment was reviewed by staff and the Local Planning Agency (LPA) for consistency with the goals, objectives, and policies of the Tallahassee-Leon County Comprehensive Plan. The proposed amendment is consistent with the Comprehensive Plan.

Additional Goals, Objectives, and/or Policies for land uses and transportation in the southside may be proposed as part of the updates to the Land Use and Mobility Elements currently underway. Any future amendments must be consistent with the SAP goals, objectives, and policies and will be brought to the Board and City Commission for consideration and adoption.

Summary of TTA 2022 004:

- Local Planning Agency recommendation on proposed amendment: **Approve**
- Staff analysis of consistency with Comprehensive Plan: **Consistent**
- The staff report for this text amendment is included as Attachment #1.
- No citizen comments have been received on this text amendment.

City Small-Scale Map Amendments:

Amendment: TMA 2023 001 – 1718 Mahan Drive

Applicant: Darren Rajendranath

Jurisdiction: City of Tallahassee

Staff: Jacob Fortunus

Synopsis: The proposed amendment is a change to the Future Land Use Map designation from Residential Preservation to Urban Residential 2 on approximately 5.6 acres. The requested map amendment to Urban Residential 2 would allow a higher density of residential development than is allowed by the current Residential Preservation designation without allowing commercial development. Staff recommends expanding this amendment to an additional 3.99 acres to include the Brandt Place Townhomes to the immediate west of the subject site, as they exceed the allowable density of the current Residential Preservation land use category. This change will correct the existing non-conformity on these parcels. The proposed amendment does not include the adjacent Hill Top Academy located to the east of the subject site. If approved, this map amendment would change the allowable uses on a 9.59 acre area from low-density single-family residential uses to medium-density residential uses. This amendment would further the goal of promoting infill development, would help protect existing missing middle housing, would bring existing nonconforming uses into conformity, and would require development standards to promote compatibility with adjacent residential preservation areas. A rezoning application will be processed concurrently with this amendment. A zoning change from Residential Preservation 2 (RP-2) to Medium Density Residential District (MR) is requested to implement the proposed amendment to the FLUM and would allow residential densities up to a maximum of 16 units per acre. MR zoning in the Urban Residential 2 land use does not allow commercial development.

Based on staff analysis, the subject properties do not align with the intent of the existing Residential Preservation FLUM district. The subject properties front Mahan Drive, a principal arterial road, and the traffic is not predominantly local in nature. Additionally, the properties of the expansion area contain nonconforming densities allowed by the Residential Preservation land use category.

Small-Scale Map Amendment: The subject area is located at the intersection of Mahan Drive and Marys Drive. The subject area is within City limits and within the Urban Services Area. This

Map Amendment is a request to change the FLUM designation from Residential Preservation to Urban Residential 2 on approximately 9.59 acres.

The Residential Preservation land use category functions to protect existing stable and viable residential areas from incompatible land use intensities and density intrusions. Residential Preservation areas are characterized by existing homogenous residential areas within the community which are predominantly accessible by local streets. The Residential Preservation FLUM allows for single-family houses, townhomes, and duplexes at a maximum density of six (6) units per acre.

The Urban Residential 2 land use category allows for residential uses up to a density of 20 units per acre (the proposed zoning of Medium Density Residential will further restrict this density to 16 units per acre). The intent of this district is to encourage a range of housing types, thereby promoting infill development, reducing urban sprawl, and maximizing the efficiency of readily available infrastructure such as utilities, transit, and sidewalks. Urban Residential 2 may serve as a transitional area between lower density residential areas and more intensive land uses and roadways.

Rezoning Application: A rezoning application is being processed concurrently with this amendment. A zoning change from Residential Preservation 2 (RP-2) to Medium Density Residential District (MR) has been requested to implement the proposed amendment to the Future Land Use Map. This zoning allows a minimum of 6 units per acre and a maximum of 16 units per acre. The MR zoning district is to be located in areas designated Urban Residential or Suburban, in close proximity to more intensive nonresidential uses in order to achieve densities consistent with urban development, use of public transit, and efficient use of public infrastructure. The rezoning would be **quasi-judicial** in nature; therefore, any ex parte communications shall be disclosed prior to the item being heard.

Consistency with Comprehensive Plan

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

- Objective 1.5 [L] Nonconforming Uses and Noncomplying Characteristics: The Expansion Area defined by this amendment is being pursued by the Tallahassee-Leon County Planning Department in order to bring existing land uses adjacent to the applicant's site (subject site) into conformance with the Comprehensive Plan and the City of Tallahassee Land Development Code. This supports Objective 1.5 [L] of the Comprehensive Plan which seeks to address nonconforming uses. The existing density of the Brandt Place Townhomes is currently a nonconforming use with the existing Future Land Use designation and zoning. These nonconforming uses have a minimal impact upon surrounding conforming land use and are not detrimental to the public health, safety and welfare.
- Policy 2.2.3 [L] of the Comprehensive Plan define criteria for Residential Preservation including that the "majority of traffic is local in nature." Given the parcel(s) in question front the principal arterial (Mahan Drive), which primarily carries through traffic, the existing Future Land Use designation is incongruent with the fronting roadways at this location.

- Policy 2.2.24 [L] indicates that the purpose of the Urban Residential 2 land use category is to encourage a range of density housing, thereby promoting infill development, reducing urban sprawl, and maximizing the efficiency of infrastructure. The subject property is located inside the Urban Services Area and is connected to infrastructure that is currently underutilized. Changing the land use category for the subject site and expansion area will increase access to medium-density residential uses and is consistent with the intent of the Urban Residential 2 land use category.

Summary of TMA 2023 001:

- Local Planning Agency recommendation on proposed amendment and rezoning: **Approve**
- Staff analysis of consistency with the Comprehensive Plan: **Consistent**
- The staff report for this text amendment is included as Attachment #2.
- Citizen comments on this map amendment are included as Attachment #3.

Amendment: TMA 2023 003 – 5411 Capital Circle SW

Applicant: Sandco, Inc.

Jurisdiction: City of Tallahassee

Staff: Stephen Hodges

Synopsis: The proposed amendment is a change to the Future Land Use Map designation from Heavy Industrial to Suburban on approximately 3.23 acres. If approved, this map amendment would change the allowable uses from industrial uses to a variety of residential and nonresidential uses including commercial, retail, and office. A rezoning application will be processed concurrently with this amendment. A zoning change from Industrial (I) to General Commercial (C-2) is requested to implement the proposed amendment to the FLUM.

Based on staff analysis, the current Heavy Industrial land use designation is under-utilized in the area. Current land use and infrastructure patterns allowing medium- to high-density residential uses and commercial uses reflect a trend towards increasing residential and commercial development. The proposed amendment is consistent with surrounding uses and other recent land use changes.

Small-Scale Map Amendment: The subject area is located at the northwest corner of the intersection of Capital Circle SW and Woodville Highway. The subject area is within City limits and within the Urban Services Area. This Map Amendment is a request to change the FLUM designation from Heavy Industrial to Suburban on approximately 3.23 acres.

The Heavy Industrial land use category contains industrial uses which have or may have substantial off-site impacts. These areas have locational criteria more stringent than residential or commercial uses. Off-site impacts require extensive buffering and/or relative distance from other land uses. Ancillary commercial uses designed to serve adjacent workers may be

permitted. Other commercial and residential land uses are prohibited due to the encroachment factor.

The Suburban land use category allows a mixture of office, commercial uses, and residential densities up to 20 units per acre. The Suburban land use category is intended 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.

Rezoning Application: A rezoning application is being processed concurrently with this amendment. A zoning change from Industrial (I) to General Commercial (C-2) has been requested to implement the proposed amendment to the Future Land Use Map. The C-2 zoning category is intended to be located in areas designated Suburban on the FLUM and applies to areas with direct access to major collectors or arterial roadways located within convenient traveling distance to neighborhoods, in order to provide goods and services that people use in close proximity to their homes. The rezoning would be **quasi-judicial** in nature; therefore, any ex parte communications shall be disclosed prior to the item being heard.

Consistency with Comprehensive Plan

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

- Policy 2.2.5 [L] states the Suburban land use category is intended 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. The area surrounding the subject site is transitioning to more residential development including existing residential property to the east and south, and upcoming residential development to the southwest. Meanwhile, lands designated Industrial are under-utilized or are vacant.
- Policy 2.2.5 [L] also states that to complement residential aspects of this development pattern, recreational opportunities, cultural activities, commercial goods and services should be located nearby. The property is located near the St. Marks. Trail, Apalachicola National Forest, shopping and commercial opportunities, and existing, recently built, and upcoming residential development.
- Policy 2.2.5 [L] also states that 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. The property is adjacent to Capital Circle SW and Woodville Highway, both Principal Arterial roads.

The proposed amendment is also consistent with the goals of the adopted Southside Action Plan and proposed text amendment to goal 11: [L] Southern Strategy Area, which formally renames it as the Southside Action Plan.

- Goal 11: [L] – Southern Strategy Area is intended to encourage quality land development and redevelopment which results in increased population growth in the southern part of

the Tallahassee urban area, to retain and increase employment opportunities, and to attain an income mix that is comparable to the remainder of the urbanized County.

- Objective 11.3: [L] - Attraction of Development states that based on the need to reduce infrastructure and public service delivery costs, enhance urban core stability, protect natural resources, and reduce economic disparity, it is intended that new development be directed into the Southern Strategy Area by making areas inside the urban core and Southern Strategy Area more attractive to development than development at the edges of the urbanized area. Under the current land use the subject site is vacant. The proposed Suburban land use provides opportunity to develop the property with retail and commercial uses consistent with surrounding uses and development trends.
- Objective 11.2 [L] – Investment Direct collaborative efforts of both the public and private sectors towards an increase of homeownership, diverse development and redevelopment types, business variety, and infrastructure in the Southside Community. The proposed land use change will activate the currently vacant subject site, allow for a variety of development types more consistent with surrounding uses, and provide economic and employment opportunities to the Southside Community, aligning with the goals of the Southside Action Plan.

Summary of TMA 2023 003:

- Local Planning Agency recommendation on proposed amendment and rezoning: **Approve**
- Staff analysis of consistency with Comprehensive Plan: **Consistent**
- The staff report for this text amendment is included as Attachment #4.
- There are no written citizen comments for this amendment.

Amendment: TMA 2023 004 – 3534 Thomasville Road

Applicant: Casey W. Meeks, CW Meeks Construction Inc.

Jurisdiction: City of Tallahassee

Staff: Stephen Hodges

Synopsis: The proposed amendment is a change to the Future Land Use Map designation from Lake Protection to High Intensity Urban Activity Center on approximately 1.7 acres. Lake Protection is intended to only apply to properties within the Lake Jackson Basin; however, the location of the proposed amendment is located outside of the Lake Jackson Basin. The amendment would change the allowable uses from low density residential uses to higher density residential and/or higher intensity non-residential uses supporting the redevelopment of the site. Staff recommends expanding this amendment to an additional 2-acre city-owned parcel immediately to the west of the subject area. If approved, this map amendment would change the allowable uses on a 3.7 acre developed area from low-density single-family residential uses to high-density residential, mixed use, and commercial uses. A rezoning application will be processed concurrently with this amendment. A zoning change from Lake Protection (LP) to

High Intensity Urban Activity Center (AC) is requested to implement the proposed amendment to the FLUM.

Based on staff analysis, the subject site and expansion site are not located inside the Lake Jackson drainage basin. The intent of the Lake Protection FLUM category is to limit development inside the Lake Jackson drainage basin. The subject site is adjacent to the High Intensity Urban Activity Center land use FLUM category, is currently developed with a vacant building, has access to pedestrian and bike facilities and a major arterial road, and is adjacent to uses consistent with the AC designation.

Small-Scale Map Amendment: The subject area is located near the southwest corner of Thomasville Road and Maclay Road. The subject area is within City limits and within the Urban Services Area. This Map Amendment is a request to change the FLUM designation from Lake Protection to High Intensity Urban Activity Center. The Lake Protection land use category is intended to apply to properties within the Lake Jackson basin. The subject area is outside of the Lake Jackson basin. The subject parcel is developed with a former bank, currently vacant. The expansion area containing the city-owned parcel is a stormwater facility and will remain as it is currently developed.

The Lake Protection land use category is intended to ensure that development within the Lake Jackson basin occurs in a sustainable and environmentally sound manner with minimal impact to water quality. The bounds of this category are to be the Lake Jackson basin boundary adjusted to include contributing watersheds but excluding existing, more intensely developed areas south of Interstate 10 and areas outside the Urban Services Area.

The High Intensity Urban Activity Center land use category provides for community wide or regional commercial activities located in proximity to multifamily housing and office employment centers. It is intended to provide large-scale commercial activities to serve retail needs of large portions of the population and promotes efficiency of the transportation system by consolidating trips and discouraging unabated sprawl of commercial activities.

Rezoning Application: A rezoning application is being processed concurrently with this amendment. A zoning change from Lake Protection (LP) to High Intensity Urban Activity Center (AC) has been requested to implement the proposed amendment to the Future Land Use Map. The subject site and expansion area are not within the Lake Jackson basin and are adjacent to a large area zoned AC to the southwest which includes office employment centers, large-scale commercial activities, access to pedestrian and bike facilities, and access to a major arterial road and residential development. The rezoning would be **quasi-judicial** in nature; therefore, any ex parte communications shall be disclosed prior to the item being heard.

Consistency with Comprehensive Plan

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

- Policy 2.2.18 [L] states that the Lake Protection category is the basis for regulation and, where appropriate, limitation of development and redevelopment of land within the Lake Jackson Basin and that the bounds of this category are to be the Lake Jackson basin

boundary adjusted to include contributing watersheds but excluding existing, more intensely developed areas south of Interstate 10 and areas outside the Urban Service Area. The subject site is not located in the Lake Jackson drainage basin, this land use designation is inconsistent with Policy 2.2.18 [L].

- Policy 2.2.9 [L] states that the High Intensity Activity Center future land use category is intended to provide large scale commercial activities to serve retail needs of large portions of the population and promotes efficiency of the transportation system by consolidating trips and discouraging unabated sprawl of commercial activities. The subject property is located near commercial services, employment opportunities, a major arterial road and residential properties, thus promoting efficiency of the transportation system and providing for consolidation of trips.

Summary of TMA 2023 004:

- Local Planning Agency recommendation on proposed amendment and rezoning: **Approve.**
- Staff analysis of consistency with Comprehensive Plan: **Consistent**
- The staff report for this text amendment is included as Attachment #5.
- There are no written citizen comments for this amendment.

Amendment: TMA 2023 005 – Lambert Heights and Merrivale Subdivisions

Applicant: Tallahassee-Leon County Local Planning Agency

Jurisdiction: City of Tallahassee

Staff: Sean Reiss

Synopsis: The proposed amendment is a change to the Future Land Use Map designation from Residential Preservation to University Transition on approximately 38.12 acres including the Lambert Heights and Merrivale Subdivisions. If approved, this map amendment would change the allowable uses from low-density single-family residential uses to multifamily residential uses and mixed-use projects. The requested amendment would increase allowable density from up to 6 dwelling units per acre to up to 50 dwelling units per acre. A rezoning application will be processed concurrently with this amendment. A zoning change from Residential Preservation 1 (RP-1) to University Transition (UT) is requested to implement the proposed amendment to the FLUM.

Based on staff analysis, the subject site no longer aligns with the intent of the Residential preservation FLUM district, and more closely resembles the description of the University Transition land use category and zoning district. The subject site is 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. The proposed amendment continues a trend in this area of former Residential Preservation areas transitioning to University Transition as homeownership rates decline and renters become the primary residents.

Small-Scale Map Amendment: The subject area is located near the intersection of West Pensacola Street and Stadium Drive. The subject area is within City limits and within the Urban Services Area. This Map Amendment is a request to change the FLUM designation from Residential Preservation to University Transition. The subject site is located within the geographic area identified as the area where the University Transition FLUM can be applied, described as lands located generally within the rectangle created by Florida State University main campus and Florida A & M University; Tallahassee Community college/Lively Technical Institute campuses and Innovation Park.

The Residential Preservation land use category functions to protect existing stable and viable residential areas from incompatible land use intensities and density intrusions. Residential Preservation areas are characterized by existing homogenous residential areas within the community which are predominantly accessible by local streets. The Residential Preservation FLUM allows for single-family houses, townhomes, and duplexes at a maximum density of six (6) units per acre.

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. University Transition allows for a mix of uses, including smaller-scale retail and commercial uses, offices, and residential housing up to fifty units per acre.

Rezoning Application: A rezoning application is being processed concurrently with this amendment. A zoning change from Residential Preservation 1 (RP-1) to University Transition (UT) has been requested to implement the proposed amendment to the Future Land Use Map. The rezoning would be contingent upon the approval of the map amendment. The subject site is located in the complementary area for serving post-secondary educational institutions, allows student housing and compatible uses and is consistent with existing surrounding uses. The rezoning would be **quasi-judicial** in nature; therefore, any ex parte communications shall be disclosed prior to the item being heard.

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 half miles from Florida A&M University. Based on these general distances and the fact that the majority of the area is

currently rented by students, the proposed amendment is consistent with this characterization of the University Transition land use category.

- Policy 2.2.17 [L] states that University Transition is not intended to “encourage or facilitate the premature conversion of existing viable single-family residential neighborhoods.” In a review of the Leon County Property Appraiser’s data, only eleven (11) parcels of the total 100 parcels within the subject site claim homestead exemption. Additionally, twenty (20) units within the subject site are registered rooming houses. Rooming houses are single-family houses or duplex units that are registered with the City allowing them to be rented by four or more unrelated people. Based on this analysis, the majority (89%) of properties in the subject area are rentals. The location of the properties qualifying for homestead exemption, as well as those listed as rooming houses, are shown in the Current Uses map below. Based on the neighborhood’s lack of single-family households, lack of a neighborhood association, and prevalence of rental housing, the proposed amendments would not be considered “the premature conversion of existing viable single-family residential neighborhoods.”
- 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-auto modes of transportation are viable.

Summary of TMA 2023 005:

- Local Planning Agency recommendation on proposed amendment and rezoning: **Deny**.
- Staff analysis of consistency with Comprehensive Plan: **Consistent**
- The staff report for this text amendment is included as Attachment #6.
- Citizen comments on this map amendment are included as Attachment #7.

At the February 7, 2023 Local Planning Agency Public Hearing, the LPA heard from two citizens in attendance who opposed the Map Amendment and Rezoning. The citizens indicated that they are homeowners in the neighborhood and expressed the concern that changing the land use of the area to University Transition is premature. The LPA moved to recommend denial based on inconsistency with the existing land use, and based on testimony provided by speakers at the

public hearing. Because the amendment was publicly initiated, the amendment can be considered at the adoption public hearing or can be withdrawn before the public hearing.

Amendment: TMA 2023 006 – Tharpe Street at Old Bainbridge Road

Applicant: RPJ Properties, LLC

Jurisdiction: City of Tallahassee

Staff: Anne Rokyta

Synopsis: The proposed amendment is a change to the Future Land Use Map designation from Government Operational to Suburban on two parcels totaling approximately 0.52 acres. If approved, this map amendment would remove privately-owned property from the Government Operational land use category and place it in the Suburban land use category, consistent with adjacent parcels. The Government Operational land use category is intended to apply to property owned or operated by local, state and federal government. A rezoning application will be processed concurrently with this amendment. A zoning change from Urban Pedestrian 1 (UP-1) to General Commercial (C-2) is requested to implement the proposed amendment to the FLUM. The zoning change will include the two parcels subject to the small-scale map amendment and two adjacent parcels, also owned by the applicant. The four parcels subject to the rezoning request total approximately 1.49 acres.

Based on staff analysis, the two parcels are privately owned and therefore the current Government Operational designation is inconsistent with the Comprehensive Plan. The Suburban designation is currently applied to properties adjacent and surrounding the subject parcels, so this change is consistent with surrounding uses.

Small-Scale Map Amendment: The subject area is located at southeast corner of the intersection of Tharpe Street and Old Bainbridge Road. The subject area is within City limits and within the Urban Services Area. This Map Amendment is a request to change the FLUM designation from Government Operational to Suburban. The property is privately owned. The applicant owns four parcels, two are currently designated Government Operational, and two are currently designated Suburban.

The Government Operational future land use category is intended for facilities that provide for the operation and provision of services on property owned or operated by local, state, and federal government. The Suburban future land use category allows a mixture of office, commercial uses, and residential densities up to 20 units per acre. The proposed zoning of General Commercial further restricts this density. The Suburban land use category is intended 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.

Rezoning Application: A rezoning application is being processed concurrently with this amendment. A zoning change from Urban Pedestrian 1 (UP-1) to General Commercial (C-2) is requested to implement the proposed amendment to the FLUM. The zoning change will include the two parcels subject to the small-scale map amendment and two adjacent parcels, also owned by the applicant. The C-2 district is intended primarily for commercial uses and allows

residential uses above first floor commercial at intensities and densities similar to the existing zoning, and is consistent with zoning on adjacent properties to the south. Residential density is allowed at between eight (8) and 16 dwelling units per acre and required to be located above a first floor containing office or commercial uses. Maximum nonresidential intensity is allowed up to 20,000 square feet per acre, but buildings may not exceed 50,000 square feet. The rezoning would be **quasi-judicial** in nature; therefore, any ex parte communications shall be disclosed prior to the item being heard.

Consistency with Comprehensive Plan

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

- Policy 2.2.16 [L] states that the Government Operational category contains facilities which include those defined on the Land Use Development Matrix as Community Services, Light Infrastructure, Heavy Infrastructure and Post-Secondary, that provide for the operation of and provision of services of properties owned by local, state and federal government. Local, state, and federal governments do not own or operate the property; therefore, the current land use is inconsistent with the Policy 2.2.16 [L].
- Policy 2.2.5 [L] indicates that the purpose of the Suburban land use category 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. All parcels adjacent to the subject site are currently designated Suburban and reflect the development patterns allowed by the Suburban FLU designation. The subject site is located near low to medium density residential uses and other commercial development.

Summary of TMA 2023 006:

- Local Planning Agency recommendation on proposed amendment and rezoning: **Approve**
- Staff analysis of consistency with Comprehensive Plan: **Consistent**
- The staff report for this text amendment is included as Attachment #8.
- There are no written citizen comments for this amendment.

Amendment: TMA 2023 007 – Westwood Plaza

Applicant: Tallahassee-Leon County Planning Department

Jurisdiction: City of Tallahassee

Staff: Oluwaseyi Akinrinde

Synopsis: The proposed amendment is a change to the Future Land Use Map designation from Government Operational to University Transition on approximately 0.54 acres. If approved, this map amendment would remove privately owned property from the Government Operational land use category and place it in the University Transition land use category, consistent with

adjacent parcels. The parcel was formerly owned by the City of Tallahassee and is now in private ownership. The Governmental Operational land use category is intended for property owned or operated by local, state and federal government. A rezoning application will be processed concurrently with this amendment. A zoning change from Residential Preservation 1 (RP-1) to University Transition (UT) is requested to implement the proposed amendment to the FLUM.

Based on staff analysis the subject site no longer matches the description of the Government Operational FLUM category. Local, state, and federal governments do not own or operate the property. The property was formally owned by the City of Tallahassee and has been deeded to Student Housing Partners, LLC. Additionally, the subject site is surrounded by uses consistent with the University Transition land use category.

Small-Scale Map Amendment: The subject area is located on Ocala Road, north of West Pensacola Street and Crabapple Drive. The subject area is within City limits and within the Urban Services Area. This Map Amendment is a request to change the FLUM designation from Government Operational to Suburban. The property is privately owned and contains a stormwater facility. The subject site is located within the geographic area identified as the area where the University Transition FLUM can be applied, described as lands located generally within the rectangle created by Florida State University main campus and Florida A & M University; Tallahassee Community college/Lively Technical Institute campuses and Innovation Park. The proposed amendment will establish consistency with the surrounding future land use designation.

The Government Operational future land use category is intended for facilities that provide for the operation and provision of services on property owned or operated by local, state, and federal government.

The University Transition future 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. University Transition allows for a mix of uses, including smaller-scale retail and commercial uses, offices, and residential housing up to fifty units per acre.

The subject site is currently a stormwater facility serving adjacent development. If redevelopment of the site occurs, the new development will be required to account for the stormwater in a manner consistent with the City of Tallahassee Land Development Code.

Rezoning Application: A rezoning application is being processed concurrently with this amendment. A zoning change from Residential Preservation 1 (RP-1) to University Transition (UT) has been requested to implement the proposed amendment to the Future Land Use Map. This is consistent with surrounding land uses and zoning. The rezoning would be **quasi-judicial** in nature; therefore, any ex parte communications shall be disclosed prior to the item being heard.

Consistency with Comprehensive Plan

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

- Policy 2.2.16 [L] states that the Government Operational category contains facilities which include those defined on the Land Use Development Matrix as Community Services, Light Infrastructure, Heavy Infrastructure and Post-Secondary, that provide for the operation of and provision of services of properties owned by local, state and federal government. Local, state, and federal governments do not own or operate the property; therefore, the current land use is inconsistent with the Policy 2.2.16 [L].
- Policy 2.2.17 [L] states that 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. The subject site is within the area identified for the University Transition land use category.
- Policy 2.2.17 [L] states that the University Transition 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. The subject site is within an area that has experienced declining homeownership rates as renters become the primary residents. The subject site is located in a compact area near post-secondary educational institutions, which is consistent with the Policy 2.2.17 [L]

Summary of TMA 2023 007:

- Local Planning Agency recommendation on proposed amendment and rezoning: **Approve**
- Staff analysis of consistency with Comprehensive Plan: **Consistent**
- The staff report for this text amendment is included as Attachment #9.
- Citizen comments on this map amendment are included as Attachment #10.

Next Steps

The City Commission will meet for the adoption public hearing on the 2023 Cycle Small-Scale Map Amendments on March 22, 2023 at the City Commission chambers. Adopted amendments will be submitted to the State land planning agency and review agencies and will become effective 31 days after the State land planning agency notifies the local government that the amendment package is complete.

The Board of County Commissioners and City Commission will meet for the first public hearing on the 2023 cycle text amendment on April 11, 2023. This first public hearing will be for the transmittal of the text amendment to the State land planning agency and review agencies. The adoption public hearing for the 2023 text amendment is scheduled for June 13, 2023.

OPTIONS

1. Conduct the Joint Workshop on the 2023 Cycle Comprehensive Plan Amendments.
2. Board/City Commission direction.

RECOMMENDED ACTIONS

Option #1

Attachments:

1. Staff report for TTA 2023 009 (Southside Action Plan)
2. Staff report for TMA 2023 001 (1718 Mahan Drive)
3. Citizen Comments on TMA 2023 001 (1718 Mahan Drive)
4. Staff report for TMA 2023 003 (5411 Capital Circle SW)
5. Staff report for TMA 2023 004 (3534 Thomasville Road)
6. Staff report for TMA 2023 005 (Lambert Heights/Merrivale Subdivisions)
7. Citizen Comments on TMA 2023 005 (Lambert Heights/Merrivale Subdivisions)
8. Staff report for TMA 2023 006 (Tharpe Street at Old Bainbridge Road)
9. Staff Report for TMA 2023 007 (Westwood Plaza)
10. Citizen Comments on TMA 2023 007 (Westwood Plaza)
11. County Workshop Item on the Land Development Process





2023 Comprehensive Plan Amendment Cycle
TTA2023009
Southside Action Plan

| SUMMARY | | |
|--|---|----------------------|
| Applicant: | Proposed Change: | Amendment Type: |
| Tallahassee-Leon County Planning Department | This is a text amendment to update Goal 11 [L] of the Land Use Element to reflect the adoption of the Southside Action Plan | Joint Text Amendment |
| TLCPD Staff: | Comprehensive Plan Amendment: | LPA Recommendation: |
| Mindy Mohrman, Administrator of Comprehensive Planning | Land Use Element, Vision Statement, Utilities Element, Housing Element, Capital Improvements Element | Approve |
| Contact Information: | Policy Number(s): | Staff Analysis: |
| melinda.mohrman@talgov.com 850-891-6415 | Goal 11: [L]; Policy 1.3.4: [PW]; Policy 1.3.2, 1.3.7: [SS]; Policy 1.2.4, 3.2.2, 1.3.7, 1.4.4, 1.8.3, 1.8.4: [HC]; Objective 1.6: [CI]; Policy 1.1.3, 1.2.2, 1.6.1, 1.6.2, 1.6.3: [CI] | Consistent |
| Date: January 19, 2023 | Updated: February 10, 2023 | |

A. EXECUTIVE SUMMARY

The City Commission adopted the Southside Action Plan at their meeting on January 18, 2023 and initiated the proposed Southside Action Plan text amendment (Appendix A) into the 2023 Comprehensive Plan amendment cycle. The proposed amendment amends Goal 11 [L] Southern Strategy Area to update goals, objectives, and policies related to the Southern Strategy Area and formally renames it as the Southside Action Plan. Additional updates to the Vision Statement, Utilities Element, Housing Element, and Capital Improvements Element to replace Southern Strategy Area with the adopted Southside Action Plan are included in this amendment.

B. LOCAL PLANNING AGENCY (LPA) RECOMMENDATION

Find that the proposed text amendment is **consistent** with the Tallahassee-Leon County Comprehensive Plan, based on the findings and other information contained in this staff report, and **ADOPT** the proposed amendment.

C. STAFF ANALYSIS

Staff finds the proposed text amendment **consistent** with the Tallahassee-Leon County Comprehensive Plan based on the findings and other information contained in this staff report.

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D. PROPOSED POLICY CHANGE

A full strike through of all Objectives and Policies is provided in Appendix A.

Goal 11: [L] – Southside Action Plan

A plan shall be developed and monitored to align with the community’s desire for a framework of action in the southern part of the Tallahassee urban area. To achieve this goal, the local governments shall develop a Southside Action Plan that complements long term public and private investment with small scale visible improvements that are relatable and community driven. This approach recognizes that the vision of Southside citizens is essential to guiding the development, redevelopment, and rehabilitation of the Southside; and that the community’s vision focuses on three main areas of improvement: Beautification, Investment, and Engaged and Activated Citizens.

Objective 11.1 [L] – Beautification

Beautify and enhance both public and private spaces across the Southside Action Plan area by improving maintenance and increasing investment.

Policy 11.1.1: [L]

Focus local government beautification efforts in shared public spaces by frequently maintaining and enhancing existing public areas. Support citizen and business investment on private property and shared spaces.

Objective 11.2 [L] – Investment

Direct collaborative efforts of both the public and private sectors towards an increase of homeownership, diverse development and redevelopment types, business variety, and infrastructure in the Southside Community.

Policy 11.2.1: [L]

Identify projects that initiate further investment opportunities in the Southside Community. Support partnerships across federal, state, city and county governments with non-profits and private organizations to identify resources for housing, homeownership, business, and infrastructure for the public.

Policy 11.2.2: [L]

Investment within the Southside Action Plan area shall not occur at the expense of the natural environment or water quality in a manner which is found to be inconsistent with local government initiatives, policies, rules or regulations.

Objective 11.3 [L] – Engaged and Activated Citizens

Foster community involvement and celebration of the Southside.

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Policy 11.3.1: [L]

Encourage citizens, neighborhoods, and businesses in the Southside to be engaged and actively involved in community-led projects. Promote projects, empower residents, and connect efforts with resources.

Objective 11.4 [L] – Southside Action Plan Evaluation and Update; Relation to Other Goals Objectives & Policies

Monitor the implementation of the Southside Action Plan.

Policy 11.4.1: [L]

The Tallahassee-Leon County Planning Department will monitor project implementation of the Southside Action Plan by reporting annually on Objective 11.1, 11.2, and 11.3; in coordination with the Leon County and the City of Tallahassee strategic plans.

E. CONSISTENCY WITH THE COMPREHENSIVE PLAN

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

F. SUMMARY OF FINDINGS

The Southside Action Plan originated with a Tallahassee-Leon County Comprehensive Plan policy adopted in 1998, called the “Southern Strategy Area,” or SSA. The policy was adopted by the City and County Commissions in response to the growing concerns about the unbalanced development happening throughout Tallahassee and Leon County. In 2021, the City and County Commissions revisited the SSA policies after more than 20 years since they were adopted into the Comprehensive Plan and initiated the Southside Action Plan, or SAP. The SAP reflects the City Commission’s priority to reevaluate existing planning policies and develop new strategies that lead to community-desired investment in the Southside. Following staff recommendation to step outside the conventional planning process, the City and County Commissions approved the three-phased SAP approach at their Joint Workshop on April 13, 2021.

After initiation of the SAP, renewed efforts were made to listen to the Southside community about what they wanted to see in the area and what it might take to make it happen. Over a period of months staff conducted extensive outreach to engage with Southside residents, business owners, and other community stakeholders through community conversations, public meetings, neighborhood events, and the Southside Action Plan survey. Through this process community priorities were established and included in the proposed amendment to the Comprehensive Plan to update Goal 11 [L] of the Land Use Element to reflect the goals, objectives, and policies identified by the SAP.

At their meeting on January 18, 2023, the City Commission adopted the Southside Action Plan and initiated the proposed Southside Action Plan text amendment. This proposed amendment is needed to replace the former Southern Strategy Area with the adopted Southside Action Plan, and provide consistency with this change throughout other elements.

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G. MEETING SCHEDULES

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

| City Commission Meetings | | Date |
|---------------------------------|--|--------------------|
| X | Southside Investment and Area Strategy Presentation at the City Commission Annual Retreat | January 13, 2021 |
| X | Southside Update at the Board of County Commissioners Meeting | February 16, 2021 |
| X | Southside Action Plan Community Engagement Strategy Update at the City-County Joint Workshop | March 23, 2021 |
| X | Southside Action Plan Community Engagement Strategy Ratified at the City-County Joint Public Hearing | April 13, 2021 |
| X | Southside Action Plan Community Engagement Update at the City Commission Meeting | September 22, 2021 |
| X | Southside Action Plan Update at the City Commission Annual Retreat | January 12, 2022 |
| X | Southside Action Plan Update at the Board of County Commissioners Annual Retreat | January 24, 2022 |
| X | Southside Action Plan Update at the City Commission Annual Retreat | January 18, 2023 |

| 2023 Amendment Cycle Meetings | | Date Completed |
|--------------------------------------|--|-----------------------|
| X | Local Planning Agency Public Hearing | Feb. 7, 2023 |
| | Joint City-County Commission Workshop | Mar. 7, 2023 |
| | City Commission Adoption Public Hearing for Small Scale Map Amendments | March 22, 2023 |
| | Joint City-County Transmittal Public Hearing | April 11, 2023 |
| | Joint City-County Adoption Public Hearing | June 13, 2023 |

H. APPENDICES

Appendix A: Proposed Comprehensive Plan Amendment: Southside Action Plan

APPENDIX A
SOUTHSIDE ACTION PLAN
PROPOSED COMPREHENSIVE PLAN TEXT AMENDMENT

**GOAL 11: [L] – SOUTHSIDE ACTION PLAN, STRIKE THRU-
UNDERLINE**

SOUTHSIDE ACTION PLAN

Goal 11: [L] – Southside Action Plan

A plan shall be developed and monitored to align with the community’s desire for a framework of action in the southern part of the Tallahassee urban area. To achieve this goal, the local governments shall develop a Southside Action Plan that complements long term public and private investment with small scale visible improvements that are relatable and community driven. This approach recognizes that the vision of Southside citizens is essential to guiding the development, redevelopment, and rehabilitation of the Southside; and that the community’s vision focuses on three main areas of improvement: Beautification, Investment, and Engaged and Activated Citizens.

Objective 11.1 [L] – Beautification

Beautify and enhance both public and private spaces across the Southside Action Plan area by improving maintenance and increasing investment.

Policy 11.1.1: [L]

Focus local government beautification efforts in shared public spaces by frequently maintaining and enhancing existing public areas. Support citizen and business investment on private property and shared spaces.

Objective 11.2 [L] – Investment

Direct collaborative efforts of both the public and private sectors towards an increase of homeownership, diverse development and redevelopment types, business variety, and infrastructure in the Southside Community.

Policy 11.2.1: [L]

Identify projects that initiate further investment opportunities in the Southside Community. Support partnerships across federal, state, city and county governments with non-profits and private organizations to identify resources for housing, homeownership, business, and infrastructure for the public.

Policy 11.2.2: [L]

Investment within the Southside Action Plan area shall not occur at the expense of the natural environment or water quality in a manner which is found to be inconsistent with local government initiatives, policies, rules or regulations.

Objective 11.3 [L] – Engaged and Activated Citizens

Foster community involvement and celebration of the Southside.

Policy 11.3.1: [L]

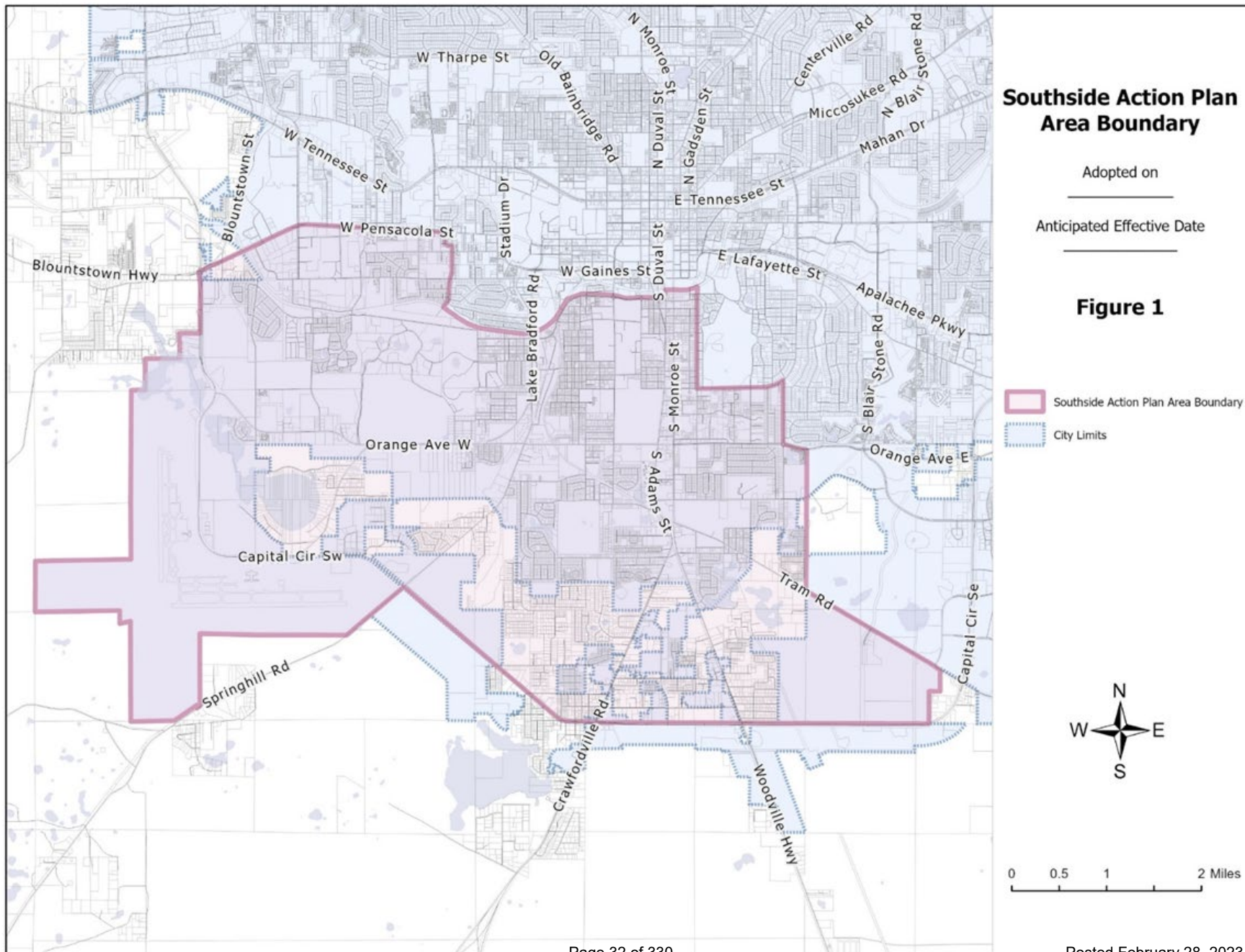
Encourage citizens, neighborhoods, and businesses in the Southside to be engaged and actively involved in community-led projects. Promote projects, empower residents, and connect efforts with resources.

Objective 11.4 [L] – Southside Action Plan Evaluation and Update; Relation to Other Goals Objectives & Policies

Monitor the implementation of the Southside Action Plan.

Policy 11.4.1: [L]

The Tallahassee-Leon County Planning Department will monitor project implementation of the Southside Action Plan by reporting annually on Objective 11.1, 11.2, and 11.3; in coordination with the Leon County and the City of Tallahassee strategic plans.



SOUTHERN STRATEGY AREA

Goal 11: [L] Southern Strategy Area (EFF. 12/8/98; REV. EFF. 7/26/06)

The goal of the Southern Strategy is to encourage quality land development and redevelopment which results in increased population growth toward the southern part of the Tallahassee urban area, to retain and increase employment opportunities, and to attain an income mix in the Southern Strategy Area that is comparable to the remainder of the urbanized County. To achieve this goal, the Southern Strategy will seek to reverse the trend of population loss in the urban core area, reverse the continued increase of families that are living below the poverty level in this area and to stop the further physical deterioration of this vital part of the community. This goal is also to be achieved through considered land development decisions, capital investments, and policies by all levels of government so as to serve as a catalyst for private sector investment in the area. Such decisions are to be based on a sound balance of social, economic, and physical development criteria that are designed to make better use of the available resources to the south, while lessening development pressure in the north and east. The boundaries of the Southern Strategy Area are as shown on the attached map.

Objective 11.1 [L] Housing (EFF. 12/8/98)

In conjunction with the efforts to redirect development and focus population growth toward the southern part of the Tallahassee urban area, a wide range of housing opportunities, both in terms of type and price, will be directed toward the Southern Strategy Area. Components to this effort will be phased.

Policy 11.1.1: [L] (City of Tallahassee) (EFF. 12/8/98)

In years 1999 through 2004, housing efforts shall focus on:

- Maintaining the supply of affordable housing and raising the overall assessed value of housing in the Southern Strategy Area by attracting additional quality residential development to the area.
- Improving the quality of the existing housing stock.
- Improving the safety, appearance, and overall quality of life in the area.
- Increasing home ownership opportunities.

Strategies shall include, but need not be limited to maintaining existing housing stock and residential neighborhoods through increased commitment to code enforcement measures. Such strategies should:

- a. Involve non-profit organizations to the maximum extent possible as a source for providing the funds, assistance and labor for the rehabilitation of existing structures. Self-help and volunteer labor programs should be emphasized to offset the costs of rehabilitation and redevelopment projects.
- b. Consider and develop funding sources for the acquisition of appropriate land or homes in the target area for rehabilitation and development.
- c. Encourage home ownership through local lending institutions such as the Tallahassee Lenders Consortium to make new and rehabilitated homes available to potential residents with reduced or market rate loans, with more flexible underwriting criteria, or at a reduced cost.

Policy 11.1.1: [L] (Leon County) (REV. EFF. 4/18/02)

In years 1999 through 2004, housing efforts shall focus on:

- Maintaining the supply of affordable housing and raising the overall assessed value of housing in the Southern Strategy Area by attracting additional quality residential development to the area.
- Improving the quality of the existing housing stock.
- Improving the safety, appearance, and overall quality of life in the area.
- Increasing home ownership opportunities.

~~Strategies shall include, but need not be limited to maintaining existing housing stock and residential neighborhoods through increased commitment to code enforcement measures. Such strategies should:~~

- ~~a. Develop funding sources for the acquisition of appropriate land or homes in the target area for rehabilitation and development.~~
- ~~b. Involve non-profit organizations to the maximum extent possible as a source for providing the funds, assistance and labor for the rehabilitation of existing structures. Self-help and volunteer labor programs should be emphasized to offset the costs of rehabilitation and redevelopment projects.~~
- ~~c. Encourage home ownership through local lending institutions such as the Tallahassee Lenders Consortium to make new and rehabilitated homes available to potential residents with reduced or market rate loans, with more flexible underwriting criteria, or at a reduced cost.~~

~~Policy 11.1.2: [L] (EFF. 12/8/98)~~

~~Long-term housing policy shall focus on increasing the amount of moderate and upper income housing in the area as a proportion of total housing stock. Strategies shall include, but need not be limited to, improving public infrastructure, improving public safety, and encouraging increased employment opportunities in the Southern Strategy Area.~~

~~Objective 11.2: [L] Southern Strategy Sector Plan(s) (EFF. 12/8/98)~~

~~The Southern Strategy goal shall be implemented through sector plans. Development of these sector plans shall involve residents and business owners, and shall be consistent overall with the Comprehensive Plan and the goals, objectives, and policies within the Plan for the Southern Strategy Area.~~

~~Policy 11.2.1: [L] (EFF. 12/8/98; REV. EFF. 7/20/05)~~

~~The Tallahassee-Leon County Planning Department will evaluate, every three years, the "State of the Southern Strategy" report and submit it to the Local Planning Agency, the Tallahassee City Commission, the Leon County Board of County Commissioners, and City and County departments. This evaluation will serve as one of the factors used in the annual budget submittals of City and County departments. The evaluation will include such land use, demographic, and other data as necessary to provide elected officials, staff, and other citizens a clear assessment as to the progress being made in improving conditions in the Southern Strategy Area.~~

~~Policy 11.2.2: [L] (REV. EFF. 12/10/02)~~

~~By 2004, a sector plan, or plans, shall be prepared and adopted by local government for the Southern Strategy Area. The sector plan(s) shall:~~

- ~~a. Be coordinated with the preparation of redevelopment plans for a Community Redevelopment Area.~~
- ~~b. Include an inventory and assessment of public facilities; an inventory of housing structural conditions; and an assessment of key socioeconomic indicators.~~
- ~~c. Prioritize and focus infrastructure improvements on those facilities that serve this designated area. This should include but not be limited to roadways, utilities, schools, and parks.~~
- ~~d. Encourage and provide forums for the involvement of neighborhood residents, community leaders, neighborhood business leaders, and others in the redevelopment and rehabilitation of this corridor.~~
- ~~e. Identify land use and land development regulation changes to achieve plan objectives, and shall address other issues as identified by sector plan participants.~~
- ~~f. Provide for follow-through in the form of a work plan, including capital improvements programming, with the intent that government projects and programs will proactively serve as stimulants to private sector investment and reinvestment in the Southern Strategy Area.~~
- ~~g. Assess options to increase home ownership.~~

Policy 11.2.3: [L] (City of Tallahassee) (EFF. 12/8/98)

The “State of the Southern Strategy” document will be used to monitor the commitment to undertake needed repairs, replace obsolete infrastructure and facilities and address existing deficiencies within the Southern Strategy Area. This will help to assure the long-term community health of the Southern Strategy Area.

Policy 11.2.3: [L] (Leon County) (REV. EFF. 4/18/02)

The “State of the Southern Strategy” document will be used to monitor the commitment to undertake needed repairs, replace obsolete infrastructure and facilities and address existing deficiencies within the Southern Strategy Area. This will help to assure the long-term community health of the Southern Strategy Area and to assess community disparities.

Policy 11.2.4: [L] (REV. EFF. 1/19/02)

By 2002, develop and implement a program which is intended to establish incentives for construction, reconstruction, and rehabilitation of housing in the Southern Strategy Area. This program may include, but need not be limited to incentives such as the allocation of funding for and implementation of water and sewer rebates for construction costs (on site and off site), payment of utilities connection fees, and systems charges.

Policy 11.2.5: [L] (REV. EFF. 1/19/02)

Concurrent with promoting economic growth in the Southern Strategy Area (SSA), the local government will continue to promote actions leading to restoration and maintenance of surface water quality in the SSA lakes through the implementation of ongoing water quality studies as mandated by Conservation Policy 2.1.7. These studies will identify pollution problems and formulate a plan for resolving these issues. It is not the intent of local government to promote development or redevelopment of the SSA at the expense of the natural environment or water quality of this area.

Objective 11.3: [L] Attraction of Development (EFF. 12/8/98; REV. EFF. 12/24/10)

Based on the need to reduce infrastructure and public service delivery costs, enhance urban core stability, protect natural resources, and reduce economic disparity, it is intended that new development be directed into the Southern Strategy Area by making areas inside the urban core and Southern Strategy Area more attractive to development than development at the edges of the urbanized area. To accomplish this over the Plan Horizon, it is intended that residential densities in the Southern Strategy Area average at least two dwelling units per gross acre, and that new non residential development average at least 10,000 square feet per gross acre.

Policy 11.3.1: [L] (EFF. 12/8/98)

By 2000, the Transportation Plan and the Transit Development Plan for both the City and the County shall establish criteria for promoting improvements that are needed in the Southern Strategy Area. This may be accomplished by including “Positive impact to the Southern Strategy Area” as one of the criteria for promoting projects in the Southern Strategy Area.

Policy 11.3.2: [L] (EFF. 12/8/98)

Require a differential in costs of development for areas outside the Southern Strategy Area to be used as an incentive for development inside the Southern Strategy Area. This can be done through techniques such as reduced permit fees and/or facilities surcharges, and/or through streamlined review for development within the Southern Strategy Area, so long as these techniques are not at the expense of other areas.

~~Policy 11.3.3: [L] (EFF. 12/8/98)~~

~~By 2004, establish a Tax Increment Financing district in the Southern Strategy Area for the purpose of encouraging reinvestment. This district need not include the entire Southern Strategy Area. Local government may stimulate reinvestment by all means provided by law, including public-private partnerships.~~

~~Policy 11.3.4: [L] (DEL. EFF. 7/20/05)~~

~~Reserved~~

~~Policy 11.3.5: [L] (EFF. 1/19/02)~~

~~By year 2002, develop landscape and streetscape programs for the Southern Strategy area. Promote the Southern Strategy Area as a focus area to receive available moneys for landscaping of public areas and streetscaping of roadways. Develop several highly visible landscape and streetscape pilot projects to showcase the type of public improvements that emphasize the assets of the Southern Strategy Area.~~

~~Policy 11.3.6: [L] (EFF. 12/8/98)~~

~~By 2004, develop a plan and funding mechanisms to retrofit existing stormwater capacity problem areas within the Southern Strategy Area, and amend the comprehensive plan accordingly in the next available plan amendment cycle after retrofit plan adoption. Offer subsidized regional stormwater capacity through regional ponds for new and rehabilitated developments in the Southern Strategy Area.~~

~~Policy 11.3.7: [L] (EFF. 12/8/98)~~

~~The City and the County will work with the Leon County School Board to adopt a Southern Strategy policy statement for public schools by the year 2000. This policy statement will be based on the identification of problems and opportunities associated with the provision of public schools in the Southern Strategy Area, and will include a work plan to establish and maintain public schools as a positive force in assisting the City, the County, and citizens at large in achieving the long-term community health of the Southern Strategy Area.~~

~~Policy 11.3.8: [L] (EFF. 12/19/02)~~

~~Areas within the Southern Strategy Area that are designated as type B areas will only be permitted to take advantage of concurrency flexibility reflected in Transportation Objective 2.3 and accompanying policies. Areas designated as type B will not be permitted to take advantage of other SSA policies or benefits as outlined in the adopted SSA Comprehensive Plan Policies.~~

~~Objective 11.4: [L] Sensitive Treatment and Location of Institutional Land Uses (EFF. 12/8/98)~~

~~In conjunction with efforts to redirect development and improve the desirability of residing in the Southern Strategy Area of the Tallahassee urban area, special consideration shall be made to avoid the placement of new institutional land uses in the Southern Strategy Area, and to provide mitigative measures to existing institutional land uses in the Southern Strategy Area in order to improve compatibility with surrounding uses.~~

~~Policy 11.4.1: [L] (EFF. 12/8/98)~~

~~Where environmentally, economically and geographically practical, new heavy infrastructure land uses such as waste water treatment plants, airports, correctional facilities, and power plants which serve larger than neighborhood areas, shall be located in areas outside of the Southern Strategy Area. This policy does not apply to public facilities such as schools, parks, greenways, trails, and other recreational uses that would enhance the desirability of residing in the Southern Strategy Area.~~

Policy 11.4.2: [L] ——— (REV. EFF. 1/19/02)

By the Year 2002, the City and County shall identify and schedule landscaping improvements to enhance the visual appearance of publicly owned institutional land uses in the Southern Strategy Area. Enhanced landscaping requirements shall apply to all existing City and County institutional facilities, as well as to all new institutional facilities and to expanded or improved institutional facilities.

Policy 11.4.3: [L] ——— (DEL. EFF. 12/10/02)

Reserved

Objective 11.5 [L] — Economic Assets — (REV. EFF. 1/19/02)

Identify key economic assets which provide employment in the Southern Strategy area and, by 2002, develop programs or actions to help assure their continued viability as a part of the area's economic base.

Policy 11.5.1: [L] ——— (EFF. 12/8/98)

Work with private sector and educational entities to accomplish the following:

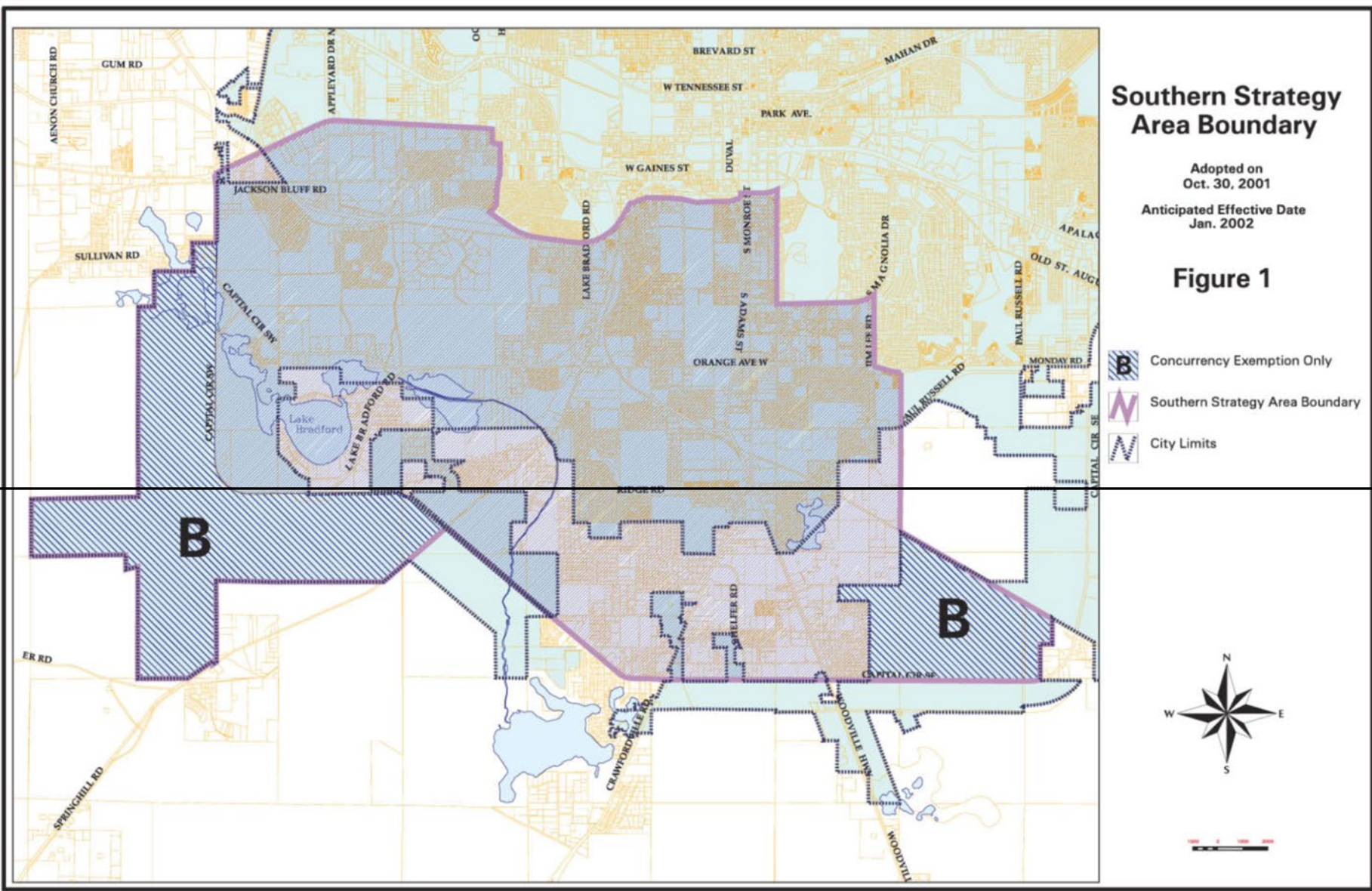
- (a) Develop a proactive marketing strategy for Southern Strategy Area properties to encourage appropriate new businesses and the reuse of existing vacant developments;
- (b) Focus small business assistance programs on businesses in the Southern Strategy Area;
- (c) Research and apply for grants to support economic development in the Southern Strategy Area;
- (d) Focus job training opportunities to lower income residents in the Southern Strategy Area.
- (e) Provide adequate urban infrastructure to support private investment and reinvestment in the Southern Strategy Area.

Policy 11.5.2: [L] ——— (EFF. 1/7/10)

The economic revitalization of the Southern Strategy Area shall focus on business opportunities from the following industries: Aerospace, Defense/Security, Materials and Healthcare.

Policy 11.5.3: [L] ——— (EFF. 1/7/10)

Healthcare facilities shall be encouraged to locate in the Southern Strategy Area. Non-financial incentives shall be provided to facilitate the location of such facilities within the Southern Strategy Area and/or within the southern section of Tallahassee-Leon County.



SOUTHSIDE ACTION PLAN
PROPOSED COMPREHENSIVE PLAN TEXT AMENDMENT
CONSISTENCY TEXT AMENDMENTS, STRIKE THRU-UNDERLINE

[INTRODUCTION]
VISION STATEMENT AND IMPLEMENTATION
(REV. EFF. 7/26/06; REV. EFF. 1/7/10)
[in relevant part only]

...The plan encourages projects and activities that provide significant additional value to the community. This includes supporting development in strategic areas such as the Downtown Overlay, Multimodal Transportation District and ~~Southern Strategy Areas~~Southside Action Plan areas.

~~The intent of the Southern Strategy is to direct quality development and redevelopment into the area designated as the Southern Strategy area. Success of the Southern Strategy will benefit the entire community in terms of an increased tax base, greater choices for residential and employment opportunities, and other general quality of life factors such as greater availability of shopping, recreation and educational opportunities throughout the community. The focus of this strategy is to make this area of the community a desirable residential location for people of all incomes. This area contains many assets we strive for in other parts of the community such as close proximity to jobs and downtown, walk to commercial, neighborhood schools and parks, and affordable housing. Similarly, the Lake Bradford Chain of Lakes, the St. Marks Bike Trail and its extensions, and the proximity of the National Forest make this area important for environmental and recreational reasons. It also contains historic neighborhoods and is in proximity to cultural activities in the community, with museums and nearby concert facilities; educational activities, with two nearby universities and the community college. It contains a great diversity of neighborhoods, housing, and employment close to the urban core. These are the assets that make a true city.~~

The Downtown Overlay consists primarily of the urban core of the City of Tallahassee and is intended to clearly distinguish the City's Downtown Boundary. This overlay district primarily comprises the Capital Center area, Gaines Street Corridor, and parts of the ~~Southern Strategy Area~~Southside Action Plan area. The intent of this overlay district is to encourage high density and quality redevelopment as well as remove barriers to achieving the allowable densities within this area...

UTILITIES: POTABLE WATER

**Policy 1.3.4: [PW] (Leon County)
(REV. EFF. 8/17/92)**

Connection and user fees shall be set at levels sufficient to equitably finance the water infrastructure projects in the CIE. For the purposes of the Sanitary Sewer and Water Sub-Elements, equitably is defined as users paying for hook-up and system charges and their pro rata share of the costs of facility expansions to serve their development, but allowing for special practices to implement the ~~Plan's Southern Strategy~~ Southside Action Plan. Pro rata amounts will be determined by the cost impacts of each development which is anticipated to hook-up to the facility expansion.

UTILITIES: SANITARY SEWER

Policy 1.3.2: [SS]

(REV. EFF. 12/24/10, PREVIOUSLY POLICY 1.3.1: [SS]; REV. EFF. 12/15/11)

For areas lying outside of the Urban Service Area boundary and within the Urban Fringe land use category, central sanitary sewer service may be extended and/or provided by an existing utility provider under the following circumstances:

- a) To serve an existing residential subdivision in order to correct documented environmental or health problems associated with failing septic treatment systems; or
- b) To serve a new Conservation subdivision or permitted non-residential use that is otherwise in compliance with the Comprehensive Plan and its implementing land development regulations; AND
- c) No additional lands designated Rural or Urban Fringe as of August 26, 2006 shall be converted to a more dense or intense land use category unless adjoining lands are also within the designated Urban Service Area boundary or the designated Woodville Rural Community. Conversions to the Woodville Rural Community designation shall be consistent with the Transfer of Development Units provision in Policy 4.2.5: [C].

All costs of sewer line extensions, any necessary lift stations and on-site sewer infrastructure shall be borne by the developer as specified within the adopted "Water and Sewer Agreement" and shall be constructed to the standards specified within the Agreement. In cases where the City of Tallahassee is the service provider, the City Manager and the County Administrator or their designees may agree that the connection of a development to central sewer is not economically feasible and may deny such requests to connect. Such cases may arise when considering lower density isolated developments, developments located in areas that are not environmentally sensitive, or developments that are not within a reasonable distance to existing infrastructure. The City of Tallahassee shall place a higher priority upon serving areas that are within the ~~Southern Strategy Area~~Southside Action Plan area and/or areas that may be determined to negatively impact the environmental quality of Wakulla Springs if developed with traditional septic tank systems. The City of Tallahassee reserves the right to develop agreements with property owners and developers to make service available within time frames and at locations that vary from those criteria for connection found within the "Water and Sewer Agreement." As part of such agreements, additional financial responsibility may be borne by the developer for connection to occur.

Policy 1.3.7: [SS] (Leon County)

(REV. EFF. 8/17/92; REV. AND RENUMBERING EFF. 12/24/10)

Connection fees and user fees shall be set at levels sufficient to equitably finance the sewer infrastructure projects in the CIE. For the purposes of the Sanitary Sewer and Water Sub-Elements, equitably is defined as users paying for hook-up and system charges and their pro rata share of the costs of facility expansions to serve their development, but allowing for special practices to implement the ~~Plan's Southern Strategy~~Southside Action Plan. Pro rata amounts will be determined by the cost impacts of each development which is anticipated to hook-up to the facility expansion.

**(CITY OF TALLAHASSEE)
HOUSING ELEMENT**

**Policy 1.2.4: [H]
(EFF. 4/10/09)**

To insure that future development provides some degree of affordable housing units and that these units are evenly distributed throughout the community and to prevent negative impacts associated with geographic over-concentration, the City shall continue to require the following for residential developments: the construction of affordable on-site housing units or off-site housing units within the same census tract or other location as approved by elected officials.

The percentage of affordable units required to be built by the developer shall be established by ordinance and shall be consistent with the following: the most recent housing information available from the Shimberg Center for Affordable Housing and the latest estimates of area family income published annually by the federal Housing and Urban Development Department, or the best available data, as determined by the Planning Department.

The option of contributing fees to an applicable affordable housing program in lieu of construction of an affordable unit shall be available only for small and medium size developments. This fee shall be established by ordinance and shall be based upon a percentage of the difference between the average selling price of the units sold and the established maximum sales price affordable to a low income family. The fee shall apply to each required affordable unit not built. The thresholds for small, medium and large residential developments will be established by ordinance.

In order to accomplish equitable distribution of affordable housing, this policy shall apply only to developments located within census tracts where the median family income is higher than the median family income for Leon County. Census tracts located in the ~~Southern Strategy Boundary~~Southside Action Plan area where the median family income is higher than the median family income for Leon County shall be exempted from this policy. Maps of the census tracts affected by this policy are located at the end of the Housing Element Goals, Objectives, and Policies.

For the purposes of this policy, two or more developments shall be aggregated and considered as one development, if they are no more than ¼ mile apart and any two of the following criteria are met:

- a) There is a common interest in two or more developments;
- b) The developments will undergo improvements within the same five year period;
- c) A master plan exists submitted to a governmental body addressing all developments;
- d) All developments share some infrastructure or amenities;
- e) A common advertising scheme addresses all development.

**Policy 3.2.2: [H]
(EFF. 12/8/98)**

City and County governments will consider incentives to individuals and businesses to encourage them to reside and locate, and to promote business and homeownership within the ~~Southern Strategy Area~~Southside Action Plan area and Central Core. These incentives may include obligations on the part of such individuals and businesses to participate in the betterment of the targeted area through commitment of resources, assets, or other contributions. Special consideration shall be given to provide incentives to attract law enforcement personnel to reside within the targeted Central Core and ~~Southern Strategy Area~~Southside Action Plan area neighborhoods.

**(LEON COUNTY)
HOUSING ELEMENT**

**Policy 1.3.7: [HC]
(EFF. 7/1/94; REV. EFF. 4/10/09)**

By 2009, the County shall adopt an ordinance providing developer incentives for the provision of low and moderate income homeownership opportunities within new developments or at nearby off-site locations. Priority shall be given to developments locating within the ~~Southern Strategy~~Southside Action Plan area, especially developments locating in areas where urban infrastructure currently exists with adequate capacity to support new development. This ordinance shall specify all applicable implementation details, including, but not limited to: available developer incentives; criteria for granting incentives; eligible household recipient qualifications and applicable restrictions; exemptions as may be applicable; and periodic review and monitoring of the implementation of Policies 1.4.6 and 1.4.7.

**Policy 1.4.4: [HC]
(EFF. 4/10/09)**

The first priority for the expenditure of unrestricted County housing funding shall be housing rehabilitation and preference shall be given to housing rehabilitation within the target areas adopted pursuant to Policy 1.4.3[HC] and the ~~Southern Strategy Area~~Southside Action Plan area.

**Policy 1.8.3: [HC]
(EFF. 4/18/02)**

City and County governments will consider incentives to individuals and businesses to encourage them to reside and locate, and to promote business and homeownership within the ~~Southern Strategy Area~~Southside Action Plan area and Central Core. These incentives may include obligations on the part of such individuals and businesses to participate in the betterment of the targeted area through commitment of resources, assets, or other contributions. Special consideration shall be given to provide incentives to attract law enforcement personnel to reside with the targeted Central Core and ~~Southern Strategy Area~~Southside Action Plan area neighborhoods.

**Policy 1.8.4: [HC]
(EFF. 4/10/09)**

The development of affordable housing shall be encouraged in the unincorporated section of the ~~Southern Strategy Area~~Southside Action Plan area. The County shall prioritize or set-aside a portion of existing incentives for developments locating in the ~~Southern Strategy Area~~Southside Action Plan area and are providing an integrate community with a mixture of housing types, prices, and lot sizes. As provided for in Policy 1.3.7, Leon County shall develop and adopt incentives for affordable housing development with specific priority and/or set-aside for quality housing development in the ~~Southern Strategy Area~~Southside Action Plan area that include affordable/workforce housing.

CAPITAL IMPROVEMENT ELEMENT

Policy 1.1.3: [CI]

(REV. EFF. 7/25/03; REV. EFF. 7/20/05; REV. EFF. 12/24/10; REV. EFF. 12/15/11)

LEVELS OF SERVICE REQUIRED FOR INFRASTRUCTURE, FACILITIES, AND UTILITIES

[in relevant part only]

The following standards are hereby established as the minimum levels of service for various infrastructure, facilities, utilities and services required to support new development within the City of Tallahassee and Leon County.

1. Roadways

The peak hour roadway level of service for Tallahassee and Leon County is established as follows:

Table 1: Peak hour roadway level of service (Capital Improvements)

| Functional Classification | Inside the USA | Outside the USA |
|---|----------------|-----------------|
| Interstate, Intrastate, Limited Access Parkways | C | B |
| Principal Arterials | D | C |
| Minor Arterials | D / E* | C |
| Major and Minor Collectors | D / E* | C |
| Local Streets | D | D |

*For Minor Arterials, and Major and Minor Collectors located inside the Urban Service Area and south of U.S. 90, the Level of Service shall be "D" for purposes of establishing priorities for programming transportation improvements, and "E" for meeting concurrency requirements, to support the ~~Southern Strategy~~Southside Action Plan. Roads north of U.S. 90 shall be LOS D for both programming improvement and concurrency purposes.

Policy 1.2.2: [CI]

(REV. EFF. 12/8/98; REV. EFF. 7/21/05; REV. EFF. 3/17/11)

Existing and future development shall both pay for the costs of needed public facilities.

1. Future development

- a. Future development shall pay for its proportional share of the capital improvements needed to address the impact of such development. Enterprise fund user charges, connection fees, and other user fees paid by new development shall be reviewed every two years to assure that provision of capital improvements needed to address the impact of future development will not increase ad valorem tax rates or rates of electric, gas, water or sewer utilities. Upon completion of construction, "future" development becomes "present" development, and shall contribute to paying the costs of the replacement of obsolete or worn out facilities as described in subsection 2, below.
- b. Future development's payments may take the form of, but are not limited to, voluntary contributions for the benefit of any public facility, impact fees, capacity fees, dedications of land, provision of public facilities, and future payments of user fees, special assessments and taxes.
- c. Future development's payment of proportionate fair-share mitigation for various deficient facilities may be aggregated to pay for one or more transportation system improvements. "Significant benefit" proportionate fair share may be applied to calculate and expend developer mitigation in the following manner:

Assessment: The local government shall require an analysis of transportation facilities level of service to determine if deficiencies occur or are projected to occur within a prospective five-year period. If deficiencies are anticipated, the local government may use the “significant benefit” approach to assess proportionate fair-share mitigation and schedule improvements to address the identified deficiency(ies) on the impacted facility(ies) to meet the requirements for financial feasibility pursuant to Sections 163.3164(32), F.S., and 163.3177(3), F.S.

Implementation: The “significant benefit” provision shall be enacted through a Significant Benefit Memorandum of Agreement (“MOA”) between the State of Florida Department of Transportation (“FDOT”), the City of Tallahassee, and Leon County, as it may be amended from time to time. The MOA shall adhere to the following:

- (1) Identify geographic zones and prioritize specific facilities that constitute “significant benefit” facilities for each zone. These facilities, and the amount of funding necessary to pay for each of them, shall be identified within the MOA. Significant benefit facilities included in the annual Capital Improvements Element update shall be noted as being funded by significant benefit proportionate fair-share. A map showing the most current boundaries of the geographic zones shall also be included in the annual Capital Improvements Element update;
 - (2) When there are no roadway capacity projects in the City, County, or FDOT Capital Improvements Plan (“CIP”) that address the capacity deficiency of an impacted roadway segment(s), the local government may collect proportionate fair-share mitigation based on the deficient facility(ies), and direct that mitigation toward the top priority project identified in the MOA;
 - (3) Proportionate fair-share mitigation shall be accumulated for the top priority significant benefit project for each zone until such time as the project is fully funded. This project shall be incorporated into the local government’s 5-Year Capital Improvements Schedule;
 - (4) Prior to adoption of any comprehensive plan amendment relying on a MOA for City and/or County approval, the developer/applicant shall enter into a binding agreement with the City and/or County guaranteeing payment of the proportionate fair-share amount at the time of site plan approval. This agreement shall apply to the parcel rather than the applicant, and shall be submitted to the state land planning agency as data and analysis in support of the comprehensive plan amendment
 - (5) In the event a plan amendment necessitates the addition, deletion or change in priority for projects listed in the significant benefit project priority list (Attachment B of the MOA), the 5-Year Capital Improvements Schedule must be amended to indicate the significant benefit project(s) to which the proportionate fair-share funding will be allocated.
2. Existing development
 - a. Existing development shall pay for the capital improvements that reduce or eliminate existing deficiencies, and some or all of the replacement of obsolete or worn out facilities.
 - b. Existing development’s payments may take the form of user fees, special assessments and taxes. 9J-5.016(3)(b)4, (3)(c)8
 3. Both existing and future development may have part of their costs paid by grants, entitlements or the provision of public facilities from other levels of government and independent districts.

4. The City will eliminate on-site refunds to property owners or their representatives except in those situations within the City limits which specifically support the City's goals of affordable housing, urban infill development, or ~~the Southern Strategy goal of a more balanced growth pattern~~ goals of the Southside Action Plan. In order to receive a rebate, a development must have an average net density of not less than two (2) units per acre.
- For purposes of this paragraph, the following definitions shall apply:
- a. Affordable housing: Any residential development in which 7% or greater of the residential units are determined to be affordable housing as defined in Section XIII, Glossary, under the Housing Element.
 - b. Urban infill development: A development located on a parcel of property bounded on two or more sides by existing urban development, or adjacent to existing water or sewer service. "Urban development" is defined as densities or intensities of one unit per acre or greater.
 - c. ~~Southern Strategy~~ Southside Action Plan: Any development located within the ~~Southern Strategy Area~~ Southside Action Plan Area Boundary, as defined in the Land Use Element. (REV. EFF. 4/18/02)

The amount of on-site water and sewer refunds, on a residential equivalent basis shall not exceed (for water) an amount calculated to be the average cost to extend water distribution lines across a lot having 80 feet of frontage and (for sewer) an amount calculated to be the average cost to extend sewer collection lines across a lot having 80 feet of frontage.

The City shall amend its water and sewer extension policies and ordinances within sixty (60) days of the effective date of this amendment in order to effectuate the intent of this amendment.

In any utility reimbursement agreement, urban services agreement, or any other agreement which provides for on-site refunds, the agreement shall state the specific goal or goals of this plan which are served or achieved by the provision of refunds.

Objective 1.6: [CI]
(EFF. 12/8/98)

The City of Tallahassee and Leon County shall adopt and implement revised programs and/or policies which favor the funding and scheduling of their capital improvements programs and policies for the Central Core Area and ~~Southern Strategy Area~~ Southside Action Plan area.

Policy 1.6.1: [CI]
(EFF. 12/8/98)

The local governments shall commit to undertake needed repairs, replace obsolete infrastructure and facilities, and address existing infrastructure deficiencies within the Central Core Area and ~~Southern Strategy Area~~ Southside Action Plan area. The identification of such projects shall be based on the Comprehensive Assessment of the Central Core Area; the Comprehensive Assessment of the ~~Southern Strategy Area~~ Southside Action Plan area; the Strategic Implementation Plan of the Central Core Area; the Strategic Implementation Plan of the ~~Southern Strategy Area~~ Southside Action Plan area; and, any applicable Sector Plans.

Policy 1.6.2: [CI]
(EFF. 12/8/98)

By 1999, the local governments shall establish criteria for evaluation of projects proposed for inclusion within the 5 Year Capital Improvement Schedule. Among these criteria, there shall be criteria reflecting

the commitment to needed improvements within the Central Core Area and the ~~Southern Strategy Area~~Southside Action Plan area.

Policy 1.6.3: [CI]
(EFF. 12/8/98)

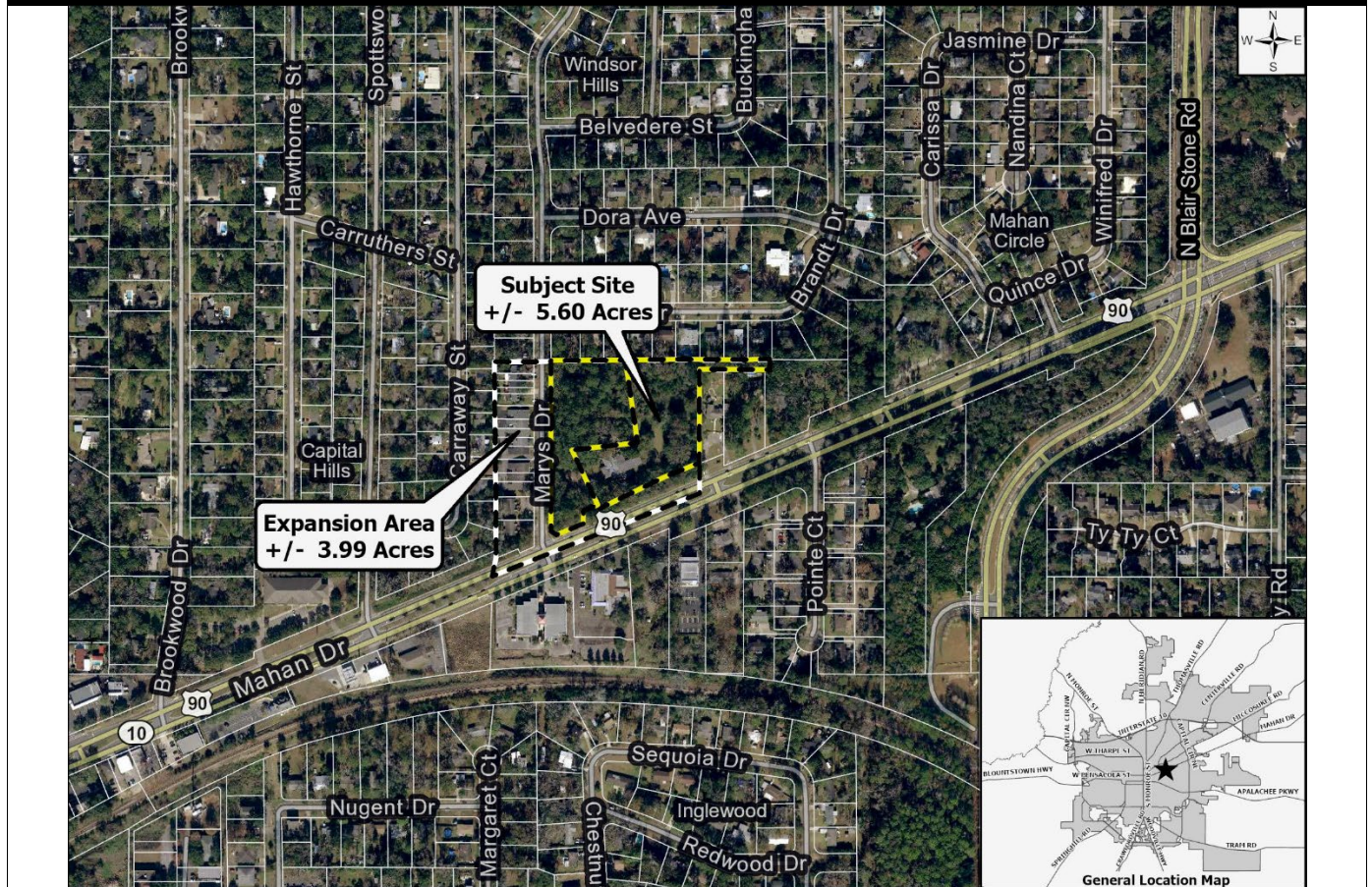
Funding approved to implement capital improvements necessary to address those needs identified by the Comprehensive Assessment of the Central Core Area and the Comprehensive Assessment of the ~~Southern Strategy Area~~Southside Action Plan area shall not be diverted to other projects without the expressed consent of the Commission.

Amendment Number: TMA2023001 - 1718 Mahan Drive

Page 1 of 31



2023 Comprehensive Plan Amendment Cycle
TMA2023001
1718 Mahan Drive



SUMMARY

| Property Owners: | Property Location: | Amendment Type: |
|---|---|--------------------------------------|
| Darren Rajendranath | 1718 Mahan Drive | City Small Scale Map Amendment |
| Applicant: | | |
| Darren Rajendranath | | |
| TLCDP Staff: | Current Future Land Use & Zoning: | LPA Recommendation: |
| Jacob Fortunas | <u>Future Land Use:</u> Residential Preservation <u>Zoning:</u> Residential Preservation 2 | Approve |
| Contact Information: | Proposed Future Land Use & Zoning: | Staff Analysis: |
| Jacob.Fortunas@talgov.com 850-891-6418 | <u>Future Land Use:</u> Urban Residential 2 <u>Zoning:</u> Medium Density Residential | Consistent |
| Date: 12/13/2022 | Updated: 02/16/2023 | |

Amendment Number: TMA2023001 - 1718 Mahan Drive

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1. EXECUTIVE SUMMARY

If approved, this map amendment would change the allowable uses for properties in a 9.59-acre area fronting Mahan Drive at Marys Drive from low density single-family residential uses to medium density residential uses and community and recreational facilities related to residential uses. This amendment would further the goal of promoting infill development, would help protect existing missing middle housing, would bring existing non-conforming uses and densities into conformity, and would require development standards to promote compatibility with adjacent residential preservation areas.

The subject site includes parcels 1129206160000 and 1129206050000 at the northeast corner of Mahan Drive and Marys Drive. The applicant, Darren Rajendranth, is requesting a change to the Future Land Use Map (FLUM) from Residential Preservation to Urban Residential 2. The requested amendment would increase allowable residential density on approximately 5.6 acres of land. The Urban Residential 2 category allows townhouses, single-family detached, two-family, and multiple-family dwelling units.

Concurrent with the applicant's amendment, the Tallahassee-Leon County Planning Department is seeking to bring adjacent parcels in the Brandt Place Townhomes subdivision (herein described as the "Expansion Area") into the same Future Land Use category and zoning as 1718 Mahan Drive to bring non-conforming existing land uses into conformance. The requested amendment would increase allowable residential density on an additional 3.99 acres, for an approximate total of 9.59 acres modified via this amendment. The parcels included in the expansion area include the following:

Expansion Area Parcels

1. 112914 A0010 – Townhome (currently a non-conforming use and density)
2. 112914 A0020 – Townhome (currently a non-conforming use and density)
3. 112914 A0030 – Townhome (currently a non-conforming use and density)
4. 112914 A0040 – Townhome (currently a non-conforming use and density)
5. 112914 A0050 – Townhome (currently a non-conforming use and density)
6. 112914 B0010 – Townhome (currently a non-conforming use and density)
7. 112914 B0020 – Townhome (currently a non-conforming use and density)
8. 112914 B0030 – Townhome (currently a non-conforming use and density)
9. 112914 B0040 – Townhome (currently a non-conforming use and density)
10. 112914 B0050 – Townhome (currently a non-conforming use and density)
11. 112914 C0030 – Townhome (currently a non-conforming use and density)
12. 112914 C0020 – Townhome (currently a non-conforming use and density)
13. 112914 C0010 – Townhome (currently a non-conforming use and density)
14. 112914 D0010 – Fourplex (currently a non-conforming use and density)
15. 112914 E0010 – Fourplex (currently a non-conforming use and density)

Note: While the expansion area totals approximately 3.99 acres, X.XX acres of this total are roadways and public right-of-way.

A rezoning application is being processed concurrently with this amendment. A zoning change from Residential Preservation 2 (RP-2) to Medium Density Residential (MR) has been requested to implement the proposed amendment to the FLUM. The RP-2 zoning category allows up to 6 units per acre. The proposed zoning allows for a minimum of 6 units per acre and a maximum of 16 units per acre.

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Based on staff analysis, the subject properties do not align with the intent of the Residential Preservation FLUM district. The subject properties front Mahan Drive, a principal arterial road, and the traffic is not predominantly local in nature. Additionally, the properties of the expansion area contain non-conforming densities allowed by the Residential Preservation land use category.

This step of the land development process determines consistency with the Goals, Objectives, and Policies in the Tallahassee-Leon County Comprehensive Plan. The concurrent rezoning determines the allowed uses and the density (number of dwelling units per acre) of development on the site. In reviewing this request, a determination must be made as to whether the present land use designation is appropriate or whether the Future Land Use Map should be amended to re-designate the area as requested. Included in this consideration are 1) Does the area meet the criteria for designation as Residential Preservation? 2) Does the area better meet the criteria for Urban Residential 2?

If the Land Use and/or Zoning changes are approved, the next step in the development process is site plan review and permitting. The site plan stage of development evaluates a proposed development plan for consistency with City or County Code requirements for stormwater treatment and attenuation, environmental protection, traffic impacts, concurrency, school impacts, buffers, open space requirements, and all other applicable development standards. This includes neighborhood compatibility standards and other buffering and screening standards intended to protect and promote compatibility with the existing RP neighborhood to the north of the subject site.

The City of Tallahassee Land Development Code defines buffers between parcels of differing land uses based upon compatibility. Based on the proposed FLUM category and rezoning, redevelopment would be limited to residential uses between 6 and 16 dwelling units per acre. These buffer requirements may be found in *Appendix 4* of this staff report or in the City of Tallahassee Land Development Code Sec. 10-177: Buffer Zones.

2. APPLICANT’S REASON FOR THE REQUESTED CHANGE

The applicant, Darren Rajendranath, stated that they seek this land use change to provide residential development at a higher density than the current land use allows, and intend to build housing on the subject site.

3. 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 adopt 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 approve the proposed rezoning.

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4. STAFF ANALYSIS

Staff finds 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.

Staff finds 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.

5. CONSISTENCY WITH THE COMPREHENSIVE PLAN

The criteria required for consideration of a proposed Future Land Use Map change include consistency with the Tallahassee-Leon County Comprehensive Plan, conformance with the Tallahassee or Leon County Land Development Code, land use compatibility, changed conditions on the site and other matters deemed relevant and appropriate.

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

1. Objective 1.5 [L] Non-Conforming Uses and Noncomplying Characteristics: The Expansion Area defined by this amendment is being pursued by the Tallahassee-Leon County Planning Department in order to bring existing land uses adjacent to the applicant's site (subject site) into conformance with the Comprehensive Plan and the City of Tallahassee Land Development Code. This supports Objective 1.5 [L] of the Comprehensive Plan which seeks to address non-conforming uses. The existing density of the Brandt Place Townhomes is currently a non-conforming use with the existing Future Land Use designation and zoning. These non-conforming uses have a minimal impact upon surrounding conforming land use and are not detrimental to the public health, safety and welfare.
2. Policy 2.2.3 [L] of the Comprehensive Plan define criteria for Residential Preservation including that the "majority of traffic is local in nature." Given the parcel(s) in question front the principal arterial (Mahan Drive), which primarily carries through traffic, the existing Future Land Use designation is incongruent with the fronting roadways at this location.
3. Policy 2.2.24 [L] indicates that the purpose of the Urban Residential 2 land use category is to encourage a range of density housing, thereby promoting infill development, reducing urban sprawl, and maximizing the efficiency of infrastructure. The subject property is located inside the Urban Services Area and is connected to infrastructure that is currently underutilized. Changing the land use category for the Subject Site and Expansion Area will increase access to medium density residential uses and is consistent with the intent of the Urban Residential 2 land use category.

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6. SUMMARY OF FINDINGS

Staff presents the following findings of fact:

The subject site includes parcels 1129206160000 and 1129206050000 at the northeast corner of Mahan Drive and Marys Drive. The applicant, Darren Rajendranth., is requesting a change to the Future Land Use Map (FLUM) from Residential Preservation to Urban Residential 2. The requested amendment would increase allowable residential density on approximately 5.6 acres of land.

Concurrent with the applicant's amendment, the Tallahassee-Leon County Planning Department is seeking to bring adjacent parcels in the Brandt Place Townhomes subdivision (herein described as the "Expansion Area") into the same Future Land Use category and zoning as 1718 Marys Drive given non-conforming existing land uses. The requested amendment would increase allowable residential density on an additional 3.99 acres, for an approximate total of 9.59 acres modified via this amendment. The properties are located inside the Urban Services Area. Including this expansion area in this amendment satisfies Objective 1.5: [L] Non-Conforming Uses and Noncomplying Characteristics of the Tallahassee-Leon County Comprehensive Plan. By including the parcels within the expansion area (which are currently non-conforming with RP FLU and zoning), this amendment may assist in preserving missing-middle housing options by bringing the four-plexes and townhomes into compliance. This change will allow these structures to be rebuilt in case of damage and makes it easier for owners to pursue financing options to do so.

History and Background

1. Historic imagery dating back as far as 1937 show that the subject site was once used as pasture or agriculture with the presence of some structures.
2. The development of the Capital Hills subdivision to the west of the subject area occurred around 1956 while the development of the Brandt Hills subdivision directly to the north of the subject site occurred around 1963. Construction of Marys Drive occurred concurrently with development of Brandt Hills based on historical imagery.
3. Mahan Drive was widened from two lanes to four lanes between 1970 and 1983.

Previous Commission Consideration

The subject site and various adjacent parcels were considered in the FLUM amendment cycles of 1999 and 2005. A summary of these prior amendments is as follows:

1. 1999 Map Amendment (99-1-M-005): The application requested a change from the FLUM designation of Residential Preservation to Mixed Use B and a concurrent rezoning to Medium Density Residential Office Development Pattern. This request was denied following recommendation from the TLCPD. Staff analysis at the time found that the existing neighborhood was still viable as a low-density residential area. Additionally, the amendment was opposed by the public living in the adjacent Residential Preservation neighborhood(s) due to concerns of higher intensity development adjacent to their homes. This application included all the properties of the current map amendment application with the exception of the parcels west

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of Marys Drive and the east-most parcel hosting the existing church (1129204040000).

2. 2005 Map Amendment (2005-2-M-009): This application requested a FLUM change from Residential Preservation to Neighborhood Boundary and a concurrent rezoning from Residential Preservation 2 (RP-2) to Neighborhood Boundary Office (NBO). This application included the four parcels east of the subject site: 1129206010000, 1129206020000, 1129206030000, and 1129206040000. Of these, only parcel 1129206030000 requested the change with redevelopment intentions (office) while the other three parcels did not apply with intention of redevelopment. Staff analysis found the proposed amendment consistent with the Comprehensive Plan and recommended adoption. This application was denied on October 6, 2005 at the Joint City-County Commission Comprehensive Plan Public Hearings on the Adoption of 2005-2 Cycle Amendments and Implementing Rezoning Ordinances.

Current and Proposed Future Land Use Categories

The Subject Area is currently designated Residential Preservation on the FLUM. The proposed amendment would change the FLUM designation of the area to Urban Residential 2. A summary of the current and proposed FLU categories is below, and a comparison of permitted uses is provided in **Section G**. The complete comprehensive plan policies for **Residential Preservation (Policy 2.2.3: [L])** and **Urban Residential 2 (Policy 2.2.24 [L])** are included as Appendix #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.” Residential Preservation areas are characterized by existing homogeneous residential areas within the community which are predominantly accessible by local streets. The Residential Preservation FLUM designation allows for single-family houses, townhomes, and duplexes at a maximum density of six (6) units per acre.

Urban Residential 2 (Proposed)

The Urban Residential 2 FLUM category allows for residential uses up to a density of 20 units per acre (the proposed zoning of Medium Density Residential will restrict this density to 16 units per acre). The intent of this district is to encourage a range of house types available, thereby promoting infill development, reducing urban sprawl, and maximizing the efficiency of readily available infrastructure such as utilities, transit, and sidewalks. Urban Residential 2 may serve as a transitional area between lower density residential areas and more intensive land uses and roadways.

Determination for Future Land Use Map Amendment

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1) Does the area meet the criteria for designation as the current land use designation of Residential Preservation (RP)?

No. The subject site is located along Mahan Drive, a principal arterial road, and the traffic is not predominantly local in nature, as is expected in the Residential Preservation FLUM categories. Additionally, the proposed expansion area contains numerous non-conforming densities that are incompatible with the RP FLU district.

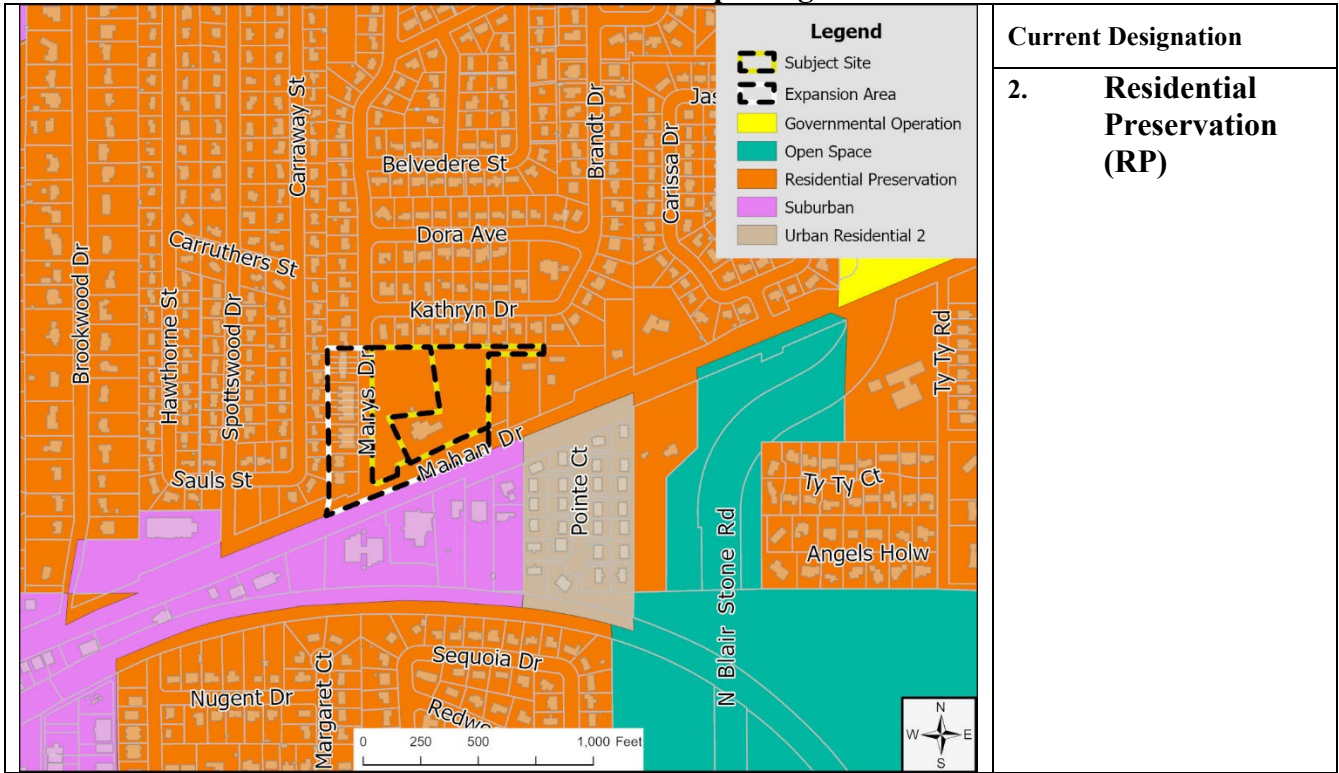
2) Does the area better meet the criteria for the proposed land use designation of Urban Residential 2 (UR-2)?

Yes. The applicant's parcels are situated between the principal arterial roadway of Mahan Drive and the established single-family detached subdivision of Brandt Hills. Per Policy 2.2.24: [L] Urban Residential 2 areas are appropriate to "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*..." Additionally, the proposed expansion area contains densities that are non-compliant with RP allowances, but satisfy the density allowances of UR-2.

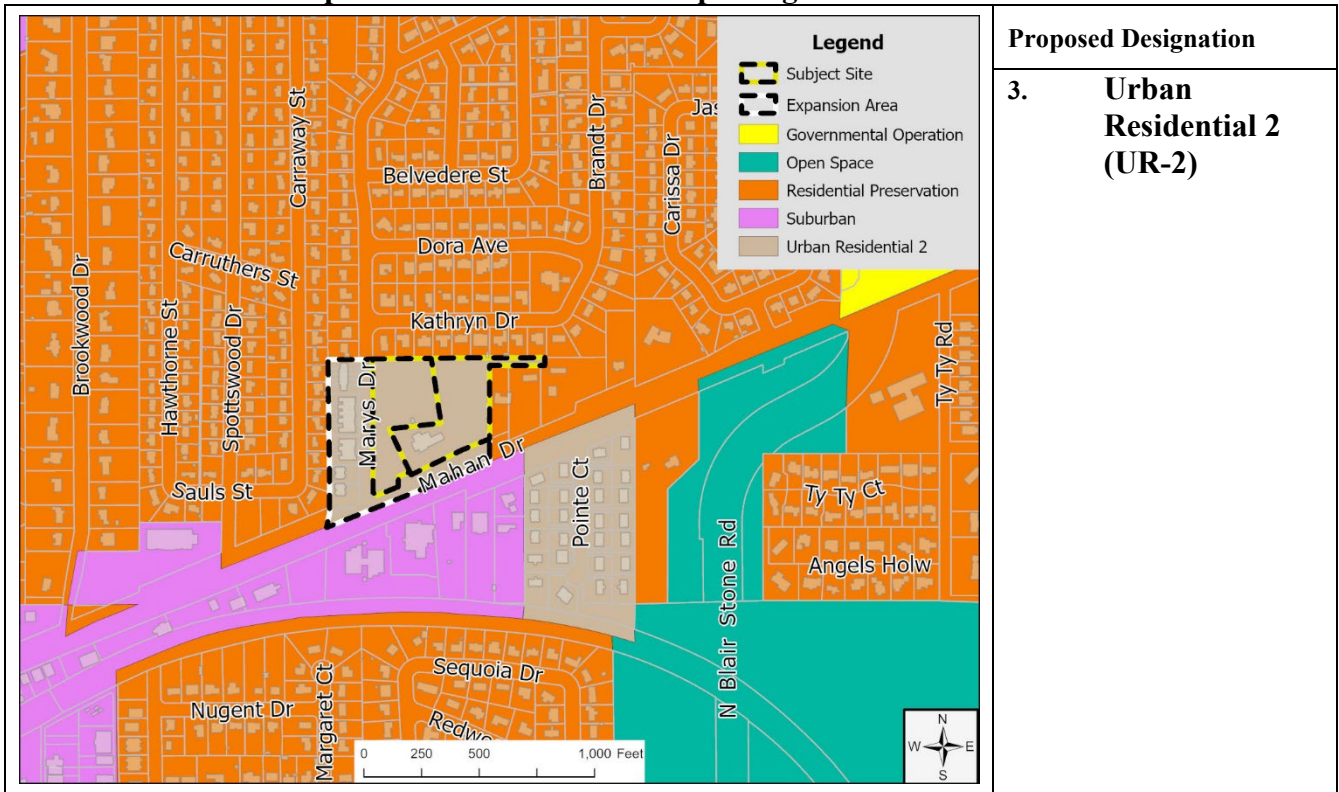
The following maps illustrate the current and proposed FLUM designations for the subject area.

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Current Future Land Use Map Designation



Proposed Future Land Use Map Designation



Zoning

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The subject site and expansion area are currently zoned Residential Preservation-2 (RP-2). The proposed rezoning would change the zoning designation to Medium Density Residential District (MR) to implement the proposed underlying Urban Residential 2 land use category. A summary of the current and proposed zoning categories is below, and a comparison of permitted uses is provided in **Section G**. The Land Development Code sections for Residential Preservation (sec. 10-241) and Medium Density Residential (sec. 10-250) zoning are included as Appendix #2.

Residential Preservation 2 (RP-2) (Current)

The current zoning for the subject site, Residential Preservation 2, 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 6 dwelling units per acre.

Medium Density Residential District (MR) (Proposed)

The MR zoning district is intended to be located in areas designated Urban Residential or Suburban on the FLUM, in close proximity to more intensive non-residential uses, including commercial and office uses; and to residential compatible public facilities such as schools, parks, higher intensity roadways, and public transit. The MR district is intended to achieve densities consistent with urban development, use of public transit, and efficient use of public infrastructure. The proposed zoning allows for a maximum gross density of 16 dwelling units per acre, while the minimum gross density allowed is 6 dwelling units per acre. Certain community and recreational facilities related to residential uses are also permitted.

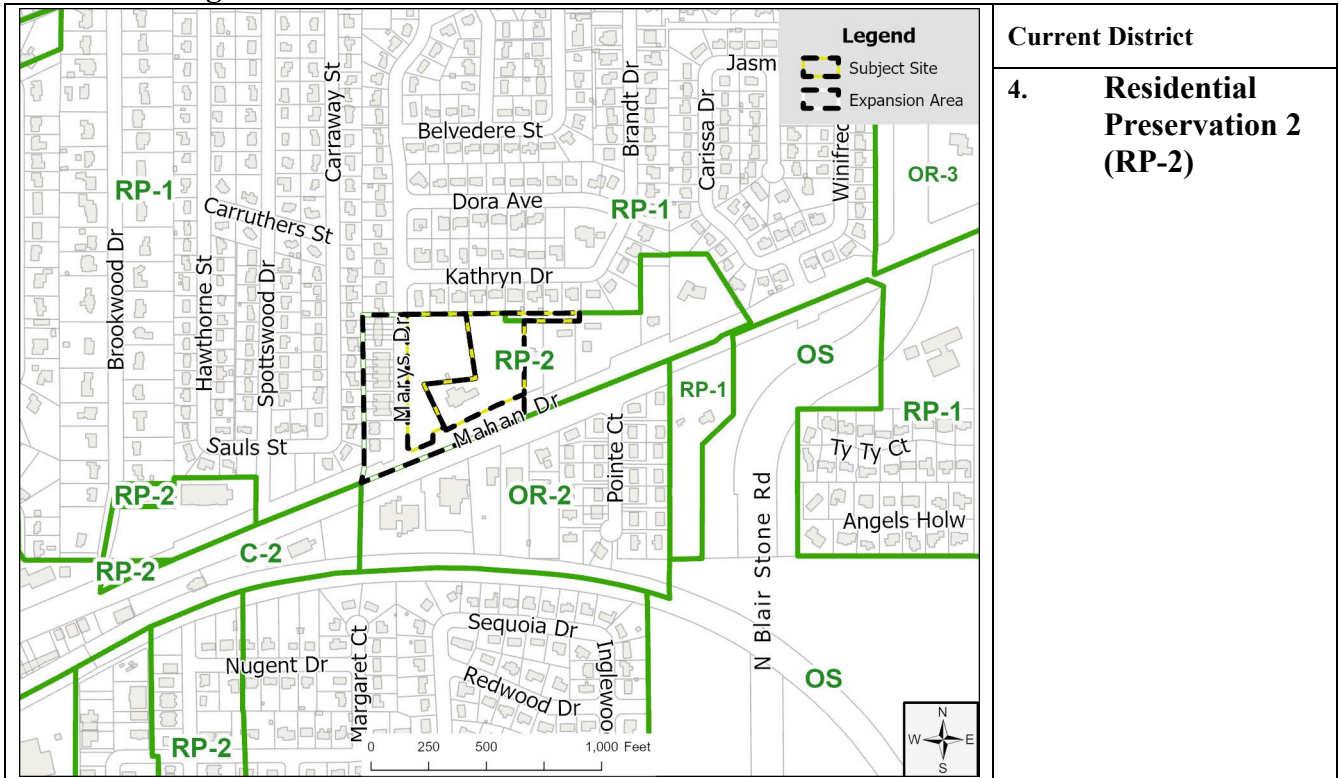
Determination for Concurrent Rezoning

Provided the requested Future Land Use Map amendment is approved, the proposed Medium Density Residential District zoning district implements the Urban Residential 2 land use category and conforms to the land development requirements of the MR zoning district. The subject properties are located between existing homogenous Residential Preservation districts and major roadways, are adjacent to public transit stops, and provide for efficient use of public infrastructure.

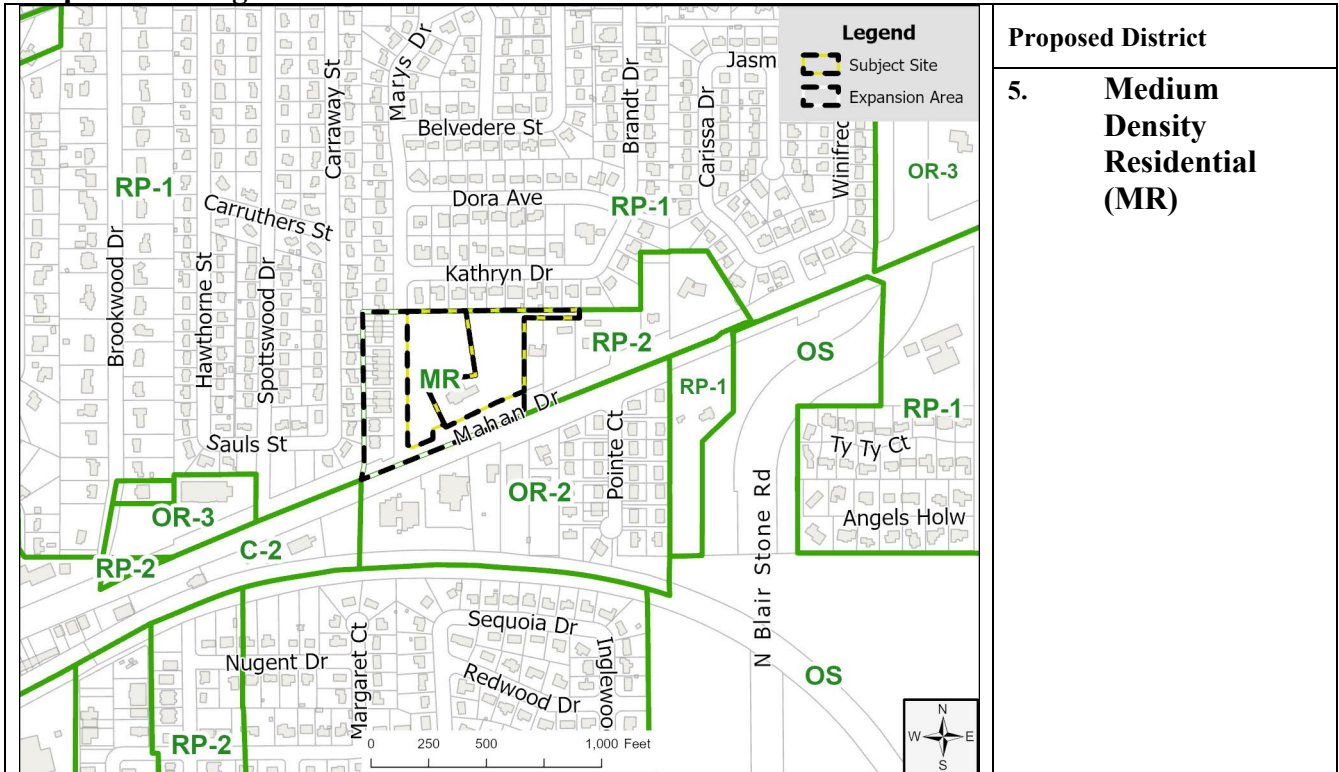
The following maps illustrate the current and proposed zoning for the Subject Site.

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Current Zoning



Proposed Zoning



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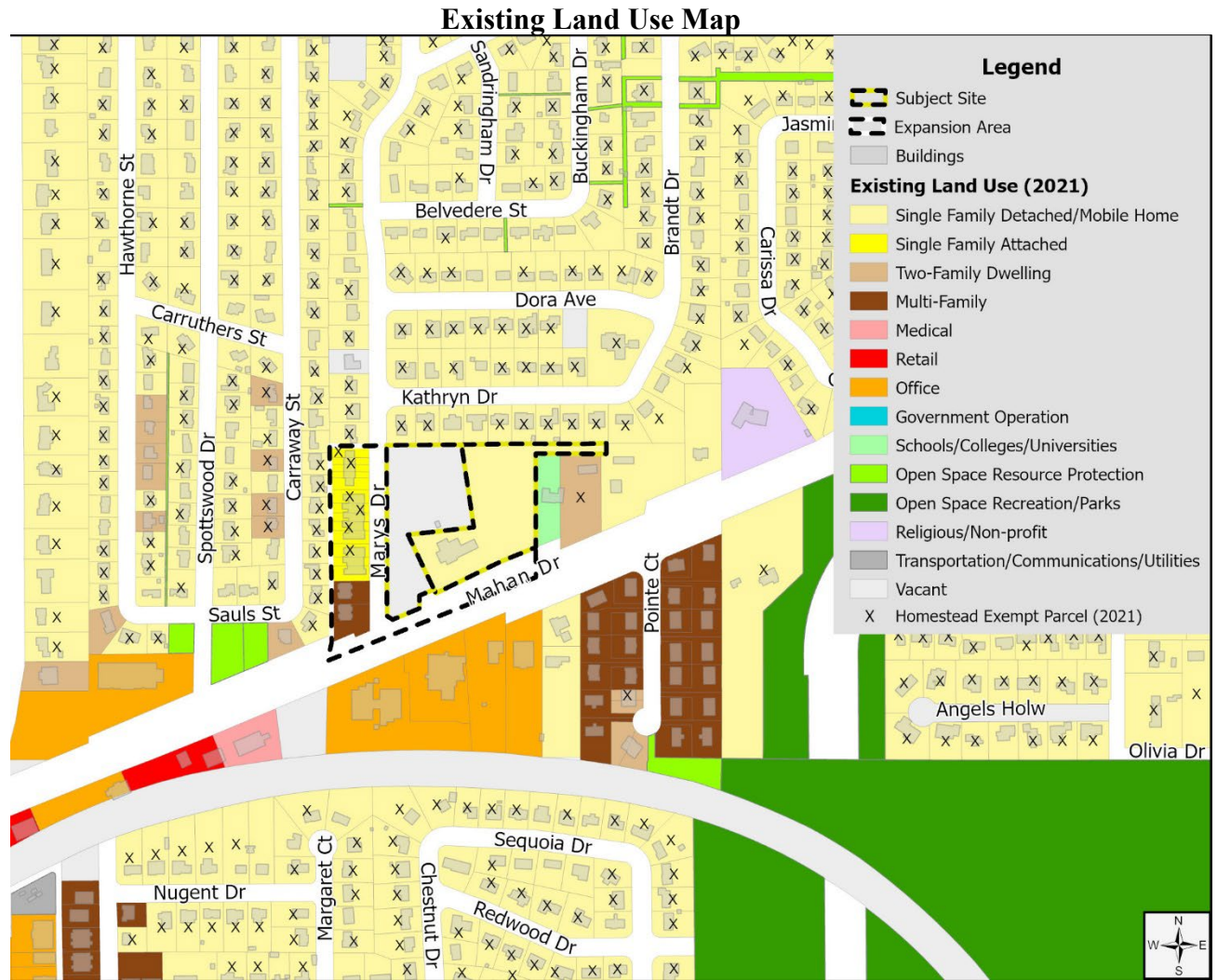
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Compatibility with Adjacent and Surrounding Uses

The proposed Urban Residential 2 FLUM designation is intended to create an environment for a range of medium density residential housing types. The UR-2 category is also identified as a suitable transition category between RP categories and major roadways, such as Mahan Drive. The proposed MR zoning district is intended to be located in close proximity to more intensive non-residential uses, including commercial and office uses; and to residentially compatible public facilities such as schools, parks, and transit facilities. The subject site and expansion area are surrounded by residential land uses on the north side of Mahan Drive, with primarily office and multi-family uses south of Mahan Drive. Retail, medical, and commercial uses are in close proximity directly to the west of the subject area along Mahan Drive. The subject area is located in close proximity to the Blair Stone Road multi-use trail as well as Governors Park to the east and southeast.

The Land Development Code describes requirements for buffering and neighborhood compatibility. Applicable development standards may include height step back requirements or tall tree buffers, restrictions on locations of parking lots, loading zones, equipment and trash enclosures, no active recreation within 200 feet of single family residential, additional transparency and façade requirements, and distance requirements for earthwork disturbance.

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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.

1. Existing land use within the area is predominantly residential.
Analysis: The present land usage within the subject area is predominately residential.
2. Majority of traffic is local in nature.
 1. Predominance of residential uses front on local streets.
Analysis: None of the parcels within the subject area front streets designated as “local”. Mahan Drive is designated as a principal arterial and Marys Drive is designated as a minor collector.
 2. Relatively safe internal mobility.
Analysis: Safety and intermobility of the subject area would subjectively be rated as substandard due to its presence along a principal arterial (Mahan Drive) as well as a lack of interconnects to the surrounding neighborhood(s). The subject area does not provide for a safe crossing of Mahan Drive for pedestrians. The nearest crosswalks are over 2000’ to the east and west at Blair Stone Road and Magnolia Drive respectively.
3. Densities within the area generally are six (6) units per acre or less.
Analysis: The density for the applicant’s parcels is currently less than six units per acre, although the site’s single structure is not owner-occupied and has been vacant for a number of years. The density for the parcels within the expansion area exceed six units per acre.
4. Existing residential type and density exhibits relatively homogeneous patterns.
Analysis: Residential types within the subject area are not homogeneous given the presence of townhomes and fourplexes on Marys Drive. Lot sizes, building types, and lot layouts are inconsistent with surrounding RP areas.
5. Assessment of stability of the residential area, including but not limited to:
 1. Degree of home ownership.
Analysis: As a proxy for home ownership, homestead exemption status was reviewed. As of the 2022 tax year, 7 of the 13 townhouses on Marys Drive had a homestead exemption. The 2 fourplexes on Marys drive did not (as expected). The applicant’s site is not homestead exempt.
 2. Existence of neighborhood organizations.
Analysis: The subject area is not part of a neighborhood organization. The Greater Brant Hills Neighborhood Association and Capital Hills Neighborhood Association are located directly to the north and west of the subject area respectively.

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Conclusion: The subject site and expansion area is adjacent to residential preservation areas but do not meet the criteria for residential preservation themselves.

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Infrastructure Analysis

Water/Sewer

City of Tallahassee water and sewer services are available to be provided to the subject site.

A fire hydrant is present within the public right-of-way at the southwest corner of the subject site at the corner of Mahan Drive and Marys Drive.

Schools

The Subject Area is zoned for Kate Sullivan Elementary School, Cobb Middle School, and Leon High School. As of November 2, 2022, the present capacity of these schools are as follows:

1. Kate Sullivan Elementary School: 385 students
2. Cobb Middle School: 644 students
3. Leon High School: 218 students

Any future redevelopment of the area would follow the site plan review process. This process includes a school concurrency impact analysis.

Roadway Network

The subject site is accessible to the south by Mahan Drive (US Hwy 90; State Road 10) and to the west by Marys Drive. Mahan Drive is functionally classified as a principal arterial and Marys Drive is classified as a minor collector.

There is available capacity on Mahan Drive between Magnolia Drive and Blair Stone Road and Marys Drive between Mahan Drive and Miccosukee Road. It is not anticipated that capacity will be exceeded on either roadway in the short term through redevelopment associated with this Comprehensive Plan amendment and concurrent rezoning.

Consistent with City of Tallahassee development procedure, transportation traffic impacts and concurrency calculations will be conducted when a site plan for proposed development is submitted. The traffic impacts and concurrency review will be calculated at the time of site plan review.

Pedestrian and Bicycle Network

The subject site is fronted by sidewalks on both Mahan Drive as well as Marys Drive which provide access to other facilities such as Miccosukee Road sidewalks and bike lanes, Magnolia Drive sidewalks, and Blair Stone Road sidewalks and bike lanes, as well as the Blair Stone Road Trail.

Transit Network

Star Metro's Azalea bus route directly services the subject site via a bus stop located at the northeast corner of Mahan Drive and Marys Drive. The Azalea line runs along US90 between the Commonwealth Business Centre at Capital Circle NW and the Fallschase Shopping Center at Buck Lake Road. Monday through Friday services is available between 6am and 7:30pm at 30 minute intervals (60min off-peak for the route's east side) and Saturdays between 6:45am and 7:30pm at 60 minute intervals.

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Environmental Analysis

The site plan phase of development would require any redevelopment to meet the environmental regulations in the Land development code, including the applicable requirements for a natural features inventory. Redevelopment of the subject sites is not expected to have significant impact to environmental resources. Significant and severe slopes are present on the south and southwest portions of the subject site. No wetlands are present, and the subject site and expansion area are outside of the 500-year floodplain. Based on historical aerial imagery, the subject site and expansion area were clear-cut dating back to 1937.

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7. COMPARISON OF EXISTING AND PROPOSED ALLOWED USES

The Future Land Use Map provides a general pattern for the location, distribution, and character of land uses. The zoning category implements the underlying land use category and further regulates allowed and prohibited uses, building densities and intensity of uses, and site design specifics such as setbacks, parking requirements, infrastructure, and other land development issues.

| Permitted Uses- Future Land Use | Current: Residential Preservation | Proposed: Urban Residential 2 |
|--|--|--|
| Residential | 6 units/acre | 20 units/acre |
| Single-Family Detached | X | X |
| Single-Family Attached | X | X |
| Two-Family Dwellings | | X |
| Community and Recreational Facilities | X | X |
| Day care centers | | |
| Commercial Goods and Services | | |
| Mixed-Use Development | | |
| Office | | |

| Permitted Uses- Zoning (See Zoning Charts in Appendix #2 for detailed uses) | Current: Residential Preservation 2 | Proposed: Medium Density Residential |
|--|--|---|
| Residential | 6 units/acre | 6-16 units/acre |
| Low Density Residential (single, two family, or manufactured home) | X | X |
| Single-Family Detached, Attached | X | X |
| Two-Family Dwellings | X | X |
| Multiple-Family Dwellings | | X |
| Community facilities related to residential uses including religious facilities, police/fire stations, and elementary, middle, vocational, and exceptional student education schools | X | X |
| Nursing homes and other residential care facilities | | X |
| Day care centers | | X |
| Golf Courses | | X |
| Passive recreational facilities | X | X |
| Active recreational facilities | X | X |

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H. PUBLIC OUTREACH AND NOTIFICATION

An initial mailing was sent to 636 property owners within 1,000 feet of Subject Site.

| | Public Outreach | Date Completed |
|----------|---|---|
| X | Applications posted to Planning Website | 11/10/2022 |
| X | Notices Mailed to Property Owners, Renters, and Homeowners Associations within 1000 feet | 11/16/2022 (property owners); 1/10/23 (all other parties) |
| X | Signs providing details of proposed land use posted on subject site | 11/22/2022 |
| X | Public Open House | 12/8/2022 |
| X | Staff Reports Available Online (www.talgov.com/compplan2023) | 01/10/2023 |
| X | Email Subscription Notice sent to all users of service | 8/2/22; 8/31/22; 9/14/22; 11/15/22; 1/4/23; 1/31/23 |
| X | Legal Ads posted | 1/27/23 |

Public Open House

A publicly noticed open house was held on Thursday, December 8, 2022, at the second floor conference room of the Renaissance Center at 435 N. Macomb Street at 5:30pm. Planning Department staff engaged with approximately ten citizens interested in the subject comprehensive plan amendment and provided additional information and gathered public input.

An additional open house was organized with the Brandt Hill Neighborhood Association on January 26th at the second floor conference room of the Renaissance Center at 435 N. Macomb Street at 5:30pm.

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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 Meetings | | Date Completed |
|----------------|---------------------------------------|----------------|
| X | Local Planning Agency Workshop | 1/10/2023 |
| X | Local Planning Agency Public Hearing | 2/7/2023 |
| | Joint City-County Commission Workshop | 3/7/2023 |
| | Transmittal Public Hearing | 3/22/2023 |
| | Adoption Public Hearing | 6/14/2023 |

Local Planning Agency Workshop - A publicly noticed workshop was held on January 10, 2023 to discuss the proposed 2023 Cycle amendments. Staff provided an overview of the proposed amendments and details of the preliminary analyses for the amendments. There were no questions from the LPA that resulted in updates to this staff report.

Local Planning Agency Public Hearing - A public hearing was held on February 7, 2023 to vote on the proposed 2023 Cycle Amendments. The LPA found 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 recommended ADOPTION of the proposed amendment. They also found 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 recommended APPROVAL of the proposed rezoning. The applicant’s representative addressed the LPA. One citizen spoke in support, while a second citizen raised the question of traffic impacts on the neighborhood. The second resident was informed that a traffic impact analysis will be performed at the time of site plan.

J. APPENDICES

- Appendix #1: Comprehensive Plan policies relevant to the proposed amendment
- Appendix #2: Land Development Code sections relevant to the proposed amendment and/or rezoning
- Appendix #3: Photo of signs providing details of proposed land use and zoning changes posted on subject site

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APPENDIX 1

Policy 2.2.3: [L]

RESIDENTIAL PRESERVATION

(EFF. 7/16/90; REV. EFF. 7/26/06; REV. EFF. 4/10/09; REV. EFF. 5/31/18)

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
 1. Predominance of residential uses front on local street
 2. 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:
 1. Degree of home ownership
 2. 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.

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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.

Expanding or redeveloped light industrial uses adjoining low density residential areas within the residential preservation land use category shall mitigate potential negative impacts and provide screening, buffering, or 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 expanding or redeveloping light industrial uses and adjoining residential preservation areas 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 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.

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

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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:

| <u>Existing land use character of the subdivision</u> | <u>Gross residential density</u> |
|--|--|
| Homogenous, very low density single family detached units (City Only) | 0-3.6 dwelling units per acre (generally consistent with density of the subdivision) |
| Low density single family detached and/or non-single family detached units (including but not limited to townhomes and duplexes) | 0-6.0 dwelling units per acre (generally consistent with density of the subdivision) |

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This section shall not be construed as to restrict the development of building types allowed by the applicable zoning district.

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Policy 2.2.5: [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 (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.

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APPENDIX 2

Sec. 10-170. Residential preservation district.

(a) *Purpose and intent.*

- (1) The residential preservation district is characterized by existing homogeneous residential areas within the community which are predominantly accessible predominantly by local streets. The primary function of the residential preservation district is to protect existing stable and viable residential areas from incompatible land uses and density intrusions. Commercial, retail, office and industrial activities are prohibited in the residential preservation district (certain nonresidential 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 in the residential preservation district within a range of zero to six units per acre. Compatibility with surrounding residential type and density shall be a major factor in the authorization of development approval and in the determination of the permissible density. 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 nonvested development in residential preservation area shall be consistent with the underlying land use category: no more than one unit per ten acres in the rural category; no more than one dwelling unit per acre (clustered) or one dwelling unit per three acres (not clustered) in the urban fringe category. The residential preservation land use category is divided into five 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 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 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 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

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services, and prohibiting densities in excess of 3.6 dwelling units per acre in platted subdivisions, one dwelling unit per acre (net) for clustered developments on unplatted lots, or one unit per three 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 3.6 dwelling units per acre in platted subdivisions, or one dwelling unit per ten 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).

(Code 1984, ch. 27, § 10.3(J); Ord. No. 95-O-0025AA, 9-13-1995; Ord. No. 96-O-0033AA, § 7, 12-11-1996; Ord. No. 97-O-0027AA, §§ 6—12, 7-8-1997; Ord. No. 02-O-88AA, § 2, 10-23-2002

Sec. 10-267. MR Medium Density Residential District.

MR Medium Density Residential District

| <i>PERMITTED USES</i> | | |
|--|---|--|
| <i>1. District Intent</i> | <i>2. Principal Uses</i> | <i>3. Accessory Uses</i> |
| <p>The MR district is intended to be located in areas designated Urban Residential or Suburban on the Future Land Use Map of the Comprehensive Plan, in close proximity to more intensive non-residential uses, including commercial and office uses; and to residentially compatible public facilities such as schools, parks, and transit facilities. The MR district is</p> | <p>(1) Community facilities related to residential uses, including religious facilities, libraries, police/fire stations, and elementary, middle, and high schools. Vocational schools are prohibited. Other community facilities may be allowed in accordance with Section 18.1 of these regulations. (2) Day care centers. (3) Golf courses. (4) Multiple-family dwellings. (5) Nursing homes and other residential care facilities. (6) Passive and active recreational facilities. (7) Rooming Houses. (8) Single-family attached dwellings.</p> | <p>(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 land use administrator. (2) Light infrastructure and/or utility services and facilities</p> |

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| | | |
|---|--|--|
| <p>intended to achieve densities consistent with urban development, use of public transit, and efficient use of public infrastructure. Off-street parking facilities in the MR district shall be located and designed to promote convenient access to pedestrian and mass transit facilities. The MR district shall provide for a wide range of residential housing types. The maximum gross density allowed for new residential development in the MR district is 16 dwelling units per acre, while the minimum gross density allowed is 6 dwelling units per acre, unless constraints of concurrency or preservation and/or conservation features preclude the attainment of the minimum densities. Certain community and recreational facilities related to residential uses and day care centers are also permitted.</p> <p>Development standards for properties located within the MMTD are established within Division 4 of this Code.</p> | <p>(9) Single-family detached dwellings. (10) Two-family dwellings. (11) Zero-lot line single-family detached dwellings.</p> | <p>necessary to serve permitted uses, as determined by the land use administrator.</p> |
|---|--|--|

| DEVELOPMENT STANDARDS | | | | | | | | | |
|----------------------------------|-----------------------------|--|--------------|---|---|--------------------|---------|---|---|
| Use Category | 4. Minimum Lot or Site Size | | | 5. Minimum or Maximum 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 | 15 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 |
| Zero-Lot Line Single-Family | 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 |

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| | | | | | | | | | |
|---|---|---------|----------|---------|---|---------|---------|--|-----------|
| Detached Dwellings | | | | | | | | | |
| Two-Family Dwellings | 7,000 square feet | 70 feet | 100 feet | 15 feet | Same as single-family dwellings above | 15 feet | 25 feet | not applicable | 3 stories |
| Single-Family Attached Dwellings | 1,600 square feet minimum; average of 2,000 square feet | 16 feet | none | 20 feet | none | 15 feet | 25 feet | maximum length: 8 units | 3 stories |
| Rooming Houses | 5,000 square feet | 50 feet | 100 feet | 15 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 |
| Multiple-Family Dwellings | 10,000 square feet | 80 feet | 100 feet | 15 feet | 15 feet on each side | 15 feet | 25 feet | not applicable | 3 stories |
| Any Permitted Principal Non-Residential Use | 12,000 square feet | 80 feet | 100 feet | 15 feet | 15 feet on each side | 15 feet | 25 feet | 20,000 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 chapter 5, environmental management for information pertaining to the regulation of environmental features (preservation/conservation features), stormwater management requirements, etc.
3. Refer to chapter 4, concurrency management ordinance for information pertaining to the availability of capacity for certain public facilities (roads, parks, etc.).
4. For cluster development standards, refer to section 10-426.

(Ord. No. 05-O-40AA, § 7, 7-13-2005; Ord. No. 15-O-32, § 1, 11-24-2015)

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APPENDIX 3

Photos of public notice signage



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Citizen Comments
Amendment # TMA2023 001
1718 Mahan Drive

From: [Darwin Gamble](#)
To: [Mohrman, Melinda](#)
Cc: [White, Artie](#); [Kim Ross](#); [Barry Munroe](#)
Subject: Re: Citizen comment on proposed 1718 Mahan Dr Amendment (TMA2023-001)
Date: Monday, November 28, 2022 8:58:49 AM
Attachments: [image001.png](#)

*****EXTERNAL EMAIL*****

Please report any suspicious attachments, links, or requests for sensitive information.

Ms. Mohrman,

I will. And you may get more questions from other Greater Brandt Hills residents. Thanks, again, for responding. Happy Holidays!

Darwin Gamble

On Monday, November 28, 2022 at 08:05:58 AM EST, Mohrman, Melinda <melinda.mohrman@talgov.com> wrote:

Good Morning Mr. Gamble,

There are some legal non-conforming uses on the adjacent properties that we are recommending to include in the expansion in order to bring them into conformity. One of the properties is a day care, which is not an allowed use in the Urban Residential land use category. An underlying land use category that allows the daycare, which is also specifically allowed in the MR zoning category, makes more sense for these properties so that we are not continuing a non-conformity. Hope that helps, let me know if you have more questions.

Best,

Mindy Mohrman

Administrator- Comprehensive Planning/

Urban Forester

ISA Certified Arborist/Municipal Specialist MW-4433AM

Tree Risk Assessment Qualified

Tallahassee-Leon County Planning Dept.

Comprehensive Planning & Urban Design

850.891.6415 • melinda.mohrman@talgov.com



Learn about our urban forest at www.talgov.com/tallytrees

From: Darwin Gamble <darwingamble@yahoo.com>
Sent: Friday, November 25, 2022 9:13 AM
To: Mohrman, Melinda <Melinda.Mohrman@talgov.com>
Cc: White, Artie <Artie.White@talgov.com>; Kim Ross <keross72@gmail.com>; Barry Munroe <munroe.barry@icloud.com>
Subject: Re: Citizen comment on proposed 1718 Mahan Dr Amendment (TMA2023-001)

*****EXTERNAL EMAIL*****

Please report any suspicious attachments, links, or requests for sensitive information.

Ms. Mohrman,

Thank you for responding. The MR zoning category makes sense, but why is the department recommending a Comprehensive Plan amendment land use change to Suburban which includes commercial and industrial uses? Why not change it to something like Urban Residential?

Darwin Gamble
1248 Halifax Court

On Friday, November 25, 2022 at 08:23:29 AM EST, Mohrman, Melinda <melinda.mohrman@talgov.com> wrote:

Good morning Mr. Gamble,

Thank you for contacting the planning department. The applicant requested OR-2 zoning, but is proposing to build housing on the properties. Planning staff is recommending a change to the MR zoning category instead, which limits uses to housing and associated community uses only. The applicant is aware and supportive of this intention. Staff is also recommending expanding the change to the adjacent properties in order to bring current non-conformities into conformance. Please let me know if you have additional questions.

Best,

Mindy Mohrman

Administrator- Comprehensive Planning/

Urban Forester

ISA Certified Arborist/Municipal Specialist MW-4433AM

Tree Risk Assessment Qualified

Tallahassee-Leon County Planning Dept.

Comprehensive Planning & Urban Design

[850.891.6415](tel:850.891.6415) • melinda.mohrman@talgov.com

From: darwingamble@yahoo.com <darwingamble@yahoo.com>

Sent: Thursday, November 24, 2022 3:49 PM

To: Planning Inquiries <planning@talgov.com>

Cc: White, Artie <Artie.White@talgov.com>; Mohrman, Melinda <Melinda.Mohrman@talgov.com>

Subject: Citizen comment on proposed 1718 Mahan Dr Amendment (TMA2023-001)

Citizen comment on proposed 1718 Mahan Dr Amendment (TMA2023-001)

The land use category that staff recommends for this amendment is inconsistent with what the developer's application says he wants to do with the property. The developer says, "We strongly believe that a residential community is best fit for this location,...." However, the Suburban land use category allows for commercial, light industrial, and office uses. What is the reason for this inconsistency?

Darwin Gamble

1248 HALIFAX CT

TALLAHASSEE FL 32308-5200

darwingamble@yahoo.com

From: [Mohrman, Melinda](#)
To: [Nicolle Leider](#)
Cc: [Fortunas, Jacob](#)
Bcc: [White, Artie](#)
Subject: RE: Rezoning for property on Mahan Dr and Mary Dr
Date: Tuesday, November 29, 2022 12:21:00 PM
Attachments: [Mailing Notice TMA2023001.pdf](#)
[image001.png](#)

Good Afternoon Ms. Leider,

Thank you for contacting the Planning Department, I'm happy to answer your questions. I've also copied Jacob Fortunas, who is the Planner who will be providing the staff analysis for this amendment. You can direct future questions to both or either of us. The property in question is requesting a Future Land Use and Zoning change. The Future Land Use Map (FLUM) is part of the Land Use Element of the Tallahassee-Leon County Comprehensive Plan, so a FLUM change requires an amendment to the Comprehensive Plan. Comprehensive Plan amendments are aggregated into an annual cycle, which is a several months-long process. This amendment is part of the 2023 Amendment Cycle, which is just beginning. As a first step, mailing notices are sent to all properties and HOA's within 1000' of the property requesting the Land Use and zoning change to notify neighbors of the requested change, provide information about the request, and provide a schedule of all public meetings where the change will be discussed and where citizens can make comment. The final public hearing for this amendment is set for March 22, 2023.

You can find information on all the 2023 amendments and the public meeting schedule at the link below. You can also submit public comment through the comment portal at this website. Whether you contact staff directly by email or through the comment portal, all citizen comments are saved and provided to City Commission for their review and consideration.

The first public meeting is an **Open House on December 8, 2022 starting at 5:30pm** at the Frenchtown Renaissance Center, 435 N. Macomb St., 2nd Floor Conference Room.
[Planning | Comprehensive Plan | 2023 Comprehensive Plan Amendment Cycle | PLACE \(talgov.com\)](#)

I've answered your questions in detail below, in blue text. Please don't hesitate to contact us for further information.

Mindy Mohrman

Administrator- Comprehensive Planning/

Urban Forester

ISA Certified Arborist/Municipal Specialist MW-4433AM

Tree Risk Assessment Qualified

Tallahassee-Leon County Planning Dept.

Comprehensive Planning & Urban Design

850.891.6415 • melinda.mohrman@talgov.com



From: Nicolle Leider <nicolle.leider@gmail.com>
Sent: Tuesday, November 29, 2022 10:29 AM
To: Mohrman, Melinda <Melinda.Mohrman@talgov.com>
Subject: Rezoning for property on Mahan Dr and Mary Dr

*****EXTERNAL EMAIL*****

Please report any suspicious attachments, links, or requests for sensitive information.

Good morning Ms. Mohrman,

I live on 1725 Kathryn Drive which directly borders a property that is being proposed for rezoning located on Mahan Dr. and Mary Dr (1718 Mahan Dr). I'm extremely alarmed that we were not contacted by the city or the developer regarding this change. From the documentation I was able to obtain through a fellow neighbor it seems that the city of Tallahassee recommends for the developer to do so, however, neither the neighborhood association nor myself have been contacted.

In order to be better informed about the requested change I'm hoping you or someone in the city can provide me with the following information:

- Reasoning why the city is asking for the rezoning?
 - Follow up to that question is why is the city proposing 11 acres be rezoned for properties that are not part of this development?

This change was requested by the property owner at 1718 Mahan Dr. After a preliminary review, staff determined that there were adjacent properties that are considered “legal, non-conforming,” meaning that they do not conform to existing land use or zoning regulations, but were in existence before those land use and zoning designations were placed so are operating legally. Staff is recommending expanding the proposed land use and zoning change to those adjacent properties in order to bring them into conformance.

- A copy of the city's land development and land use code.

You can find the Tallahassee-Leon County Comprehensive Plan, Land Use Element, on the Planning Department's Website:

[Planning | Comprehensive Plan | PLACE \(talgov.com\)](#)

You can find the City's Land Development Code on the Growth Management Website:

[Land Development Code | Tallahassee, FL | Municode Library](#)

- A detailed report, analysis, or narrative from the city regarding the rezoning.

Staff provides a detailed analysis for review by the Local Planning Agency prior to their Workshop on January 10, 2023. This Analysis is further provided to City Commission for their subsequent Workshops and Public Hearings (meetings included on the schedule linked above). We also post

these reports to the 2023 Amendment Cycle website (linked above) for public review, typically shortly after the Open House (December 8). The Open House provides an opportunity for citizens to engage with us, and also for staff to learn additional details that may be helpful to include in our analysis.

- What will be the maximum number of households that could be developed if the rezoning is approved by the city?

The proposed Medium Density Residential District (MR) zoning allows for a maximum of 16 dwelling units per acre and a minimum of 6 dwelling units per acre. Properties also need to meet all other requirements of the Land Development Code, including setbacks, traffic safety, stormwater management and other environmental features, and buffering, so oftentimes the resulting density will be lower than the maximum allowed.

- What would be the maximum entitlements and types of uses (including types of residential uses) this property could have if rezoned?

You can find the MR zoning chart describing permitted uses and densities at the link below. Generally, MR zoning allows Residential Development from 6 to 16 units per acre, community facilities related to residential uses, day cares, golf courses, nursing homes, and recreational facilities.

[MR Medium Density Residential District \(talgov.com\)](https://www.talgov.com)

- What will be the mitigating factors that the city plans to put in place to protect the neighborhood, including buffers and what will be the minimum setback from property lines and planting buffers?

Same as above regarding meeting the requirements of the Land Development Code. Ultimately, buffers depend on the type and design of the development and are determined during site plan review, which is administered by the City's Growth Management department. Site plan review and permitting is a separate process from land use and zoning changes. If a property owner would like to develop the property at a level that requires a change to the land use and/or zoning, the owner cannot move forward with site plan permitting until and unless the proposed land use and zoning changes are approved by the City Commission. For future reference, the link below provides information for staying involved in the site plan review process.

[How can I get involved in the development process? | Growth FAQs | Growth Management \(talgov.com\)](#)

Sincerely,

Nicolle Leider,

1725 Kathryn Drive, Tallahassee FL 32308

850-727-3377 (cell)

Nicolle.Leider@gmail.com

From: webmaster@talgov.com
To: [Planning Inquiries](#)
Cc: [White, Artie](#); [Mohrman, Melinda](#)
Subject: Citizen comment on proposed 1718 Mahan Dr Amendment (TMA2023-001)
Date: Tuesday, November 29, 2022 7:30:53 PM

Citizen comment on proposed 1718 Mahan Dr Amendment (TMA2023-001)

Please do increase allowable density here and everywhere within the urban services area. I encourage you to go further and reduce or eliminate parking minimums as well given that this property is along public transportation routes. Thank you.

Lynn Masimore
1800 Jasmine Drive
Tallahassee Fl 32308
lm2791@yahoo.com

From: [Fortunas, Jacob](#)
To: [Kirsten Olsen](#); [Mohrman, Melinda](#)
Subject: RE: Rezoning 1718 Mahan Drive
Date: Tuesday, January 24, 2023 11:51:23 AM
Attachments: [image001.png](#)

Kirsten,

The Local Planning Agency (LPA) is a board made up of City and County appointed members that, in this instance, act as a review board for proposed comprehensive plan amendments. More information may be found here: <https://www.talgov.com/place/pln-lpa>. You're free to submit comments directly to them via that link, or through the Planning Department's webpage here: <https://www.talgov.com/place/pln-cp-2023>

There's no hard deadline to provide comments prior to the meeting. We can print comments you have to provide to the LPA or you can attend in person to speak on the topic. Keep in mind that the LPA provides a recommendation to the City Commissioners regarding the proposed amendment, but the Commissioners themselves have the final say on the approval/denial of the amendment.

As usual, feel free to reach out with any further questions!

Jacob Fortunas
Planner II
Tallahassee-Leon County Planning Department
850.891.6418

From: Kirsten Olsen <kolsenus@yahoo.com>
Sent: Tuesday, January 24, 2023 10:36 AM
To: Fortunas, Jacob <Jacob.Fortunas@talgov.com>; Mohrman, Melinda <Melinda.Mohrman@talgov.com>
Subject: Fw: Rezoning 1718 Mahan Drive

*****EXTERNAL EMAIL*****

Please report any suspicious attachments, links, or requests for sensitive information.

Hi!

Following up... when are the comments due to make it in the package for Feb. 7? And it says "Local Planning Agency" - can you please define?

Also, FYI - Brandt Hills has set up a meeting with the developer this Thursday at the Renaissance Center from 6-7.

Thank you,
Kirsten

Kirsten Olsen
850-294-0538

----- Forwarded Message -----

From: Mohrman, Melinda <melinda.mohrman@talgov.com>
To: Kirsten Olsen <kolsenus@yahoo.com>; Fortunas, Jacob <Jacob.Fortunas@talgov.com>
Sent: Monday, January 9, 2023 at 09:28:56 AM EST
Subject: RE: Rezoning 1718 Mahan Drive

Hi Kirsten,

The workshops are opportunities for Commissioners to get information on the amendments, ask questions of staff, and request additional analysis for us to bring to their next meeting. Public comment on the agenda items is not accepted at workshops. The workshops are: Local Planning Agency- January 10 & Joint County and City Commissions- March 7. The Public Hearings provide opportunity for public comment: Local Planning Agency- February 7 & City Commission- March 22.

You can submit written comments any time, and they will be included in the materials for public hearings. You can submit those directly to us through email, or through the public comment portal on the Planning website.

As far as decision-makers, the LPA makes recommendations to the County and City Commissions. Ultimately it is the County and City Commissions who have final approval of the amendments. That will be decided at the adoption hearing at the City Commission meeting on March 22. Typically the adoption hearing is a joint meeting, but because all the amendments this year are inside the city limits and therefore only require a City vote, we will be taking them to a city commission meeting for the final adoption hearing.

Yes, the expansion area has been pulled back to include 1718 Mahan (which is actually two parcels) and the Brandt Place Townhomes directly to the west. The requested FLUM change is to Urban Residential 2; with a concurrent rezoning to Medium Density Residential.

Hopefully that answers your questions, please don't hesitate to follow up as needed!

Mindy Mohrman

Administrator- Comprehensive Planning/

Urban Forester

ISA Certified Arborist/Municipal Specialist MW-4433AM

Tree Risk Assessment Qualified

Tallahassee-Leon County Planning Dept.

Comprehensive Planning & Urban Design

850.891.6415 • melinda.mohrman@talgov.com



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From: Kirsten Olsen <kolsenus@yahoo.com>
Sent: Sunday, January 8, 2023 7:55 PM
To: Mohrman, Melinda <Melinda.Mohrman@talgov.com>; Fortunas, Jacob <Jacob.Fortunas@talgov.com>
Subject: Rezoning 1718 Mahan Drive

*****EXTERNAL EMAIL*****

Please report any suspicious attachments, links, or requests for sensitive information.

Hello!

I hope you had a nice weekend.

I saw the schedule of upcoming meetings. (Jan 10, Feb 7, March 7, March 22)

I have a few questions to clarify my understanding:

Can you give me a little insight on which of those meetings is suitable for submitting public comment and when that might be due? I know comment is usually due a week before the meeting so it can be given to participants.

Also, can you please outline for me who are the decision-makers will be for each hearing?

I want to make sure I understand the proposal correctly. According to the "Notice of

a Requested Amendment to the Comprehensive Plan Future Land Use Map," it appears the comp plan/rezoning area has been pulled back to include only the 1718 Mahan property and the townhouses across the street on Marys?

The proposal is for the comp plan to change 1718 and the townhouses to Urban Residential-2? Also the City rezoning proposal is to change both to Medium Density Residential?

Thank you,

Kirsten, Brandt Hills

Kirsten Olsen

850-294-0538

From: virginia.satterfield@gmail.com
To: [Planning Inquiries](#)
Cc: [White, Artie](#); [Mohrman, Melinda](#)
Subject: Citizen comment on proposed amendments to the Tallahassee-Leon County Comprehensive Plan (CP 2023 Cycle)
Date: Sunday, February 5, 2023 2:53:35 PM

Citizen comment on proposed amendments to the Tallahassee-Leon County Comprehensive Plan (CP 2023 Cycle)

1718 Mahan Dr (TMA2023-001):

You seem intent on turning our formerly peaceful neighborhood into another North Monroe Street, and in giving developers all the latitude they need to make money in Tallahassee. We oppose the plan for rezoning this property and for adding 50 crowded apartments into the neighborhood. We do not need more populsyionn. There is no legitimate reason to add cars to our neighborhood streets. You have allowed residential construction to stretch north nearly to the Georgia border, and you can send these developers in that direction for their packed-together housing. We have seen this housing in various parts of other US cities, and it never adds anything except more noise, more pollution, more traffic and more crime. Just the addition of apartment complexes in the area has brought up our crime rate, not to mention the allowing of a prisoner release center to operate in the area illegally. There has been gunfire for the first time; there is increased fear in the neighborhoods. I do not expect you to listen to what we need or wish. Nothing that the neighborhoods have fought in the past 15 years has been supported by the city of Tallahassee. Surprise us this time and do not allow the rezoning to go forward. Other development of a more appropriate level can take place near our homes. Virginia Satterfield and Mary Cooper Family. Brookwood Drive

5411 Capital Circle SW (TMA2023-003):

3534 Thomasville Rd (TMA2023-004):

Lambert Heights and Merrivale Rezoning (TMA2023-005):

Tharpe St at Old Bainbridge Rd (TMA2023-006):

Westwood Plaza (TMA2023-007):

Southside Action Plan (TTA2023-009):

Virginia P Satterfield
1213 BROOKWOOD DR
Tallahassee FL 32308
virginia.satterfield@gmail.com

From: [Mohrman, Melinda](#)
To: [Kirsten Olsen](#); [Fortunas, Jacob](#)
Cc: [Nicolle Leider](#)
Subject: RE: One more question - 1718 Mahan
Date: Monday, February 6, 2023 9:11:00 AM
Attachments: [image001.png](#)

Hi Kirsten,

You can find the agenda for the Local Planning Agency Public Hearing at the link below.

[Planning | Tallahassee Leon-County Local Planning Agency Agenda | PLACE \(talgov.com\)](#)

The meeting does allow for public comment. It is an in-person meeting with no virtual option. We've received about six written comments, with some folks following up with more questions. Those have been provided to the LPA with their meeting materials. As to your question on the Suburban land use- the option in front of the LPA is to recommend adoption or denial of a land use change to Urban Residential 2. Their recommendation will go to the City Commission for final adoption (or denial) on March 22. A land use change to Suburban is not what they will be voting on. Let me know if I can be of further assistance.

Best,

Mindy Mohrman

Administrator- Comprehensive Planning/
Urban Forester

ISA Certified Arborist/Municipal Specialist MW-4433AM

Tree Risk Assessment Qualified

Tallahassee-Leon County Planning Dept.

Comprehensive Planning & Urban Design

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From: Kirsten Olsen <kolsenus@yahoo.com>
Sent: Sunday, February 5, 2023 1:25 PM
To: Fortunas, Jacob <Jacob.Fortunas@talgov.com>; Mohrman, Melinda <Melinda.Mohrman@talgov.com>

Cc: Nicolle Leider <nicolle.leider@gmail.com>

Subject: One more question - 1718 Mahan

*****EXTERNAL EMAIL*****

Please report any suspicious attachments, links, or requests for sensitive information.

Hello,

One more question - the developer's original application is for a change to Suburban. The City recommends Urban Residential-2. So, can the officials recommend either one? Or something else? Or just Urban Residential - 2?

Thank you,
Kirsten

Kirsten Olsen

850-294-0538

Hi!

I look forward to seeing you on Tuesday.

Do you know when in the meeting our item will come up?

This meeting does allow public comment, correct?

Is Zoom comment allowed?

Also, how many comments did you receive? My husband had arm surgery so I'm behind, but I will be there in person :)

Thank you,
Kirsten

Kirsten Olsen

850-294-0538



2023 Comprehensive Plan Amendment Cycle
TMA2023003
5411 Capital Circle SW



SUMMARY

| | | |
|---|--|--|
| Property Owners: Crossway Land Group, LLC | Property Location: 5411 Capital Circle SW | Amendment Type: City Small Scale Map Amendment |
| Applicant: Behzad Ghazvini, Sandco, Inc. | | |
| TLCPD Staff: Stephen M. Hodges | Current Future Land Use & Zoning: Future Land Use: Heavy Industrial Zoning: Industrial | LPA Recommendation: Adoption |
| Contact Information: stephen.hodges@talgov.com (850) 891-6408 | Proposed Future Land Use & Zoning: Future Land Use: Suburban Zoning: General Commercial | Staff Analysis: Consistent |
| Date: 12/5/22 | Updated: 2/8/23 | |

A. EXECUTIVE SUMMARY

If approved, this map amendment would change the allowable uses on a 3.23-acre parcel at the corner of Capital Circle SW and Woodville Highway from industrial uses to a mix of residential, commercial and retail uses.

The subject site is a 3.23-acre parcel (31-19-20-621-0000) bounded by Woodville Highway to the east, Capital Circle SW to the south, and Crossway Road to the north. It is currently accessible from Capital Circle SW and Crossway Road.

The applicant, Behzad Ghazvini, Sandco, Inc., is requesting a change to the Future Land Use Map (FLUM) from Heavy Industrial to Suburban on the subject site. The requested amendment would allow increased residential densities up to 20 units per acre as well as a variety of non-residential uses including commercial, retail, and office. The applicant is requesting a zoning district that primarily allows retail and commercial uses. The site is within the Urban Services Area and infrastructure is available to support increased density and a variety of non-residential uses allowed by the requested zoning district.

A rezoning application for the subject site will be processed concurrently with this amendment. A zoning change from Industrial (I) to General Commercial (C-2) has been requested to implement the proposed amendment to the Future Land Use Map. The proposed zoning allows for a maximum density of 16 units per acre.

Based on staff analysis, the current Heavy Industrial land use designation is under-utilized in the area. Current land use and infrastructure trends allowing medium to high density residential uses and commercial uses reflect a trend towards increasing residential and commercial development. The proposed amendment is consistent with surrounding uses and other recent land use changes.

This step of the development process determines consistency with the Goals, Objectives, and Policies in the Tallahassee-Leon County Comprehensive Plan. The concurrent rezoning determines the allowed uses and the density (number of dwelling units per acre) of development on the site. In reviewing this request, a determination must be made as to whether the present Industrial land use designation is appropriate or whether the Future Land Use Map should be amended to re-designate the area as requested. Included in this consideration are the following: (1) does the area meet the criteria for designation as Industrial, and (2) does the area better meet the criteria for Suburban? The staff analysis indicates that industrial uses in the area are underutilized and uses are shifting to residential uses and commercial uses more compatible with adjacent areas. The area does meet the criteria for the Suburban land use.

If the Land Use and/or Zoning changes are approved, the next step in the development process is site plan review and permitting. The site plan stage of development evaluates a proposed development plan for consistency with City or County Code requirements for stormwater treatment and attenuation, environmental protection, traffic impacts, concurrency, school impacts, buffers, open space requirements, and all other applicable development standards.

B. APPLICANT'S REASON FOR THE REQUESTED CHANGE

The applicant, Behzad Ghazvini, Sandco, Inc., has stated that they are seeking this land use change to allow for fuel sales, groceries, and a small deli or restaurant.

C. LOCAL PLANNING AGENCY (LPA) RECOMMENDATION

The LPA voted unanimously at their public hearing on February 7, 2023 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 they subsequently recommend **adoption** of the proposed amendment.

At that same meeting, the LPA voted unanimously 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 they subsequently recommend **adoption** of the proposed rezoning.

D. STAFF ANALYSIS

Staff finds 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.

Staff finds 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.

E. CONSISTENCY WITH THE COMPREHENSIVE PLAN

The criteria required for consideration of a proposed Future Land Use Map change include consistency with the Tallahassee-Leon County Comprehensive Plan, conformance with the Tallahassee or Leon County Zoning Code, land use compatibility, changed conditions on the site and other matters deemed relevant and appropriate.

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

Policy 2.2.5 [L] states the Suburban land use category is intended 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. The area surrounding the subject site is transitioning to more residential development including existing residential property to the east and south, and upcoming residential development to the southwest. Meanwhile, lands designated Industrial are under-utilized or are vacant.

Policy 2.2.5 [L] also states that to complement residential aspects of this development pattern, recreational opportunities, cultural activities, commercial goods and services should be located nearby. The property is located near the St. Marks. Trail, Apalachicola National Forest, shopping and commercial opportunities, and existing, recently built, and upcoming residential development.

Policy 2.2.5 [L] also states that 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. The property is adjacent to Capital Circle SW and Woodville Highway, both Principal Arterial roads.

The proposed amendment is also consistent with the goals of the adopted Southside Action Plan and proposed text amendment to Goal 11: [L] Southern Strategy Area, which formally renames it as the Southside Action Plan.

Goal 11: [L] – Southern Strategy Area is intended to encourage quality land development and redevelopment which results in increased population growth in the southern part of the Tallahassee urban area, to retain and increase employment opportunities, and to attain an income mix that is comparable to the remainder of the urbanized County.

Objective 11.3: [L] - Attraction of Development states that based on the need to reduce infrastructure and public service delivery costs, enhance urban core stability, protect natural resources, and reduce economic disparity, it is intended that new development be directed into the Southern Strategy Area by making areas inside the urban core and Southern Strategy Area more attractive to development than development at the edges of the urbanized area. Under the current land use the subject site is vacant. The proposed Suburban land use provides opportunity to develop the property with retail and commercial uses consistent with surrounding uses and development trends.

Objective 11.2 [L] – Investment Direct collaborative efforts of both the public and private sectors towards an increase of homeownership, diverse development and redevelopment types, business variety, and infrastructure in the Southside Community. The proposed land use change will activate the currently vacant subject site, allow for a variety of development types more consistent with surrounding uses, and provide economic and employment opportunities to the Southside Community, aligning with the goals of the Southside Action Plan.

F. SUMMARY OF FINDINGS

Staff presents the following findings of fact:

History and Background

The subject site is a 3.23-parcel (31-19-20-621-0000) bounded by Woodville Highway to the east, Capital Circle SW to the south, and Crossway Road to the north. It is currently accessible from Capital Circle SW and Crossway Road.

Land Use Changes

The development pattern in this general area, at least along Capital Circle SW and Woodville Highway, is slowly changing from industrial to commercial and residential. The Circle K fueling station and convenience store on the NW corner of the intersection of Capital Circle SW and Woodville Highway was changed in 2000 from Industrial with Industrial zoning to Suburban with General Commercial zoning. A multi-family residential development was constructed approximately 0.1 miles south of Capital Circle SW and west of Woodville Highway in 2004. This development, and an adjacent vacant parcel north and west of the residential development, has a future land use map designation of Suburban with a mix of Commercial Parkway (CP) and Medium Density Residential (MR-1) zoning. The area currently zoned CP was changed from Single Family Detached, Attached Two-Family Residential (R-3) zoning in 2001, and the area currently zoned MR-1 was changed from CP in 2002.

Previous Commission Consideration

In 1997, the subject site and parent parcel is part of a larger area that was changed from the Mixed Use FLUM category to Heavy Industrial. The adjacent two parcels where the Circle K is currently located were rezoned from Industrial (I) to General Commercial (C-2) in 2000 following a FLUM change from Heavy Industrial to Suburban during that same year.

Southside Action Plan (Southern Strategy Area)

On January 18, 2023 the City Commission adopted the Southside Action Plan and initiated the proposed Southside Action Plan into the 2023 Comprehensive Plan Amendment Cycle. The amendment updates Goal 11: [L] Southern Strategy Area and formally renames it as the Southside Action Plan. According to Goal 11, “The goal of the Southern Strategy is to encourage quality land development and redevelopment which results in increased population growth toward the southern part of the Tallahassee urban area, to retain and increase employment opportunities, and to attain an income mix in the Southern Strategy Area that is comparable to the remainder of the urbanized County.”

Related policies addressing this area include the establishment of criteria for promoting improvements needed in this area, including “Positive impact to the Southern Strategy Area” as one of the criteria. Additional policies emphasize the encouragement of new businesses and the reuse of existing vacant developments in order to foster economic development and the creation of new jobs.

Recent Changes in Land Use and Zoning

On June 14, 2022, both the City Commission and Leon County Board of County Commissioners approved a large-scale map amendment LMA202202 (Woodville Highway) to the Tallahassee-Leon County 2030 Comprehensive Plan. This Map Amendment was a request to change the Future Land Use Map (FLUM) designation from Planned Development (PD) and Rural (R) to Suburban (SUB) on approximately 154.09 acres. The site of that amendment is located at the intersection of Woodville Highway and Capital Circle SE. The property consists of two parcels, one within City limits and one in unincorporated Leon County.

At this meeting, the Board also approved a proposed Ordinance amending the Official Zoning Map to change the zoning classification from Rural (R) zoning district to Single Detached, Attached, and Two Family Residential (R-3) zoning district concurrent with the large-scale map amendment LMA202202 (Woodville Highway). Furthermore, the Board also approved a proposed Ordinance adopting text amendment LTA202201 (Urban Services Area) to the Tallahassee-Leon County 2030 Comprehensive Plan.

The large-scale map amendment to Suburban and concurrent rezoning to R-3, allows low-density residential development at a density up to eight dwelling units per acre. This change of land use and its concurrent rezoning is consistent with recent residential and commercial development within the southeast corner of Capital Circle SW and Woodville Highway.

Other Planning Priorities

The proposed land use amendment provides an opportunity to redevelop an old industrial land use area into a mixed-use development adjacent to the St. Marks Historical Rail Trail. This could provide trail users with additional services and offers an alternative transportation facility for employees, customers, residents, and others who may work at and/or patronize new businesses permitted on or near the subject area. This is consistent with the Tallahassee – Leon County Greenways Master Plan, which proposes a comprehensive system of multiuse trails throughout the urban area of Tallahassee and Leon County that not only provides access to many parks, greenways, and other conservation areas, but also provides an alternative transportation network for pedestrians, bicyclists, and other non-motorized vehicles.

Current and Proposed Future Land Use Categories

The subject site is currently designated Heavy Industrial on the FLUM. The proposed amendment would change the FLUM designation of the property to Suburban. A summary of the current and proposed FLU categories is below, and a comparison of permitted uses is provided in Section G. The complete comprehensive plan policies for Heavy Industrial (Policy 2.2.7 [L]) and Suburban (Policy 2.2.5 [L]) are included as Appendix #1.

Heavy Industrial (Current)

The Heavy Industrial future land use category contains industrial uses which have or may have substantial off-site impacts. These areas have locational criteria more stringent than residential or commercial. Off-site impacts require extensive buffering and/or relative distance from other land uses. Ancillary commercial uses designed to serve adjacent workers may be permitted. Other commercial and residential land uses are prohibited due to the encroachment factor.

No additional property shall be designated with the Heavy Industrial Land Use category. Amendments to the Future Land Use Map adopted for the purposes of developing heavy industrial uses shall be designated with the Industry and Mining Land Use category.

Suburban (Proposed)

The Suburban FLUM category allows a mixture of office, commercial uses, and residential densities up to 20 units per acre. The Suburban land use category is intended 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.

Determination for Future Land Use Map Amendment

1) Does the area meet the criteria for designation as the current land use designation of Industrial (I)?

No. Land uses on nearby properties currently categorized as Industrial are being utilized for other purposes other than traditional industrial uses or are vacant. The uses on the subject site have transitioned from storage of concrete culverts and construction materials to the storing of vehicles.

In addition, eight (8) of the 33 parcels in this area that are currently designated as Heavy Industrial are also identified as vacant by the Leon County Property Appraiser. These properties have previously been used for the temporary storage of automobiles and other vehicles, and several have been mined for sand or other mineral resources.

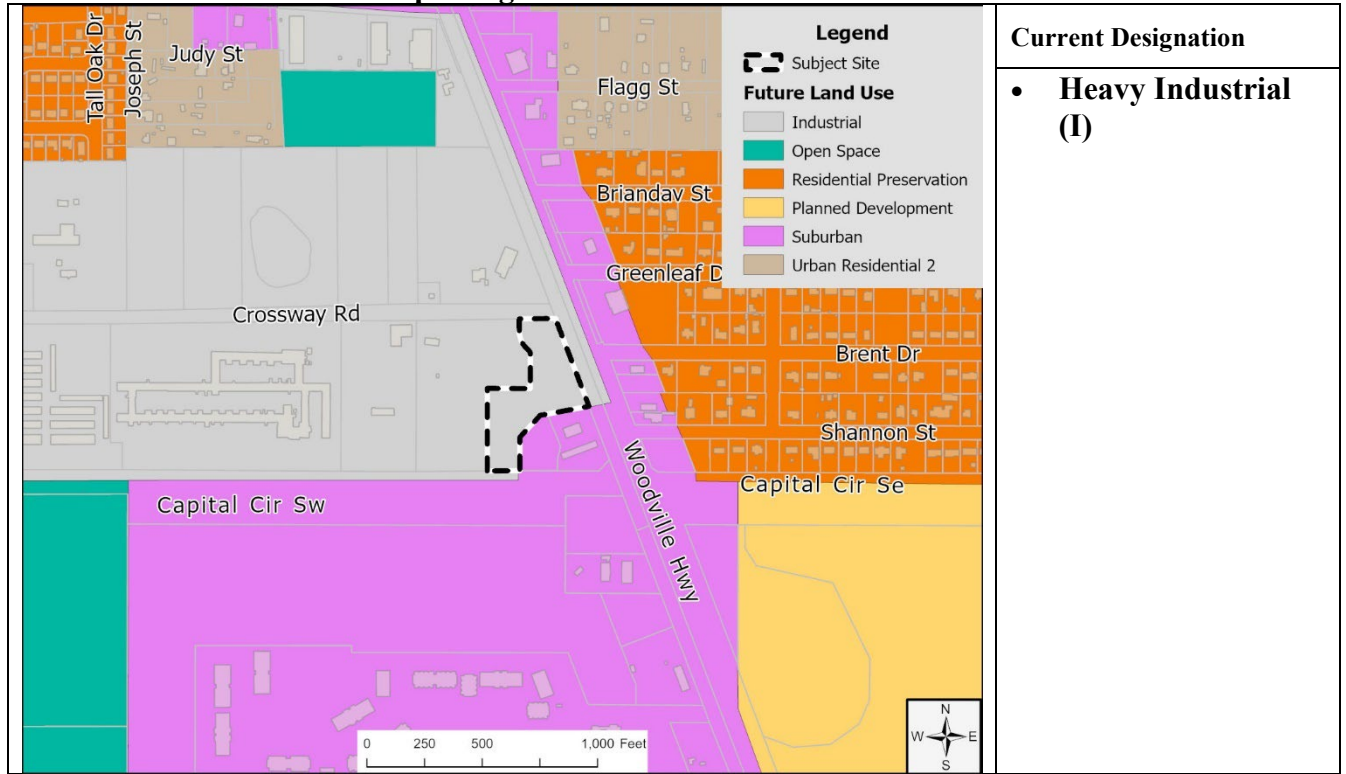
The area around the intersection of Woodville Highway and Capital Circle SW is changing as more residential areas are planned and developed, including a nearby multifamily residential complex southwest of this intersection and a recent change of land use and zoning for 154.1 acres on the southeast corner of this intersection from Planned Development (PD) and Rural (R) to Suburban (SUB) with Single Detached, Attached and Two Family Residential (R-3) zoning.

2) Does the area better meet the criteria for the proposed land use designation of Suburban (SUB)?

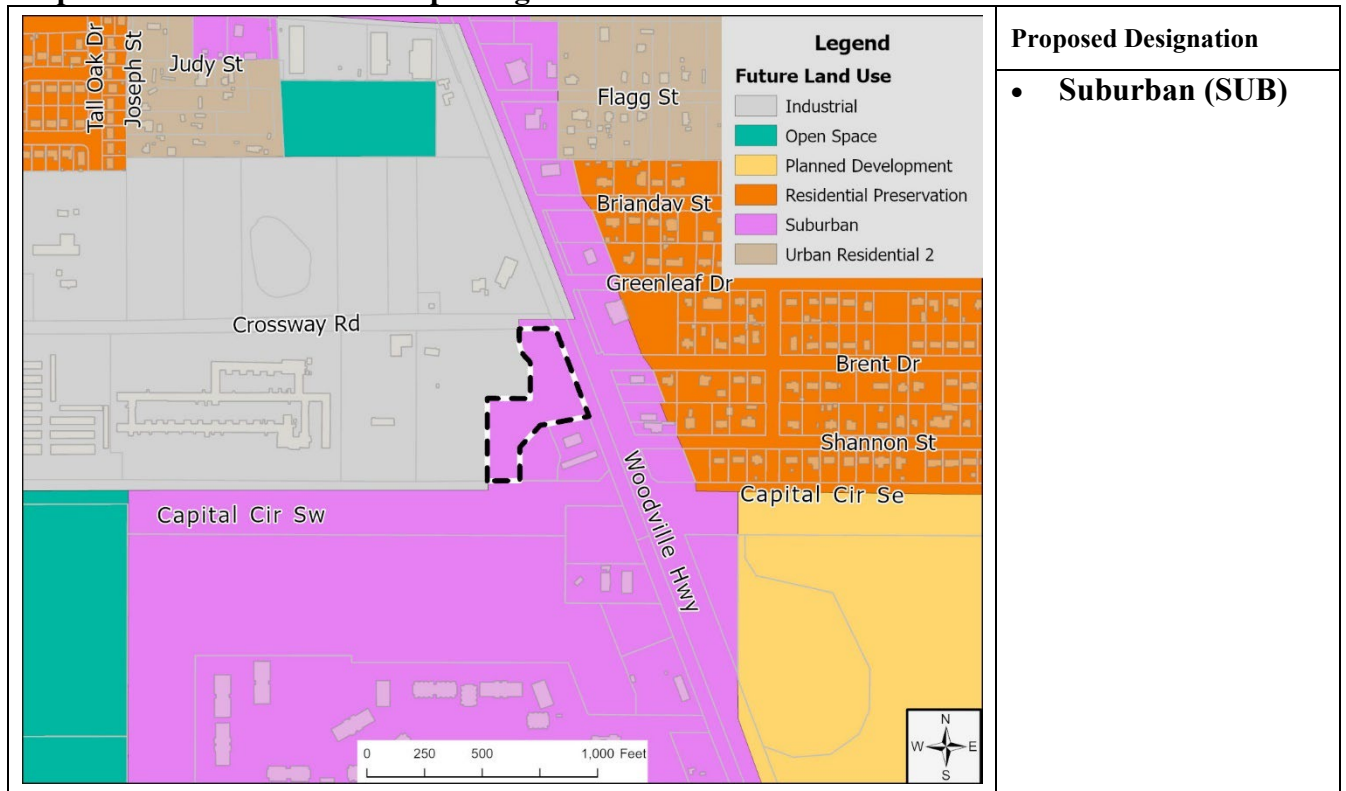
Yes. Given the recent land use and zoning changes on nearby properties, and the recent permitted residential land uses around the intersection of Woodville Highway and Capital Circle SW, the proposed SUB land use designation for the subject site appears consistent with these uses and the development trends within this area of the City. In addition, all four corners surrounding the intersection of Woodville Highway and Capital Circle SW are currently designated Suburban. The expansion of Capital Circle from two lanes to six (and the eventual widening of Capital Circle SE to and beyond the Tallahassee International Airport) reflect a trend towards increasing residential and commercial development, especially given the additional transportation capacity these widening projects provide.

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

Current Future Land Use Map Designation



Proposed Future Land Use Map Designation



Zoning

A concurrent rezoning is requested for this site. The site is currently zoned Industrial (I). The proposed rezoning would change the zoning designation to General Commercial (C-2). A summary of the current and proposed zoning categories is below, and a comparison of permitted uses is provided in Section G. The Land Development Code sections for Sec. 10-172. Industrial District and Section 10-256. C-2 General Commercial District zoning are included as Appendix #2.

Industrial (I) (Current)

The purpose and intent of the industrial zoning district is to establish the appropriate location for the manufacturing, distribution, wholesaling, or storage of raw material, partially finished products or finished products characterized by one or more of the following attributes:

- a. Potential for producing detectable off-site impacts--smoke, dust, dispersion of particulate matter, noxious or odorous gases, or any other air pollution;
- b. Potential for producing detectable off-site water pollution, including thermal pollution;
- c. The storage, manufacture, processing, or distribution of any radioactive waste, explosive, or flammable materials;
- d. The creation of noise or vibration not compatible with residential, agricultural, or commercial activities; or
- e. Any use generating or storing, whether temporarily or permanently, more than one thousand (1,000) kilograms of hazardous waste per month.

The industrial district will accommodate land uses that have considerable impacts upon infrastructure and utilities; particularly upon transportation (rail and highway systems), water, natural gas, wastewater treatment, and electricity. The location of the industrial district and the standards required by the industrial district will ensure that industrial uses will have access and facilities for truck and/or rail shipment, transfer, or delivery. The industrial district is not intended to facilitate the shipment, transfer, or delivery of goods via passenger automobile traffic.

The industrial district will also allow industrial parks, transportation and communication facilities, as well as the manufacture, storage, or distribution of products unlikely to cause objectionable impacts to be detected off-site. Ancillary commercial uses, such as offices, restaurants, designed and limited to serve persons working in the district are allowed. Other commercial and residential land uses are not allowed in the industrial district; they would not be compatible with the uses that the industrial district is intended for and would, in addition, have the potential to encroach upon or displace industrial uses, for which appropriate locations are at a premium.

General Commercial (C-2) (Proposed)

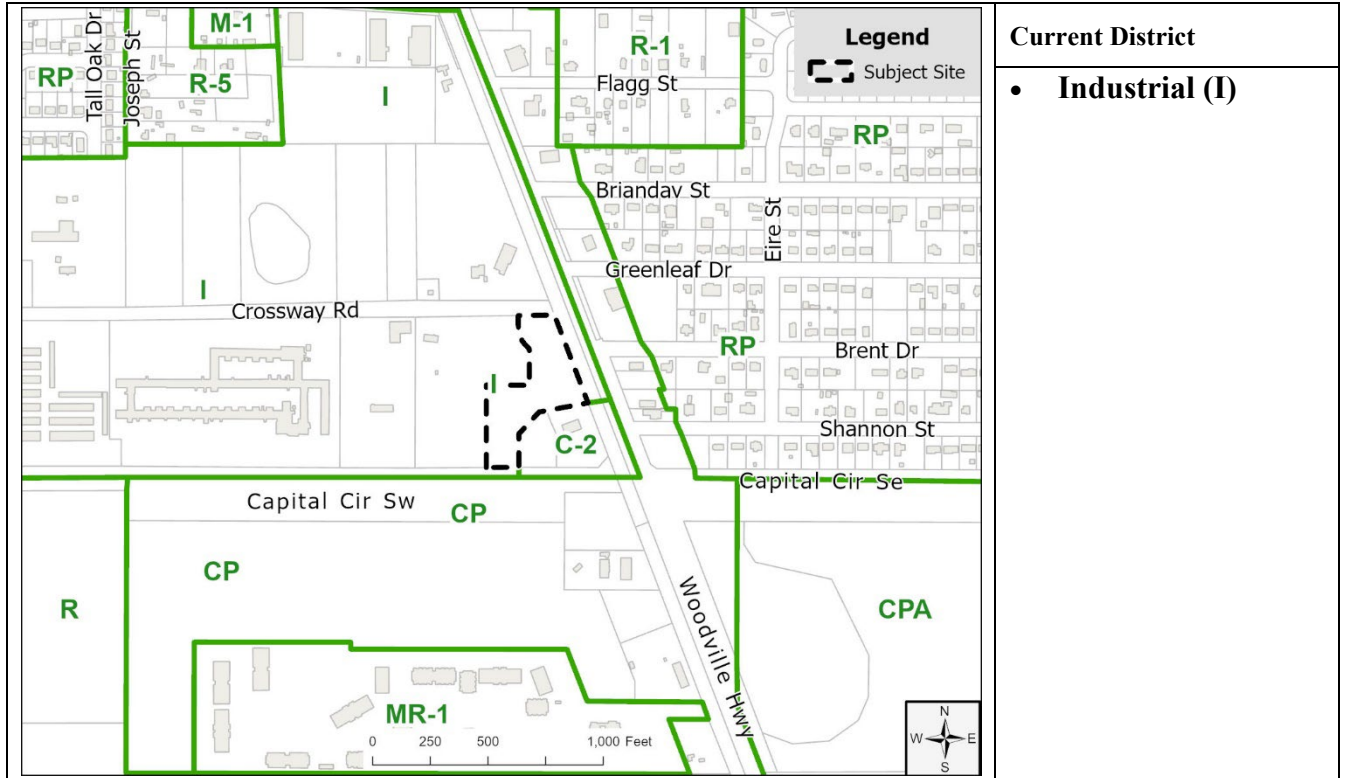
The C-2 district is intended to be located in areas designated Suburban on the Future Land Use Map of the Comprehensive Plan and shall apply to areas with direct access to major collectors or arterial roadways located within convenient traveling distance to several neighborhoods, wherein small groups of retail commercial, professional, office, community and recreational facilities and other convenience commercial activities are permitted in order to provide goods and services that people use in close proximity to their homes.

Determination for Concurrent Rezoning

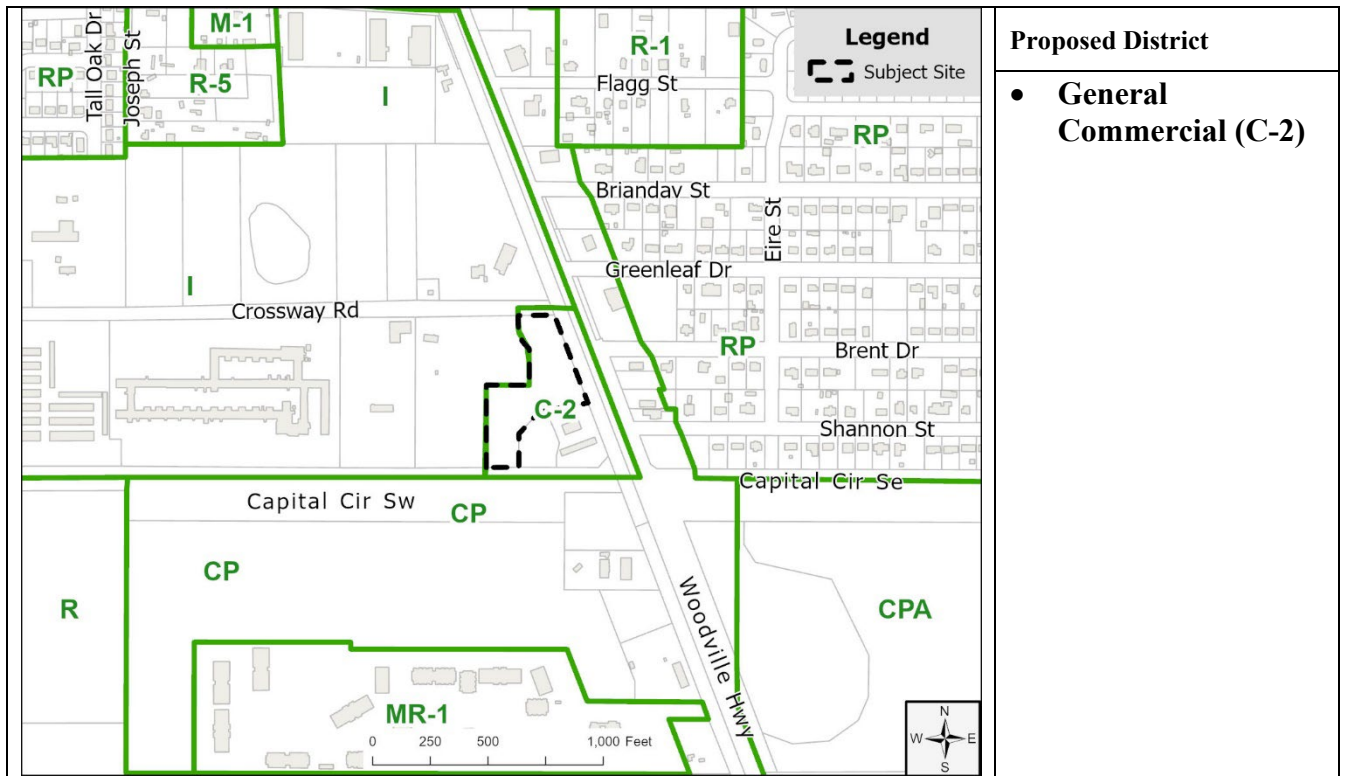
Provided the requested Future Land Use Map amendment is approved, the proposed General Commercial zoning district implements the Suburban land use category and conforms to the land development requirements of the C-2 zoning district. The requested FLUM designation is Suburban, and the subject site currently has direct access to Capital Circle SW, which is a principal arterial roadway. The site is located in close proximity to existing and planned residential areas and other commercial uses.

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

Current Zoning



Proposed Zoning



Compatibility with Adjacent and Surrounding Uses

The subject site is a 3.23-acre parcel that is mostly vacant. The subject site is located directly adjacent to an industrial use to the west with a commercial use west of that area, and south of several vacant parcels. A retail use is located directly SE of the subject site. A small vacant parcel is located south of the subject site. There are mixed warehouse, vacant, and retail uses on the east side of Woodville Highway, and some vacant, open space, and retail uses on the south side of Capital Circle SW. Eight of the 33 individual parcels within this area are currently designated as Vacant by the Leon County Property Appraiser.

The subject site is located adjacent to a principal arterial roadway with employment, shopping, and recreational opportunities.

Existing Land Use Map



Infrastructure Analysis

Water/Sewer

City water and sewer are available to the subject site.

Schools

The Subject Area is zoned for Oak Ridge Elementary School, Fairview Middle School, and Rickards High School.

All attendance zones in which the property is located have capacity for this project. Currently, Oak Ridge Elementary has a capacity of 310 with a post-development capacity of 304. Currently, Fairview Middle School has a capacity of 434 with a post-development capacity of 432. Currently, Rickards High School has a capacity of 436 with a post-development capacity of 434. Any future redevelopment of the area would follow the site plan review process. This process includes a school concurrency impact analysis.

Roadway Network

Woodville Highway and Capital Circle SW are classified as Principal Arterial roadways. The subject site is not within the Multimodal Transportation District. The planned expansion of Capital Circle from two lanes to six (and the eventual widening of Capital Circle SE to and beyond the Tallahassee International Airport) will provide additional transportation capacity. Transportation impacts and available concurrency calculations will be conducted when a site plan for proposed development is submitted. Stormwater mitigation, the nature of the proposed development, and other stipulations will reduce the total number of estimated trips calculated at this stage.

Pedestrian and Bicycle Network

The subject site is accessible via a sidewalk on the north side of Capital Circle NW and a multiuse/shared use path on the west side of Woodville Highway (St. Marks Trail) and the south side of Capital Circle SW. There are also bike lanes on both sides of Capital Circle SW.

Transit Network

The subject site is not currently accessible via StarMetro transit.

Environmental Analysis

The subject area is within the Wakulla Springs Priority Focus Area. There are no known sensitive environmental features or potential cultural resources on the subject site.

G. COMPARISON OF EXISTING AND PROPOSED ALLOWED USES

The Future Land Use Map provides a general pattern for the location, distribution, and character of land uses. The zoning category implements the underlying land use category and further regulates allowed and prohibited uses, building densities and intensity of uses, and site design specifics such as setbacks, parking requirements, infrastructure, and other land development issues. The following table summarizes the most common use categories.

| Permitted Uses- Future Land Use | Current Industrial (I) | Proposed Suburban (SUB) |
|--|-------------------------------|--------------------------------|
| Light Industrial | X | X |
| Mining | X | |
| Heavy Industrial | X | |
| Residential | Ancillary, 2 units/acre | 20 units/acre |
| Commercial Goods and Services | Ancillary | X |
| Administrative Offices | Ancillary | X |
| Retail | | X |
| Recreational | X* | X |
| Mixed-Use Development | | X |
| Community Services | | X |

* Provided as an accessory to a permitted use established within the district for use by employees, management, and their guests.

| Permitted Uses- Zoning (See Zoning charts in Attachments #2 for detailed uses) | Current Industrial (I) | Proposed C-2 |
|---|-------------------------------|--|
| Industrial | X | |
| Residential | Ancillary | 8-16 units/acre 2 nd Floor |
| Commercial | Ancillary | X |
| Administrative Offices | Ancillary | X |
| Retail | | X |
| Restaurant/Bar | | X |
| Community Facilities | | X |
| Automotive Service/Repair; Gas Station | | X |
| Medical Offices | | X |

H. PUBLIC OUTREACH AND NOTIFICATION

An initial mailing was sent to 198 property owners within 1,000 feet of the subject site.

| | Public Outreach | Date Completed |
|---|---|---|
| X | Applications posted to Planning Website | 10/12/22 |
| X | Notices Mailed to Property Owners, Renters, and Homeowners Associations within 1000 feet | 11/16/22 |
| X | Signs providing details of proposed land use posted on subject site | 11/22/22 |
| X | Public Open House | 12/8/22 |
| X | Staff Reports Available Online https://www.talgov.com/place/pln-cp-2023 | 1/3/23 |
| X | Email Subscription Notice sent to all users of service | 8/2/22 8/31/22 9/14/22 11/15/22 1/4/23 1/31/23 |
| X | Legal Ads posted | 12/30/22 1/27/23 |

Public Open House – A Public Open House was held on December 8, 2022, at the Frenchtown Renaissance Center. There were approximately 16 people in attendance. Staff provided an overview of the application received and the land use amendment (and concurrent rezoning) being requested. There were no questions or concerns regarding this 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 Meetings | | Date Completed |
|----------------|--|----------------|
| X | Local Planning Agency Workshop | 1/10/23 |
| X | Local Planning Agency Public Hearing | 2/7/23 |
| | Joint City-County Commission Workshop | |
| | Transmittal Public Hearing [If Applicable] | |
| | Adoption Public Hearing | |

Local Planning Agency Workshop – A workshop was held on January 10, 2023 to discuss the proposed 2023 Cycle amendments. Staff provided an overview of the proposed amendments and details of the preliminary analyses for the amendments. There were no questions from the LPA that resulted in updates to this staff report.

Local Planning Agency Public Hearing – A public hearing was held on February 7, 2023 to vote on the proposed 2023 Cycle Amendments. The LPA found 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 recommended ADOPTION of the proposed amendment. They also found 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 recommended APPROVAL of the proposed rezoning. There were no public speakers on this item other than the applicant’s representative, who introduced herself and offered to answer any questions.

J. APPENDICES

- Appendix #1: Comprehensive Plan policies relevant to the proposed amendment
- Appendix #2: Land Development Code sections relevant to the proposed amendment and/or rezoning
- Appendix #3: Photo of signs providing details of proposed land use and zoning changes posted on subject site

APPENDIX 1 - Comprehensive Plan policies

Policy 2.2.7: [L]

HEAVY INDUSTRIAL (EFF. 12/10/91; REV. EFF. 7/26/06; RENUMBERED 3/14/07; REV. EFF. 5/31/18)

Contains industrial uses which have or may have substantial off-site impacts. These areas have locational criteria more stringent than residential or commercial. Off-site impacts require extensive buffering and/or relative distance from other land uses. Ancillary commercial uses designed to serve adjacent workers may be permitted. Other commercial and residential land uses are prohibited due to the encroachment factor. No additional property shall be designated with the Heavy Industrial Land Use category. Amendments to the Future Land Use Map adopted for the purposes of developing heavy industrial uses shall be designated with the Industry and Mining Land Use category.

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/ACRE ⁽⁴⁾ | 10,000 SQ FT/ACRE | 65-80% |
| Low Density Residential Office | Residential, Office, Recreation, Light Infrastructure & Community Service | 0 to 8 UNITS/ACRE ⁽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 | 65-80% |
| Medium Density Residential Office | Residential, Office, Ancillary 1 st Floor Commercial, Recreation, Light Infrastructure, Community Service & Post-Secondary Schools | 8 to 20 UNITS/ACRE | 20,000 SQ FT/ACRE ⁽⁵⁾ | |

| Development Patterns | Allowed Land Uses | Gross Residential Density | Non-Res Intensity | Percentage Mix of Uses |
|-------------------------|--|-----------------------------------|---|------------------------|
| 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/ACRE ⁽³⁾ | Up to 20,000 SQ FT/ACRE ⁽³⁾ | 35-50% |
| Suburban Corridor | Residential, Office, Commercial, Recreation, Light & Heavy Infrastructure & Community Service | Up to 16 UNITS/ACRE | Up to 25,000 SQ FT/ACRE ⁽⁸⁾ | |
| Medical Center | Residential, Office, Commercial, Recreation, Light Infrastructure & Community Service | 6 to 20 UNITS/ACRE ⁽³⁾ | 80,000 SQ FT/ACRE ⁽²⁾ | |
| Business Park | Office, Residential and Commercial | Up to 16 UNITS/ACRE | 20,000 SQ FT/ACRE | 5-10% |
| 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/DEVELOPMENT | 20,000 SQ FT/ACRE ⁽⁹⁾ | |

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.

APPENDIX 2 - Land Development Code sections

Sec. 10-172. Industrial District – Purpose and intent; permitted and prohibited uses.

(a) Purpose and intent.

- (1) The purpose and intent of this industrial district is to establish the appropriate location for the manufacturing, distribution, wholesaling, or storage of raw material, partially finished products or finished products characterized by one or more of the following attributes:
 - a. Potential for producing detectable off-site impacts--smoke, dust, dispersion of particulate matter, noxious or odorous gases, or any other air pollution;
 - b. Potential for producing detectable off-site water pollution, including thermal pollution;
 - c. The storage, manufacture, processing or distribution of any radioactive waste, explosive, or flammable materials;
 - d. The creation of noise or vibration not compatible with residential, agricultural, or commercial activities; or
 - e. Any use generating or storing, whether temporarily or permanently, more than one thousand (1,000) kilograms of hazardous waste per month.
 - (2) The industrial district will accommodate land uses that have considerable impacts upon infrastructure and utilities; particularly upon: transportation (rail and highway systems), water, natural gas, waste water treatment, and electricity. The location of the industrial district and the standards required by the industrial district will ensure that industrial uses will have access and facilities for truck and/or rail shipment, transfer, or delivery. The industrial district is not intended to facilitate the shipment, transfer, or delivery of goods via passenger automobile traffic.
 - (3) The industrial district will also allow industrial parks, transportation and communication facilities, as well as the manufacture, storage, or distribution of products unlikely to cause objectionable impacts to be detected off-site. Ancillary commercial uses, such as offices, restaurants, designed and limited to serve persons working in the district are allowed. Other commercial and residential land uses are not allowed in the industrial district; they would not be compatible with the uses that the industrial district is intended for and would, in addition, have the potential to encroach upon or displace industrial uses, for which appropriate locations are at a premium.
- (b) Allowable Uses. For the purpose of this chapter, the following land use type is allowed in the industrial zoning district and is controlled by the Land Use Development Standards of this chapter, the Comprehensive Plan, and List of Permitted Uses: Industrial
- (c) Lists of Permitted Uses.
- (1) Permitted uses: These are the principal uses and activities allowed in the industrial zoning district. This list of uses and activities is composed, to the extent possible, of major group classifications in the Standard Industrial Code (SIC). These major group classifications are very broad; the SIC lists many other more specific industrial activities within these classes; unless specifically prohibited elsewhere in this section, these uses and activities are considered as permitted in this district. Other uses and activities not classified within the SIC, but appropriate for location within the industrial district are also listed as permitted in this district. Further information concerning what uses are considered allowable in the industrial district may be obtained by telephoning the city- county

planning department. Chapter 9, article III of this Code sets forth the development approval process required for permitted, restricted, special exception, and planned unit development uses.

a. The following uses are permitted uses:

- #10 Metal mining.
- #13 Oil and gas extraction.
- #14 Mining and quarrying of non-metallic minerals.
- #15 Building construction--general contractors and operative builders.
- #16 Heavy construction other than building construction contractors.
- #17 Construction--special trade contractors.
- #20 Food and kindred products--processing and manufacture.
- #21 Tobacco products--processing and manufacture.
- #22 Textile mill products processing and manufacture.
- #23 Apparel and other finished products made from fabrics and similar materials--processing and manufacture.
- #24 Lumber and wood products, except furniture--cutting, milling, sawing, production, manufacture.
- #25 Furniture and fixtures—manufacture.
- #26 Paper and allied products--processing and manufacture.
- #27 Printing, publishing, and allied industries--publishing and publishing processes.
- #28 Chemicals and allied products—production.
- #29 Petroleum refining and related industries--processing, refining, manufacture.
- #30 Rubber and miscellaneous plastic products—manufacture.
- #31 Leather and leather products--processing and manufacture.
- #32 Stone, clay, glass, and concrete products—manufacture.
- #33 Primary metal industries--smelting, refining, manufacture.
- #34 Fabricated metal products, except machinery and transportation equipment—fabricating.
- #35 Industrial and commercial machinery and computer equipment—manufacture.
- #36 Electronic and other electrical equipment and components, except computer equipment—manufacture.
- #37 Transportation equipment--assembly and manufacture.
- #38 Measuring, analyzing, and controlling instruments; photographic, medical and optical goods; watches and clocks—manufacture.
- #39 Miscellaneous manufacturing industries.
- #40 Railroad transportation.
- #41 Local and suburban transit and interurban highway passenger transportation.
- #42 Motor freight transportation and warehousing.
- #43 United States Postal Service.
- #45 Transportation by air.
- #46 Pipelines, except natural gas.
- #47 Transportation services.
- #48 Communications.
- #49 Electric, gas, and sanitary goods.
- #50 Wholesale trade--durable goods.
- #51 Wholesale trade--non-durable goods.
- #5984 Liquefied petroleum gas (bottled gas) dealers.
- #7211 Commercial power laundries.
- #7212 Garment pressing.

#7213 Linen supply.
 #7216 Dry-cleaning plants.
 #7217 Carpet and upholstery cleaning.
 #7218 Industrial launderers.
 #7261 Funeral services and crematories.
 #7342 Disinfecting and pest control services.
 #7349 Building cleaning and maintenance services.
 #735 Miscellaneous equipment rental and leasing.
 #7381 Armored car service; rental of dogs for protective services.
 #7384 Photo finishing laboratories.
 #7389 Auctioneering service on a commission or fee basis.
 #7389 Automobile recovery service.
 #7389 Field warehousing, not public warehousing.
 #7389 Packaging and labeling service; parcel packing.
 #7389 Recording studios.
 #7389 Repossession service.
 #7389 Water softener service.
 #7389 Window tinting.
 #7513 Truck rental and leasing, without drivers.
 #7519 Utility trailer and recreational vehicle rental.
 #966 Space research and technology.
 Biological research facilities.
 Chemical laboratories.
 Construction material storage and construction vehicle storage.
 Engineering laboratories
 Farm vehicle sales, storage, repair, auction.
 Food research/testing facilities.
 Incinerators.
 Industrial laboratories.
 Laboratories, testing of products.
 Research laboratories.
 Storage yards.
 Testing facilities.
 Truck, bus, heavy equipment garages: maintenance, repair, motor pools.
 Trucking terminals.
 Warehouses.

- b. The following uses are permitted as conditional uses: #7389, Business Services, Not Elsewhere classified. The Commission may add additional uses within the #7389 industry number to the list of uses permitted in this district. These uses may be added through resolution of the Commission so long as the use is consistent with the purpose and intent of this district and would not be likely to create incompatibilities with other uses permitted in this district.

- c. The following uses are permitted as accessory uses in this district:

#581 Eating and drinking establishments:

Allowed when located adjacent to a non-industrial zoning district and not adjacent to any residential preservation zoning district or existing residential development, except when that development is a

non-conforming land use. Such establishments may be no larger in size than 2,500 square feet; or, may be located within the interior of any permitted use.

#60 Depository institutions (banks/thrifts/credit unions, etc.):

Allowed when located adjacent to a non-industrial zoning district and not adjacent to any residential preservation zoning district or existing residential development, except when that development is a non-conforming land use. Such establishments may be no larger in size than 2,500 square feet; or, may be located within the interior of any permitted use.

#7363 Help supply services:

Allowed when located adjacent to a non-industrial zoning district and not adjacent to any residential preservation zoning district or existing residential development, except when that development is a non-conforming land use. Such establishments may be no larger in size than 2,500 square feet; or, may be located within the interior of any permitted use.

#7381 Security guard services:

Allowed when located adjacent to a non-industrial zoning district and not adjacent to any residential preservation zoning district or existing residential development, except when that development is a non-conforming land use. Such establishments may be no larger in size than 2,500 square feet; or may be located within the interior of any permitted use.

Recreational amenities:

Provided as an accessory to a permitted use established within the district for use by employees, management, and their guests.

(d) Prohibited uses: The following uses are prohibited within this district:

- (1) Landfilling
- (2) Permanent hazardous or toxic waste storage
- (3) Deep well injection of waste products
- (4) Biohazardous, hazardous, or toxic waste incineration
- (5) "Wholesale outlets" that sell to the general public are not permissible except for materials manufactured, or warehoused on site. True wholesaling is permitted.

Sec. 10-173. Same - Development Standards:

(a) Height limitations. In the industrial zoning districts all measurements are from the average base elevation at ground level to highest point, except as noted.

- (1) Habitable space (measured to highest floor elevation): 150 feet
- (2) Mechanical; Water tower: 200 feet
- (3) Antennae, transmission tower; transponder station: No limitation except, proof of notification of the Administrator of the Federal Aviation Authority is required for proposed construction or alteration of any structure of 200 feet height or greater as required per the Federal Aviation Regulations Part 77, Subchapter B.
- (4) Stack height limitations: 275 feet. A waiver may be obtained if following criteria are met: i) The height demonstrated by a fluid model or field study required and approved by the EPA, or the

Department of Environmental Regulation which ensures that the emissions from a stack do not result in excessive concentrations of any air pollutant as a result of atmospheric downwash, wakes, or eddy effects created by the source itself, nearby structures, or nearby terrain features ("nearby" shall be defined as per F.A.C. ch. 62-2); and ii) proof of notification of the Administrator of the Federal Aviation Authority of proposed construction or alteration of any structure of 200 feet in height or greater as required per the Federal Aviation Regulations, Part 77, Subchapter B.

- (b) Setbacks and yard requirements. Setbacks and yard requirements in the industrial zoning district shall be as follows:
- (1) Structures fronting, having a corner side adjacent to or otherwise adjoining streets or roadways that form zoning district boundaries shall be located no less than 50 feet from the property line along such roadway.
 - (2) Structures fronting on all other streets intended for public access shall be setback at least 20 feet from the property line along that street/roadway.
 - (3) Side setbacks from all other roadways/streets intended for public access should be setback at least 20 feet from the property line along such street/roadway.
 - (4) Access facilities intended primarily for loading/delivery of goods/materials and not to provide access by employees, customers and the general traveling public shall not be considered streets/roadways for the purpose of subsections (a) (1), (2), (3) of this section. Setbacks from such roadway/access facilities shall be sufficient to provide safe access.
 - (5) The required setback in all other instances shall be at least 8 feet from the nearest property line.
- (c) Minimum lot size. The minimum lot size in the industrial zoning district shall be 3,000 square feet.
- (d) Minimum lot frontage. The minimum lot frontage in the industrial zoning district shall be 30 feet.
- (e) Minimum lot coverage. All development in the industrial zoning district shall conform with applicable landscaping and natural area requirements and standards set forth in the EMO.
- (f) Maximum floor area ratio. Development in the industrial zoning district shall not be required to adhere to a maximum floor area ratio.
- (g) Open space standards. All development in the industrial zoning district shall comply with applicable open space requirements and standards set forth in the EMO.
- (h) Landscaping standards; visibility from other districts.
- (1) Buffering within the interior of the zoning district is not required; the provisions of section 10-177 are not applicable within the district. This district is intended to foster development of industrial uses and is not intended to protect non-industrial uses from industrial uses.
 - (2) Except in those instances described in subsection (h)(3) of this section, land uses in this district shall be required to place buffering between the industrial district land use and the adjoining land use consistent with the standards depicted in section 10-177.
 - (3) Land uses in this district adjacent to another zoning district which is undeveloped shall be required to place buffering to at least type C standards (see section 10-177) between the industrial land use and the adjoining district at the time of permitting of the industrial use.

- (i) Parking Requirements. For parking requirements in the industrial zoning district see article VI of this chapter.
- (j) Expansion of the District. Land shall be added to the industrial zoning district through rezoning only upon the simultaneous and concurrent amendment of the Future Land Use Map of the Comprehensive Plan to reflect the designation of additional land for industrial use. Additional land may be added to the industrial zoning district only upon the satisfaction of one of the two following requirements:
 - (1) The land to be added is adjacent to present district boundaries; or,
 - (2) The area to be included is at least sixty (60) acres in size.

The location of new industrial zoning district areas shall be based upon the following criteria: access to electric, natural gas, central water, and central sewer infrastructure; access to the Tallahassee Regional Airport, Interstate 10, rail service, or arterial highways; proximity to institutions of higher learning; proximity to the source of raw product or natural resource; proximity to employment force; low potential for environmental degradation (little or no anticipated impacts upon established biological communities and any "listed" species, minimal need for topographic changes, limited potential for adverse human health impacts); and, minimal potential for creating land use incompatibilities with existing or proposed development.

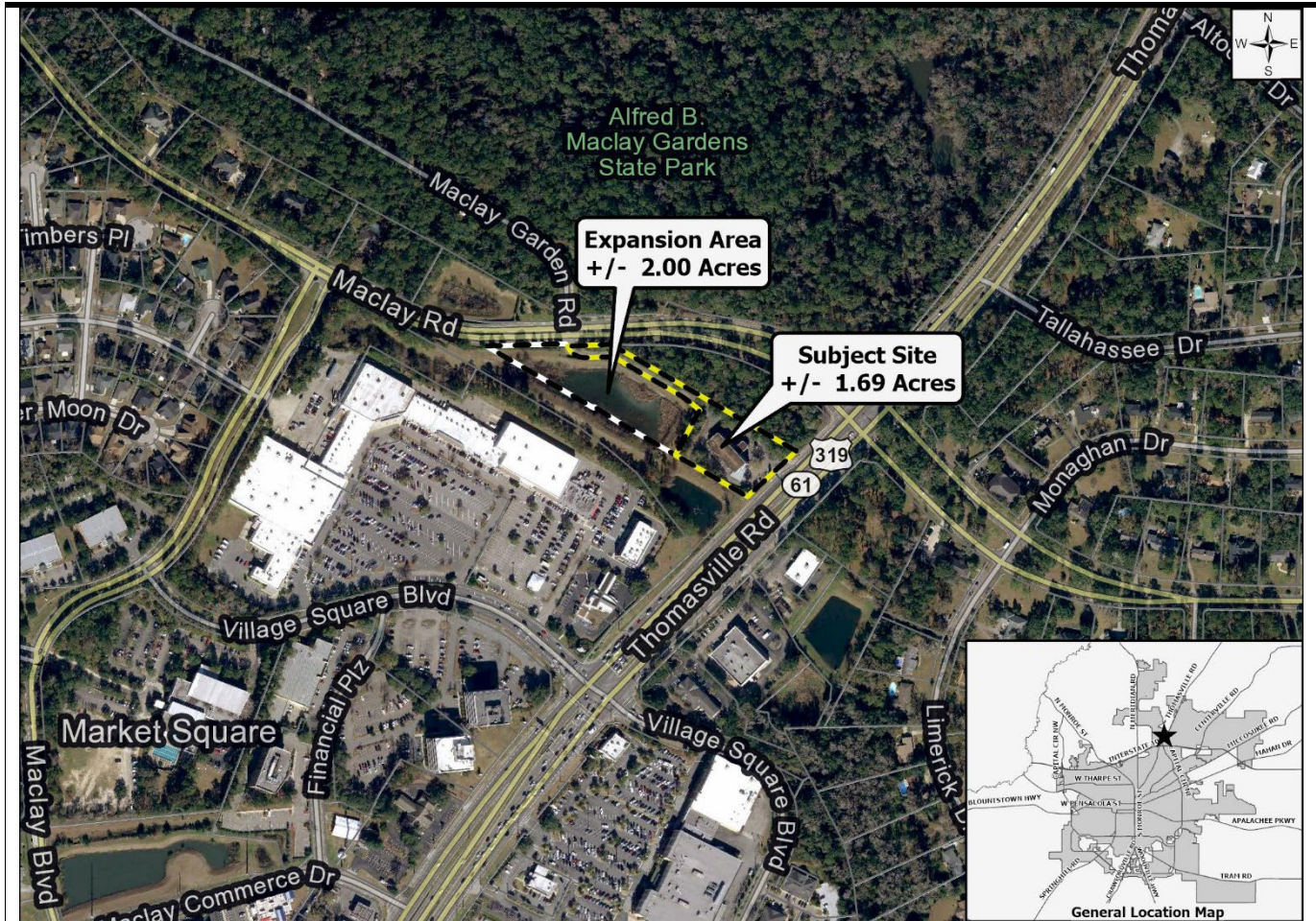
APPENDIX 3 - Photo of signs providing details of proposed land use and zoning changes posted on subject site







2023 Comprehensive Plan Amendment Cycle
TMA2023004
3534 Thomasville Road



SUMMARY

| Property Owners: | Property Location: | Amendment Type: |
|---|---|--|
| CW of Tallahassee | 3534 Thomasville Road | City Small Scale Map Amendment |
| Applicant: Casey W. Meeks, CW Meeks Construction Inc. | | |
| TLCPD Staff: Stephen M. Hodges | Current Future Land Use & Zoning: Future Land Use: Lake Protection Zoning: Lake Protection | LPA Recommendation: Adoption |
| Contact Information: stephen.hodges@talgov.com 850-891-6408 | Proposed Future Land Use & Zoning: Future Land Use: High Intensity Urban Activity Center Zoning: Activity Center | Staff Analysis: Consistent |
| Date: 12/5/22 | Updated: 2/8/23 | |

A. EXECUTIVE SUMMARY

If approved, this map amendment would change the allowable uses for properties in a 3.7-acre area in the southwest corner of the Thomasville Road and Maclay Road intersection from low-density residential development to high density residential, mixed use, and commercial uses. The subject site is designated Lake Protection on the Future Land Use Map and zoning atlas. This land use and zoning designation only intended for properties located within the Lake Jackson drainage basin. The subject site is located outside of the Lake Jackson drainage basin.

The subject site is a single parcel (11-05-20-003-0000) bounded by Thomasville Road to the east and connected to Maclay Road to the north. It is currently accessible from Thomasville Road and Maclay Road.

The applicant, Casey W. Meeks, CW Meeks Construction Inc., is requesting a change to the Future Land Use Map (FLUM) from Lake Protection to High Intensity Urban Activity Center (Activity Center). The requested amendment would increase allowable residential density on approximately 1.7 acres of land in incorporated northeast Leon County. The site is within the Urban Services Area and infrastructure is available to support the increased allowable density. Staff is recommending expanding the amendment to include an adjacent 2-acre parcel owned by the City of Tallahassee that has been excavated for a stormwater facility. The 2-acre site would continue operating as a stormwater facility and no change of use is anticipated at this time. This site and the subject site are both outside the Lake Jackson drainage basin boundary.

A rezoning application is being processed concurrently with this amendment. A zoning change from Lake Protection (LP) to Activity Center (AC) has been requested to implement the proposed amendment to the Future Land Use Map. The proposed zoning allows for a maximum density of 45 dwelling units per acre.

Based on staff analysis, the subject site and expansion site are not inside the Lake Jackson Drainage Basin. The intent of the Lake Jackson FLUM category is to limit development inside the Lake Jackson Drainage Basin. The subject site is adjacent to the High Intensity Urban Activity Center land use category, is currently developed with a vacant building, has access to pedestrian and bike facilities and a major arterial road, and is adjacent to uses consistent with the Activity Center designation.

This step of the development process determines consistency with the Goals, Objectives, and Policies in the Tallahassee-Leon County Comprehensive Plan. The concurrent rezoning determines the allowed uses and the density (number of dwelling units per acre) of development on the site. In reviewing this request, a determination must be made as to whether the present Lake Protection land use designation is appropriate or whether the Future Land Use Map should be amended to re-designate the area as requested. Included in this consideration are the following: (1) does the area meet the criteria for designation as Lake Protection, and (2) does the area better meet the criteria for Activity Center? As demonstrated in this staff report, the subject site does not meet the criteria for the current land use and zoning and does meet the criteria for the requested land use and zoning.

If the Land Use and/or Zoning changes are approved, the next step in the development process is site plan review and permitting. The site plan stage of development evaluates a proposed development plan for consistency with City or County Code requirements for stormwater treatment and attenuation, environmental protection, traffic impacts, concurrency, school impacts, buffers, open space requirements, and all other applicable development standards.

B. APPLICANT'S REASON FOR THE REQUESTED CHANGE

The applicant stated they are seeking this land use change to remove the parcel from the Lake Protection future land use category because the property is not within the Lake Jackson drainage basin, and therefore does not meet the criteria of the Lake Protection designation. The applicant is proposing the change the future land use to Activity Center to allow for the development and operation of a commercial uses.

C. LOCAL PLANNING AGENCY (LPA) RECOMMENDATION

The LPA voted unanimously at their public hearing on February 7, 2023 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 they subsequently recommend **adoption** of the proposed amendment.

At that same meeting, the LPA voted unanimously 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 they subsequently recommend **adoption** of the proposed rezoning.

D. STAFF ANALYSIS

Staff finds 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.

Staff finds 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.

E. CONSISTENCY WITH THE COMPREHENSIVE PLAN

The criteria required for consideration of a proposed Future Land Use Map change include consistency with the Tallahassee-Leon County Comprehensive Plan, conformance with the Tallahassee or Leon County Zoning Code, land use compatibility, changed conditions on the site and other matters deemed relevant and appropriate.

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

Policy 2.2.18 [L] states that the Lake Protection category is the basis for regulation and, where appropriate, limitation of development and redevelopment of land within the Lake Jackson Basin and that the bounds of this category are to be the Lake Jackson basin boundary adjusted to include contributing watersheds but excluding existing, more intensely developed areas south of Interstate 10 and areas outside the Urban Service Area.

Since the subject site and the adjacent stormwater facility are not located in the Lake Jackson drainage basin, this land use designation is inconsistent with Policy 2.2.18 [L].

Policy 2.2.9 [L] states that the High Intensity Activity Center future land use category is intended to “promote efficiency of the transportation system by consolidating trips and discouraging unabated sprawl of commercial activities.” The subject property is located near commercial services, employment opportunities, and recreational opportunities. The proposed land use would also be

accessible to people traveling via regional highways including Thomasville Road (US319/SR61) and Capital Circle NE (SR261). The availability of similar land uses near state highways and interstate roadways promotes efficiency of the transportation system as well as provides compatible uses in close proximity to these roadways.

Given the physical adjacency of the subject site and the stormwater facility to the existing development area currently designated as Activity Center to the south, its proximity to Thomasville Road, and the sidewalks and bicycle lanes in this area and along Thomasville Road, the proposed land use designation appears consistent with Policy 2.2.9 [L].

F. SUMMARY OF FINDINGS

Staff presents the following findings of fact:

History and Background

The subject site is a single parcel (11-05-20-003-0000) bounded by Thomasville Road to the east and connected to Maclay Road to the north. It is currently accessible from Thomasville Road and Maclay Road. Staff is recommending expanding the amendment to include an adjacent 2-acre parcel owned by the City of Tallahassee that has been excavated for a stormwater facility. This expansion area and the subject site are both outside the Lake Jackson drainage basin boundary.

Land Use Changes

The subject area was previously vacant until at least 1990. Aerial photographs maintained by Tallahassee – Leon County Geographic Information Systems (TLCGIS) indicate the presence of the Andrew Jackson Savings and Loan Association on the subject site.

By 2007, Maclay Road has been realigned to meet with Killearn Boulevard, and an access road from the subject site leading to Maclay Road to the west of the subject site has been constructed. A stormwater facility immediately west of the subject site has also been constructed on land belonging to the City of Tallahassee.

Changes in Development Patterns

The development patterns in this area along Thomasville Road have urbanized considerably since the 1960s with the development of the Killearn residential subdivision. With the construction of I-10 in the early 1970s, the land uses along Thomasville Road, particularly just north of the I-10 exchange, rapidly changed from pastureland and small residential estates to commercial and office uses that catered to residents of Killearn and other commuters. The expansion of Thomasville Road north of I-10 from two lanes to six lanes accelerated this change, as well as the construction of additional residential subdivisions west and north of the subject site.

Previous Commission Consideration

Changes in Land Use and Zoning

The subject site was originally rezoned from Residence – 1 (R-1) to Office Residence (OR) Limited Use (LU) in 1984. The subject site was again rezoned from OR (LU) to OR Limited Use Site Plan (LUSP) on 4/8/1987 via Ordinance 87-Z-0028.

With the adoption of the Comprehensive Plan in 1991, the subject site was designated Lake Protection on the Future Land Use Map and rezoned to Lake Protection to conform with the new Lake Protection future land use category. The Lake Protection land use category is intended to apply only within the Lake Jackson Drainage Basin. Since the time the land use and zoning were initially designated, improvements in technology have allowed for more accurate mapping of drainage basin boundaries, and infrastructure projects have resulted in minor changes to drainage basin boundaries.

Current and Proposed Future Land Use Categories

The subject site is currently designated Lake Protection on the Future Land Use Map (FLUM). The proposed amendment would change the FLUM designation of the property to High Intensity Urban Activity Center. A summary of the current and proposed FLU categories is below, and a comparison of permitted uses is provided in Section G. The complete comprehensive plan policies for Lake Protection (Policy 2.2.18 [L]) and High Intensity Urban Activity Center (Policy 2.2.9: [L]) are included as Appendix #1.

Lake Protection (Current)

Policy 2.2.18 [L] states that the intent of the Lake Protection category is to ensure that development within the Lake Jackson basin occurs in a sustainable and environmentally sound manner with minimal impact to water quality. The Lake Protection category is the basis for regulation and, where appropriate, limitation of development and redevelopment of land within the Lake Jackson Basin. The bounds of this category are to be the Lake Jackson basin boundary adjusted to include contributing watersheds but excluding existing, more intensely developed areas south of Interstate 10 and areas outside the Urban Service Area.

Activity Center (Proposed)

Policy 2.2.9: [L] states that the High Intensity Urban Activity Center (Activity Center) designation is intended to function as urban activity centers by primarily providing for community wide or regional commercial activities located in proximity to multi-family housing and office employment centers. It is also intended to provide large scale commercial activities to serve retail needs of large portions of the population, and to promote efficiency of the transportation system by consolidating trips and discouraging unabated sprawl of commercial activities. Planned, integrated development is required to promote synergy between the different allowable land uses. An integrated pedestrian mobility system designed to provide safe and accessible foot and bike travel between the land uses shall be stressed in granting development approvals. Access and egress to Activity Centers as well as internal vehicle travel shall be planned in a comprehensive manner in order to facilitate traffic movement. Residential development shall be permitted up to 45 dwelling units per acre.

Determination for Future Land Use Map Amendment

1) Does the area meet the criteria for designation as the current land use designation of Lake Protection (LP)?

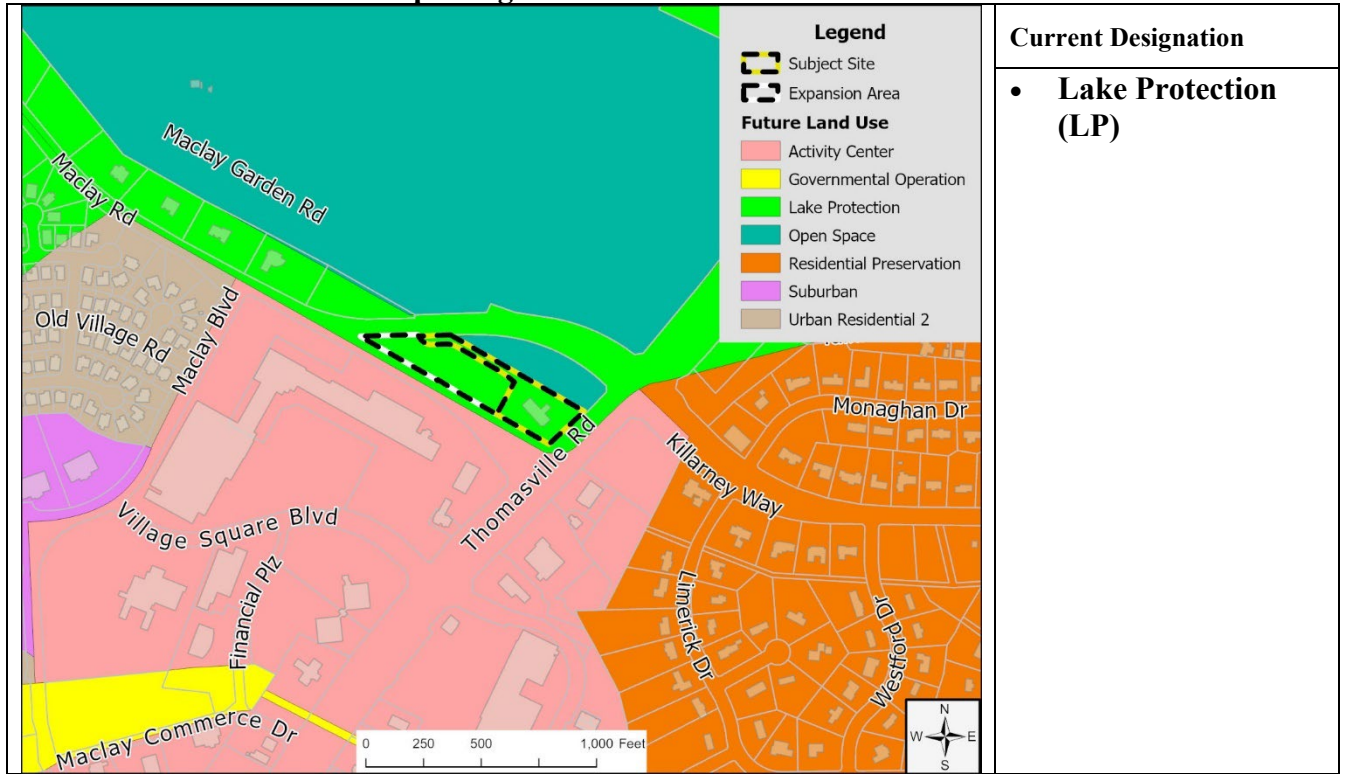
No. Planning staff confirmed with City Underground Utilities and Public Infrastructure staff that the subject site and the adjacent stormwater facility are not located in the Lake Jackson Drainage Basin.

2) Does the area better meet the criteria for the proposed land use designation of Activity Center (AC)?

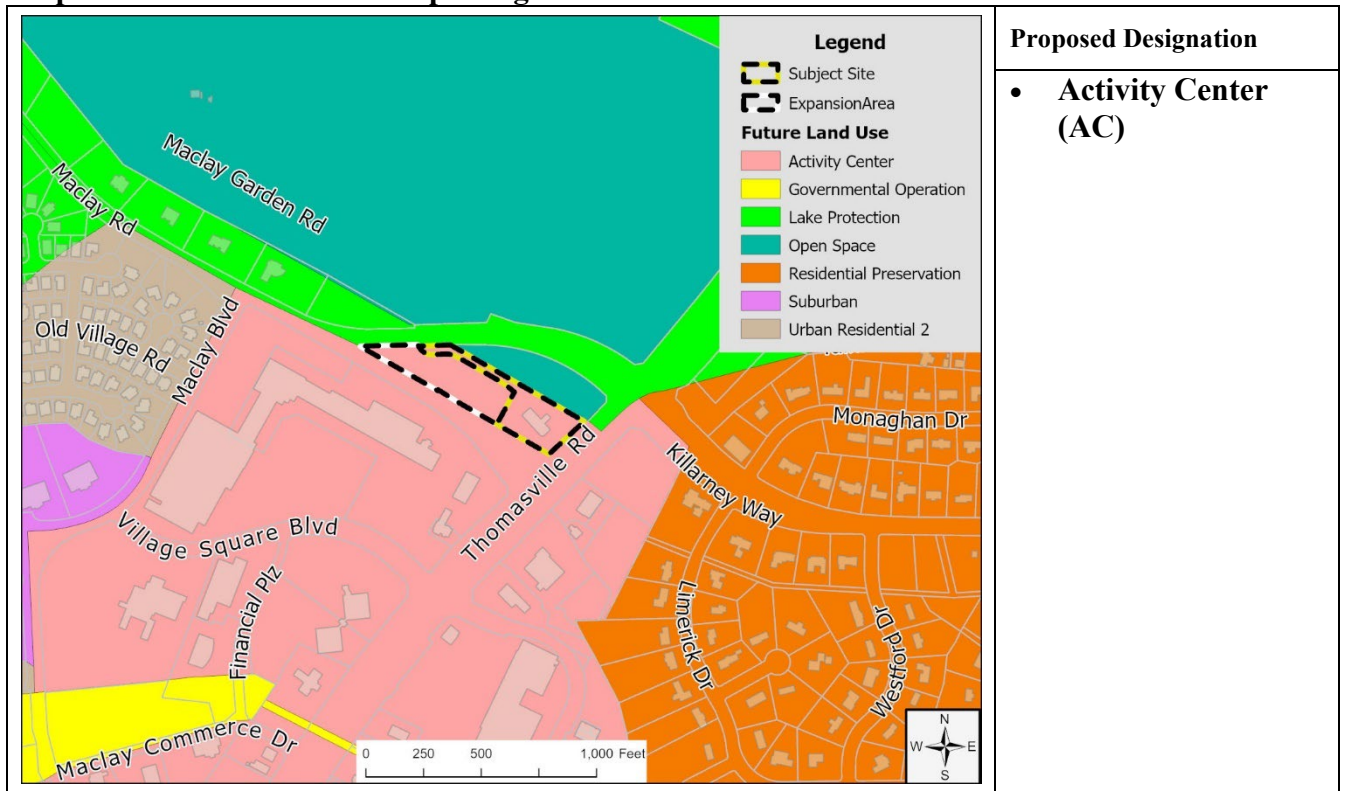
Yes. The subject site and the stormwater facility are adjacent to the existing development area currently designated as Activity Center to the south and are adjacent to Thomasville Road, which is a major artery. There are sidewalks and bicycle lanes in this area and along Thomasville Road. The subject site is currently developed with a vacant building.

The following maps illustrate the current and proposed FLUM designations for the subject site and the adjacent stormwater facility.

Current Future Land Use Map Designation



Proposed Future Land Use Map Designation



Zoning

A concurrent rezoning is requested for this site. The site is currently zoned Lake Protection (LP). The proposed rezoning would change the zoning designation to High Intensity Urban Activity Center (AC). A summary of the current and proposed zoning categories is below, and a comparison of permitted uses is provided in Section G. The Land Development Code sections for Lake Protection District (Section 10-240) and High Intensity Urban Activity Center District (Section 10-238) zoning are included as Appendix #2.

Lake Protection (LP) (Current)

The purpose and intent of the Lake Protection (LP) zoning district is to allow for the regulation and, where appropriate, limitation of development and redevelopment of land within the Lake Jackson Basin in a manner that improves water quality within the lake. The bounds of the category include the Lake Jackson Basin and contributing watersheds and are limited to the urban service area.

High Intensity Urban Activity Center (AC) (Proposed)

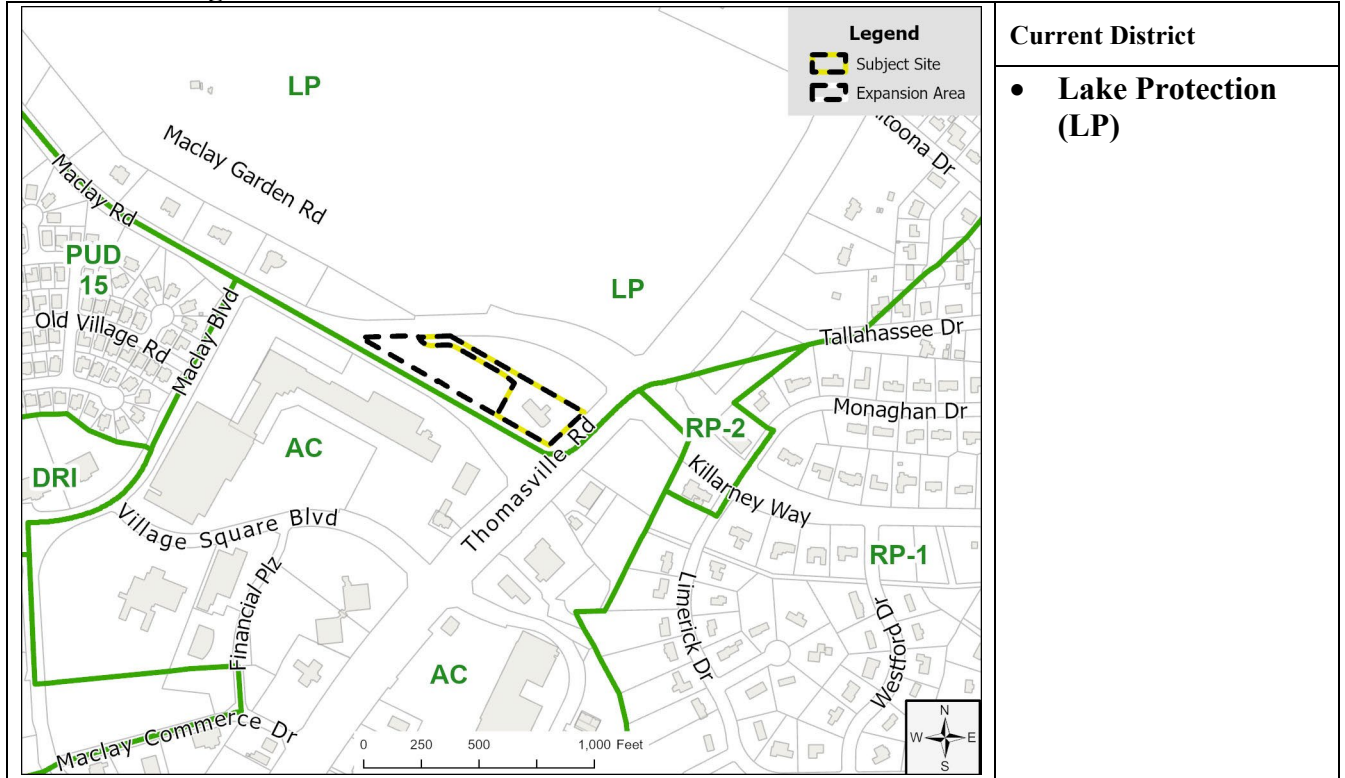
The purpose and intent of the High Intensity Urban Activity Center District zoning district (AC) is to establish an urban activity center providing for community wide or regional commercial activities located in proximity to multi-family housing and office employment centers, as well as provide large scale commercial activities to serve the retail market of region as well as the community.

Determination for Concurrent Rezoning

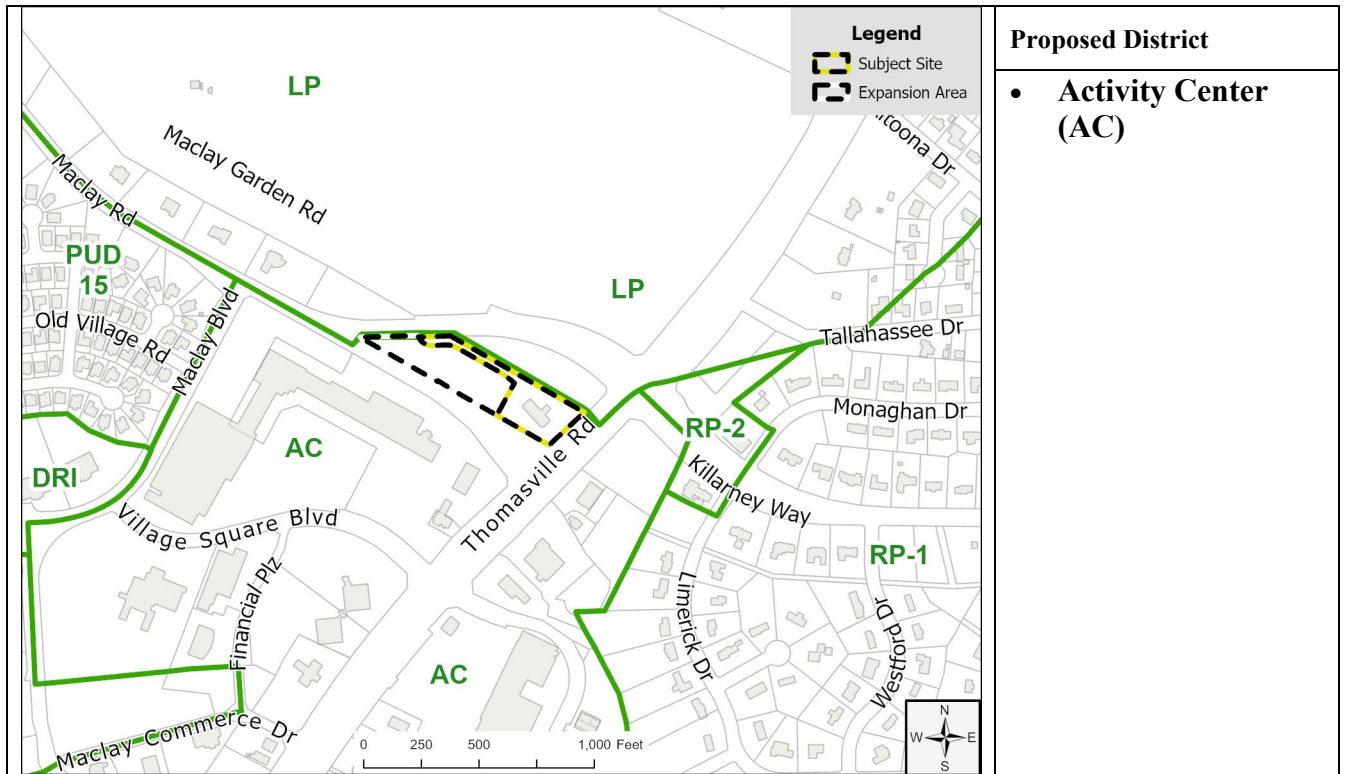
Provided the requested Future Land Use Map amendment is approved, the proposed High Intensity Activity Center zoning district implements the High Intensity Activity Center land use category and conforms to the land development requirements of the AC zoning district. The subject site and the adjacent stormwater facility are not within the Lake Jackson Basin, so the designation of LP for this area is inconsistent with the purpose and intent of the LP zoning district. The subject site is currently developed with a vacant building. There is a large area designated AC to the southwest of the subject site, including office employment centers and large-scale commercial activities, access to pedestrian and bike facilities, a major arterial road, and residential development. The designation of the subject site and the adjacent stormwater facility is consistent with the purpose and intent of the AC zoning district.

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

Current Zoning



Proposed Zoning



Compatibility with Adjacent and Surrounding Uses

The subject site is approximately 1.7 acres in size, and the adjacent stormwater facility (indicated as Open Space Resource Protection on the Existing Land Use Map that follows) is approximately two acres in size. The subject site has a vacant bank building with a drive-in facility and an access road leading to Maclay Road where it intersects with the access road to the Alfred B. Maclay Gardens State Park.

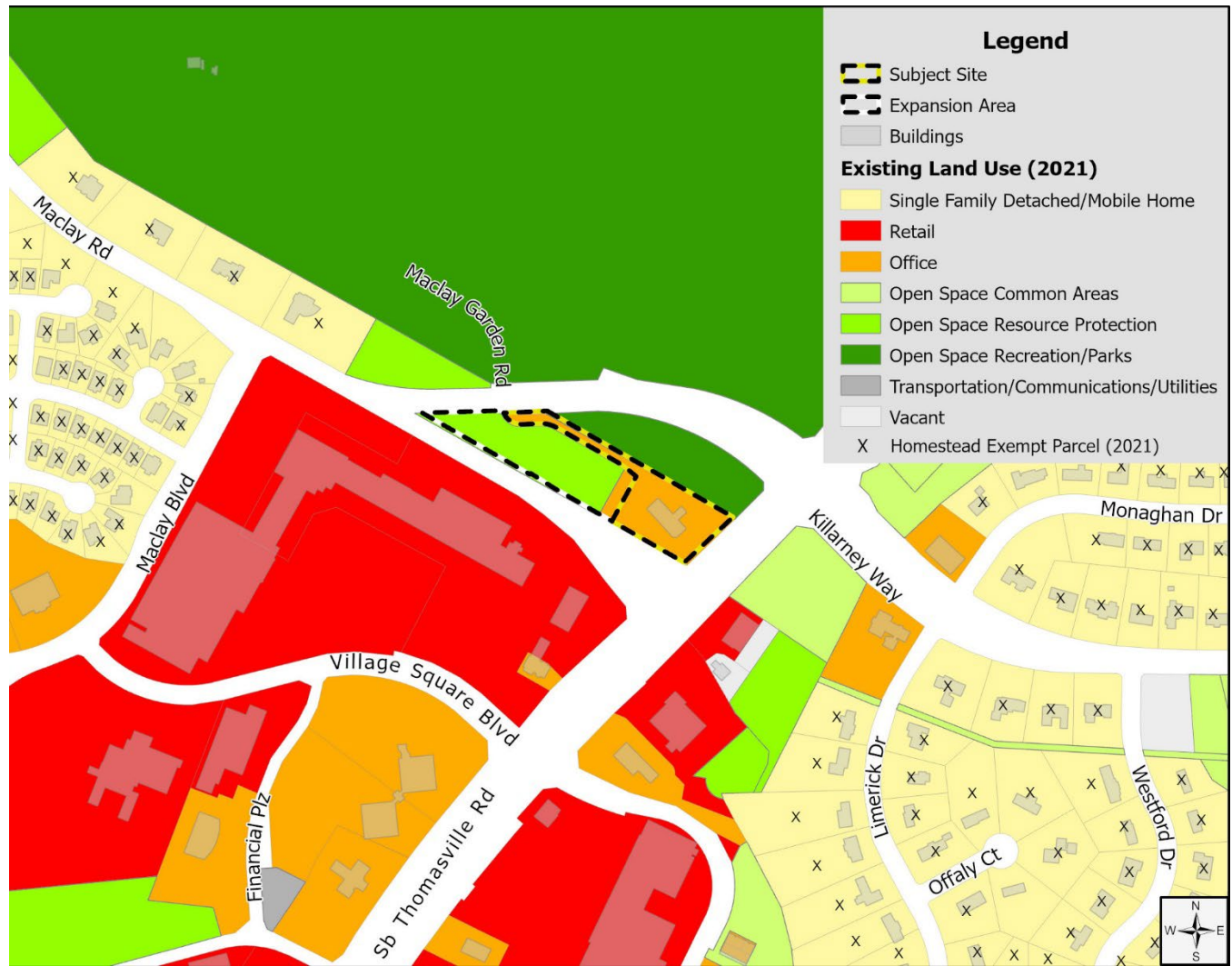
Alfred B. Maclay Gardens State Park is owned by the State of Florida. A two-acre portion of the Park is located adjacent to the subject site on its north side. This portion of the Park is bounded on its north side by Maclay Road and on its east side by Thomasville Road. It is designated as Open Space Recreation/Parks on the existing land use map.

There is an old area of public right of way on the southern border of the subject site and the stormwater facility that is a relict from the previous alignment of Maclay Road. An additional vacant 1.3 acre parcel owned by the City of Tallahassee, a leftover parcel from the realignment of Maclay Road, is located west of the stormwater facility.

A much larger area of retail and office land uses are located south of the subject site and stormwater facility. This is part of the Market Square commercial district and is designated High Intensity Urban Activity Center on the Future Land Use Map and on the zoning atlas.

There is a parcel of common open space on the east side of Thomasville Road on the south side of Killarney Way. Several additional parcels being used for offices and open space resource protection are located in this area. Additional retail uses are located south of Killarney Way along Thomasville Road. Several large areas of single-family residential development are located east and west of the subject site. In summary, the subject site is located adjacent to a principal arterial roadway with nearby employment, shopping, and recreational opportunities.

Existing Land Use Map



Infrastructure Analysis

Water/Sewer

Central water and sewer facilities are available to the subject site.

Schools

The Subject Area is zoned for Gilchrist Elementary School, Raa Middle School, and Leon High School. Any future redevelopment of the area would follow the site plan review process. This process includes a school concurrency impact analysis.

Roadway Network

Thomasville Road is classified as a Principal Arterial road and Maclay Road is a Major Collector. The subject site is not within the Multimodal Transportation District. The expansion area containing the stormwater facility will remain in its current use and will not increase trip generation.

Transportation impacts and available concurrency calculations will be conducted when a site plan for proposed development is submitted. Stormwater mitigation and other restrictions will reduce the total number of estimated trips calculated at this stage.

Pedestrian and Bicycle Network

The subject site is accessible via a sidewalk and bike lanes on Thomasville Road. There are sidewalks and bike lanes on both sides of Thomasville Road, Maclay Road east of Maclay Boulevard, Maclay Boulevard, Financial Plaza, Maclay Commerce Drive, Killarney Way, and portions of Village Square Boulevard.

Transit Network

The subject site is served by StarMetro's Killearn route, which has a schedule of one bus per hour between the Kerry Forest Walmart, Midtown, and C.K. Steele Plaza between 6 a.m. - 7:30 p.m. Monday through Friday, and one bus per hour between 7:30 a.m. - 6:30 p.m. on Saturdays.

Environmental Analysis

There are no known sensitive environmental features or identified or potential cultural resources on the subject site or the stormwater facility.

G. COMPARISON OF EXISTING AND PROPOSED ALLOWED USES

The Future Land Use Map provides a general pattern for the location, distribution, and character of land uses. The zoning category implements the underlying land use category and further regulates allowed and prohibited uses, building densities and intensity of uses, and site design specifics such as setbacks, parking requirements, infrastructure, and other land development issues. The following table summarizes the most common use categories.

| Permitted Uses- Future Land Use | Current: Lake Protection (LP) | Proposed: Activity Center (AC) |
|--|--|---|
| Residential | one (1) unit/two (2) acres | 45 units/acre |
| Commercial Goods and Services | X* | X |
| Administrative Offices | X** | X |
| Retail | X* | X |
| Recreational | X | X |
| Mixed-Use Development | X* | X |
| Community Services | X | X |

| Permitted Uses- Zoning (See Zoning charts in Appendix #2 for detailed uses) | Current: LP | Proposed: AC |
|--|----------------------------------|-------------------------|
| Residential | one (1) unit/two (2) acres | 16-45 units/acre |
| Commercial | X* | X |
| Administrative Offices | X* | X |
| Retail | X* | X |
| Restaurant/Bar | X* | X |
| Community Facilities | X | X |
| Passive and Active Recreation | X | X |
| Automotive Service/Repair; Gas Station | X* | X |
| Medical Offices | X* | X |

* Allowed only within the Lake Protection Node (LPN) zoning district. The subject site is ineligible for this zoning designation.

H. PUBLIC OUTREACH AND NOTIFICATION

An initial mailing was sent to 77 property owners within 1,000 feet of the subject site.

| Public Outreach | | Date Completed |
|------------------------|---|---|
| X | Applications posted to Planning Website | 10/12/22 |
| X | Notices Mailed to Property Owners, Renters, and Homeowners Associations within 1000 feet | 11/16/22 |
| X | Signs providing details of proposed land use posted on subject site | 11/22/22 |
| X | Public Open House | 12/8/22 |
| X | Staff Reports Available Online https://www.talgov.com/place/pln-cp-2023 | 1/3/23 |
| X | Email Subscription Notice sent to all users of service | 8/2/22 8/31/22 9/14/22 11/15/22 1/4/23 1/31/23 |
| X | Legal Ads posted | 12/30/22 1/27/23 |

Public Open House – A Public Open House was held on December 8, 2022, at the Frenchtown Renaissance Center. There were approximately 16 people in attendance. Staff provided an overview of the application received and the land use amendment (and concurrent rezoning) being requested. There were no questions or concerns regarding this 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 Meetings | | Date Completed |
|----------------|--|----------------|
| X | Local Planning Agency Workshop | 1/10/23 |
| X | Local Planning Agency Public Hearing | 2/7/23 |
| | Joint City-County Commission Workshop | |
| | Transmittal Public Hearing [If Applicable] | |
| | Adoption Public Hearing | |

Local Planning Agency Workshop – A workshop was held on January 10, 2023 to discuss the proposed 2023 Cycle amendments. Staff provided an overview of the proposed amendments and details of the preliminary analyses for the amendments. There were no questions from the LPA that resulted in updates to this staff report.

Local Planning Agency Public Hearing – A public hearing was held on February 7, 2023 to vote on the proposed 2023 Cycle Amendments. The LPA found 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 recommended ADOPTION of the proposed amendment. They also found 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 recommended APPROVAL of the proposed rezoning. There were no public speakers on this item other than the applicant’s representative, who introduced herself and offered to answer any questions.

J. APPENDICES

- Appendix #1: Comprehensive Plan policies relevant to the proposed amendment
- Appendix #2: Land Development Code sections relevant to the proposed rezoning
- Appendix #3: Photo of signs providing details of proposed land use and zoning changes posted on subject site

APPENDIX 1 - Comprehensive Plan policies relevant to the proposed amendment***Policy 2.2.18: [L]***

LAKE PROTECTION (REV. EFF. 12/22/95; REV. EFF. 7/26/06; RENUMBERED 3/14/07; REV. EFF. 7/14/14; REV. EFF. 7/6/15)

INTENT

Lake Jackson, designated both an Outstanding Florida Water (OFW) and Aquatic Preserve, is one of the most unique waterways in Florida. Historically, the lake has suffered from water quality issues associated with rapid urbanization and large-scale roadway projects. Lake Jackson's water quality has improved since adoption of the Comprehensive Plan, due in large part to the adoption of stringent stormwater treatment standards and the implementation of capital projects; however, nutrient levels in the Lake remain elevated and the Lake continues to be designated "Impaired" by the Florida Department of Environmental Protection.

The intent of the Lake Protection category is to ensure that development within the Lake Jackson basin occurs in a sustainable and environmentally sound manner with minimal impact to water quality. The Lake Protection category is the basis for regulation and, where appropriate, limitation of development and redevelopment of land within the Lake Jackson Basin. The bounds of this category are to be the Lake Jackson basin boundary adjusted to include contributing watersheds but excluding existing, more intensely developed areas south of Interstate 10 and areas outside the Urban Service Area.

ALLOWABLE USES, DENSITIES, AND INTENSITIES**1. Residential**

The Lake Protection category shall allow for residential uses at a base density of one (1) dwelling unit per two (2) gross acres.¹ To encourage compact and efficient development, two density bonus options are available for properties within the category:

¹(Leon County) Any development affecting real property located in whole or in part within the Lake Protection Future Land Use Map category west of US 27 North for which an initial Planned Unit Development Concept or Final Development Plan was approved before January 1, 2005 shall be vested for all uses, intensities and densities set forth in the PUD Concept Plan Ordinance. Said PUD shall be entitled to rely on the closed basin exemption previously set forth in this section if the Commission determined prior to January 1, 2005 that the PUD met the requirements for such closed basin exceptions and that such determination has not been overturned by a court of competent jurisdiction at the time vested rights are sought under this provision. If a court of competent jurisdiction invalidates such a PUD due to reasons unrelated to whether the property met the requirements for the closed basin exception, any new or modified PUD application relating to the same real property shall be vested for the uses, intensities and densities of the previously approved PUD. All development within said certified closed basins approved pursuant to this provision shall be approved through the PUD amendment process, except that in unincorporated Leon County a one-into-two residential lot split exemption shall be processed according to the established County procedures instead of the PUD process.

- i) A residential density of up to two (2) dwelling units per gross acre may be permitted within developments designed as a Clustered Subdivision.
- ii) A residential density of up to eight (8) dwelling units per gross acre may be permitted within the Lake Protection Node (LPN) zoning district.

2. Mixed-use & Non-residential

Non-residential and mixed-use development (including, but not limited to, office and commercial uses) within the Lake Protection category may only be permitted within areas designated with the Lake Protection Node (LPN) zoning district. Within this district, single use, non-residential development shall be allowed at a maximum intensity of 10,000 square feet (S.F.) per gross acre. Projects containing a vertical mixture of uses, including any combination of office, commercial and residential uses, may receive a bonus of 2,500 S.F. per gross acre, for a total of 12,500 S.F. per gross acre.

3. Community and Recreational Facilities

Community services, light infrastructure, and recreational uses shall be permitted within the Lake Protection (LP) and Lake Protection Node (LPN) zoning districts. Facilities associated with these uses shall be allowed at a maximum intensity of 10,000 square feet (S.F.) per gross acre.

SPECIAL CONDITIONS

The following special conditions shall apply to the Lake Protection Future Land Use category:

1. The Lake Protection Node zoning district shall only be permitted at the following intersections:

- Highway 27 North and Sessions Road
- Highway 27 North and Capital Circle NW/Old Bainbridge Road
- Highway 27 North and Fred George Road
- Bannerman Road and Bull Headley Road

The exact extent of these Nodes shall be specified in the City of Tallahassee and Leon County land development regulations, but generally shall not extend beyond $\frac{1}{4}$ mile from the respective intersection and shall not include areas within a Special Development Zone (SDZ) or existing single-family subdivisions.

2. As an alternative to large-lot developments, Clustered Subdivisions shall be permitted within the Lake Protection zoning district. Clustered Subdivisions shall:

- Contain a minimum of 60% contiguous open space preserved in perpetuity and comprised of such things as preservation and conservation features, Special Development Zones, undeveloped uplands, passive recreation areas, and storm water facilities designed as a community amenity;
- Be developed at a maximum density of two (2) dwelling units per gross acre; and,
- Be served by central water and sewer systems.

3. A volume control based stormwater treatment standard shall be required for all development and redevelopment within the Lake Protection land use category. This standard shall ensure that runoff volumes in excess of the pre-development runoff volume shall be retained for all storm events up to a 100-year, 24-hour duration storm. To encourage redevelopment in the Lake Protection category, a partial credit may be applied toward existing impervious surface on previously developed sites.

4. Additional development standards deemed necessary to protect Lake Jackson from further degradation and/or improve existing water quality may be included in the land development code.
5. Existing, lawfully established, non-residential uses within the Lake Protection land use category that are compatible with surrounding uses and meet all water quality standards for the Lake Jackson Basin shall be considered permitted uses.

Policy 2.2.18: [L]

LAKE PROTECTION (REV. EFF. 12/22/95; REV. EFF. 7/26/06; RENUMBERED 3/14/07; REV. EFF. 7/14/14; REV. EFF. 7/6/15)

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ALLOWABLE USES, DENSITIES, AND INTENSITIES

1. Residential

The Lake Protection category shall allow for residential uses at a base density of one (1) dwelling unit per two (2) gross acres.² To encourage compact and efficient development, two density bonus options are available for properties within the category:

²(Leon County) Any development affecting real property located in whole or in part within the Lake Protection Future Land Use Map category west of US 27 North for which an initial Planned Unit Development Concept or Final Development Plan was approved before January 1, 2005 shall be vested for all uses, intensities and densities set forth in the PUD Concept Plan Ordinance. Said PUD shall be entitled to rely on the closed basin exemption previously set forth in this section if the Commission determined prior to January 1, 2005 that the PUD met the requirements for such closed basin exceptions and that such determination has not been overturned by a court of competent jurisdiction at the time vested rights are sought under this provision. If a court of competent jurisdiction invalidates such a PUD due to reasons unrelated to whether the property met the requirements for the closed basin exception, any new or modified PUD application relating to the same real property shall be vested for the uses, intensities and densities of the previously approved PUD. All development within said certified closed basins approved pursuant to this provision shall be approved through the PUD amendment process, except that in unincorporated Leon County a one-into-two residential lot split exemption shall be processed according to the established County procedures instead of the PUD process.

- ii) A residential density of up to two (2) dwelling units per gross acre may be permitted within developments designed as a Clustered Subdivision.
- ii) A residential density of up to eight (8) dwelling units per gross acre may be permitted within the Lake Protection Node (LPN) zoning district.

2. Mixed-use & Non-residential

Non-residential and mixed-use development (including, but not limited to, office and commercial uses) within the Lake Protection category may only be permitted within areas designated with the Lake Protection Node (LPN) zoning district. Within this district, single use, non-residential development shall be allowed at a maximum intensity of 10,000 square feet (S.F.) per gross acre. Projects containing a vertical mixture of uses, including any combination of office, commercial and residential uses, may receive a bonus of 2,500 S.F. per gross acre, for a total of 12,500 S.F. per gross acre.

3. Community and Recreational Facilities

Community services, light infrastructure, and recreational uses shall be permitted within the Lake Protection (LP) and Lake Protection Node (LPN) zoning districts. Facilities associated with these uses shall be allowed at a maximum intensity of 10,000 square feet (S.F.) per gross acre.

SPECIAL CONDITIONS

The following special conditions shall apply to the Lake Protection Future Land Use category:

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- Highway 27 North and Fred George Road
- Bannerman Road and Bull Headley Road

The exact extent of these Nodes shall be specified in the City of Tallahassee and Leon County land development regulations, but generally shall not extend beyond $\frac{1}{4}$ mile from the respective intersection and shall not include areas within a Special Development Zone (SDZ) or existing single-family subdivisions.

4. As an alternative to large-lot developments, Clustered Subdivisions shall be permitted within the Lake Protection zoning district. Clustered Subdivisions shall:

- Contain a minimum of 60% contiguous open space preserved in perpetuity and comprised of such things as preservation and conservation features, Special Development Zones, undeveloped uplands, passive recreation areas, and storm water facilities designed as a community amenity,
- Be developed at a maximum density of two (2) dwelling units per gross acre, and,
- Be served by central water and sewer systems.

3. A volume control based stormwater treatment standard shall be required for all development and redevelopment within the Lake Protection land use category. This standard shall ensure that runoff volumes in excess of the pre-development runoff volume shall be retained for all storm events up to a 100-year, 24-hour duration storm. To encourage redevelopment in the Lake Protection category, a partial credit may be applied toward existing impervious surface on previously developed sites.

4. Additional development standards deemed necessary to protect Lake Jackson from further degradation and/or improve existing water quality may be included in the land development code.
5. Existing, lawfully established, non-residential uses within the Lake Protection land use category that are compatible with surrounding uses and meet all water quality standards for the Lake Jackson Basin shall be considered permitted uses.

Policy 2.2.9: [L]

HIGH INTENSITY URBAN ACTIVITY CENTER (EFF. 7/16/90; REV. EFF. 7/26/06; RENUMBERED 3/14/07)

Designed to function as urban activity centers by primarily providing for community wide or regional commercial activities located in proximity to multi-family housing and office employment centers. Intended to provide large scale commercial activities to serve retail needs of large portions of the population. Promotes efficiency of the transportation system by consolidating trips and discouraging unabated sprawl of commercial activities.

Planned, integrated development is required to promote synergy between the different allowable land uses. An integrated pedestrian mobility system designed to provide safe and accessible foot and bike travel between the land uses shall be stressed in granting development approvals. Access and egress to Activity Centers as well as internal vehicle travel shall be planned in a comprehensive manner in order to facilitate traffic movement. Residential development shall be permitted up to 45 dwelling units per acre.

APPENDIX 2 - Land Development Code sections relevant to the proposed amendment and/or rezoning

Section 10-240. Lake Protection District

The following applies to the Lake Protection District:

| 1. District Intent | PERMITTED USES | |
|--|---|--|
| | 2. Principal Uses | 3. Accessory Uses |
| <p>The purpose and intent of the Lake Protection (LP) zoning district is to allow for the regulation and, where appropriate, limitation of development and redevelopment of land within the Lake Jackson Basin in a manner that improves water quality within the lake. The bounds of the category include the Lake Jackson Basin and contributing watersheds and limited to the urban service area. Intensely developed properties and areas south of Interstate 10 (I-10) have been excluded from the boundary.</p> <p>The LP zoning district shall permit single-family residential development at one dwelling unit per two gross acres.</p> <p>A clustered subdivision option is available that allows two dwelling units per gross acre, consistent with environmental and infrastructure constraints. The clustered subdivision option allows an increased number of residential units if developed on 40 percent of the property, provided central water and sewer are available and leaving the remaining 60 percent of the property as contiguous, undisturbed open space in perpetuity. The cluster subdivision option is intended to leave large areas of natural open space within the watershed and minimize pollution. For cluster development standards, refer to Section 10-426.</p> <p>Certain community and recreational facilities related to residential uses are also permitted. Commercial, office and other nonresidential uses are prohibited within the LP zoning district. All development is subject to Section 10-177, Buffer Zones and Section 10-178, Development Standards Schedule. Volume control based stormwater treatment standard shall be required for all development and redevelopment within the Lake Protection District. All developments shall meet all current water quality and stormwater management standards set forth in the Comprehensive Plan and the Land Development Regulations of the City. Lawfully established, nonresidential uses within the District that are compatible with surrounding uses and meet all water quality and standards set forth in the Comprehensive Plan and the Land Development Regulations of the City shall be considered permitted uses.</p> | <p>(1) Single-family detached dwellings (2) Single-family dwellings in cluster subdivisions (3) Passive and active recreation facilities, including boat ramps (4) Community services related to residential uses including religious facilities, police/fire stations, and elementary, middle and high schools. Other community facilities may be allowed in accordance with Section 10-413 of the regulations.</p> | <p>(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 land use administrator.</p> <p>(2) Light infrastructure and/or utility services and facilities necessary to serve permitted uses, as determined by the land use administrator.</p> |

| 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 (Conventional) | 2 acres | 80 feet | 100 feet | 25 feet | 15 feet | 25 feet | 25 feet | Not applicable | |
| Single-Family Detached Dwellings(Clustered) | 5,000 square feet | 40 feet | 100 feet | 15 feet; 10 feet w/alley loaded garage | 7.5 feet on each side; or any combination of setbacks that equals at least 15 feet, provided that no such setback shall be less than 5 feet | 15 feet | 15 feet; 10 feet w/alley loaded garage | Not applicable | 3 Stories |
| Single-family attached dwellings (Clustered) | 3,750 square feet end unit; 2,400 square feet | 37.5 feet end unit; 25 feet interior lot | 80 feet | 15 feet; 10 feet w/alley loaded garage | None | 15 feet | 15 feet; 10 feet w/alley loaded garage | maximum length: 8 units | 3 Stories |
| Any Permitted Principal Non-Residential Use | 1 acre | 80 feet | 100 feet | 30 feet | 30 feet | 40 feet | 50 feet | 10,000 square feet of gross building floor area per acre | 3 Stories |

GENERAL NOTES:

1. Refer to chapter 5, environmental management for information pertaining to the regulation of environmental features (preservation/conservation features), stormwater management requirements, etc.
2. Refer to chapter 4, concurrency management for information pertaining to the availability of capacity for certain public facilities (roads, parks, etc.).
3. For cluster development standards, refer to Section 10-426.

Section 10-256. C-2 General Commercial District

The following applies to the C-2 General Commercial District:

| 1. District Intent | PERMITTED USES | |
|--|--|---|
| | 2. Principal Uses | 3. Accessory Uses |
| <p>The C-2 district is intended to be located in areas designated Suburban on the Future Land Use Map of the Comprehensive Plan and shall apply to areas with direct access to major collectors or arterial roadways located within convenient traveling distance to several neighborhoods, wherein small groups of retail commercial, professional, office, community and recreational facilities and other convenience commercial activities are permitted in order to provide goods and services that people frequently use in close proximity to their homes. The C-2 district is not intended to accommodate large scale commercial or service activities or other types of more intensive commercial activity. The maximum gross density allowed for new residential development in the C-2 district is 16 dwelling units per acre, with a minimum gross density of 8 dwelling units per acre, unless constraints of concurrency or preservation and/or conservation features preclude the attainment of the minimum density. The residential uses are required to be located on the second floor or above a building containing commercial or office uses on the first floor. Mixed use projects in the C-2 district are encouraged, but are not required.</p> <p>Development standards for properties located within the MMTD are established within Division 4 of this Code.</p> | <p>(1) Antique shops. (2) Automotive service and repair, including car wash. (3) Bait and tackle shops. (4) Banks and other financial institutions. (5) Camera and photographic stores. (6) Cocktail lounges and bars. (7) Community facilities related to the permitted principal uses, including libraries, religious facilities, police/fire stations. Elementary, middle, and high schools are prohibited. Other community facilities may be allowed in accordance with Section 10-413. (8) Day care centers. (9) Gift, novelty, and souvenir shops. (10) Indoor amusements (bowling, billiards, skating, etc.). (11) Indoor theaters (including amphitheatres). (12) Laundromats, laundry and dry cleaning pick-up stations. (13) Mailing services. (14) Medical and dental offices, services, laboratories, and clinics. (15) Motor vehicle fuel sales. (16) Non-medical offices and services, including business and government offices and services. (17) Non-store retailers. (18) Passive and active recreational facilities. (19) Personal services (barber shops, fitness clubs etc.). (20) Pet day care centers (21) Photocopying and duplicating services. (22) Rental and sales of dvds, video tapes and games. (23) Rental of tools, small equipment, or party supplies.</p> | <p>(27) Retail bakeries. (28) Retail computer, video, record, and other electronics. (29) Retail department, apparel, and accessory stores. (30) Retail drug store. (31) Retail florist. (32) Retail food and grocery. (33) Retail furniture, home appliances, accessories. (34) Retail home/garden supply, hardware and nurseries. (35) Retail jewelry store. (36) Retail needlework shops and instruction. (37) Retail newsstand, books, greeting cards. (38) Retail office supplies. (39) Retail optical and medical supplies. (40) Retail package liquors. (41) Retail pet stores. (42) Retail picture framing. (43) Retail sporting goods, toys. (44) Retail trophy store. (45) Shoes, luggage, and leather goods. (46) Social, fraternal and recreational clubs and lodges, including assembly halls. (47) Studios for photography, music, art, dance, and voice. (48) Tailoring. (49) Veterinary services, including veterinary hospitals. (50) Other uses, which in the opinion of the Land Use Administrator, are of a similar and compatible nature to those uses described in this district.</p> <p>(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 Land Use Administrator. (2) Light infrastructure and/or utility services and facilities necessary to serve permitted uses, as determined by the Land Use Administrator.</p> |

| 1. District Intent | PERMITTED USES | |
|--------------------|--|-------------------|
| | 2. Principal Uses | 3. Accessory Uses |
| | (24) Repair services, non-automotive. (25) Residential (any type), provided that it is located on the second floor or above a building containing commercial or office uses on the first floor. (26) Restaurants, with or without drive-in facilities. | |

| 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) |
| Any Permitted Principal Use | none | none | none | 25 feet | 15 feet on each side | 25 feet | 10 feet | 20,000 square feet of non-residential gross building floor area per acre and commercial and/or office uses may not exceed 50,000 gross square feet. | 3 stories |
| <p>7. Street Vehicular Access Restrictions: Properties in the C-2 zoning district shall be located on a major collector or arterial street, but may have additional vehicular access to any type of street. However, in order to protect residential areas and neighborhoods from non-residential traffic, vehicular access to a local street is prohibited if one of the following zoning districts is located on the other side of the local street: RA, R-1, R-2, R-3, R-4, R-5, MH, RP-1, RP-2, RP-MH, RP-UF, and RP-R.</p> <p>8. Additional Criteria and Restrictions for Pet Day Centers: Outside boarding and unsupervised outside activity are prohibited. In the event that a pet day care center abuts a residential property, the center shall not exceed an L10 noise level of 60 dBA in the daytime (6:00 A.M. to 9:00 P.M.) as measured on the property line abutting the center. Hours of operation for Pet Day Care Centers shall be 6:00 A.M. to 9:00 P.M.</p> <p>9. Additional Criteria for Charitable Donation Stations: Such station shall have indoor storage for all donations, and shall have an attendant available during normal business hours responsible for the collection and/or storage of said donations. A "charitable donation station" is considered a community service/facility regulated by section 10-413 of this Code.</p> | | | | | | | | | |

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 chapter 5, pertaining to environmental management, for information pertaining to the regulation of environmental features (preservation/conservation features), stormwater management requirements, etc.
3. Refer to chapter 4, pertaining to concurrency management, for information pertaining to the availability of capacity for certain public facilities (roads, parks, etc.).
4. For cluster development standards, refer to Section 10-426.

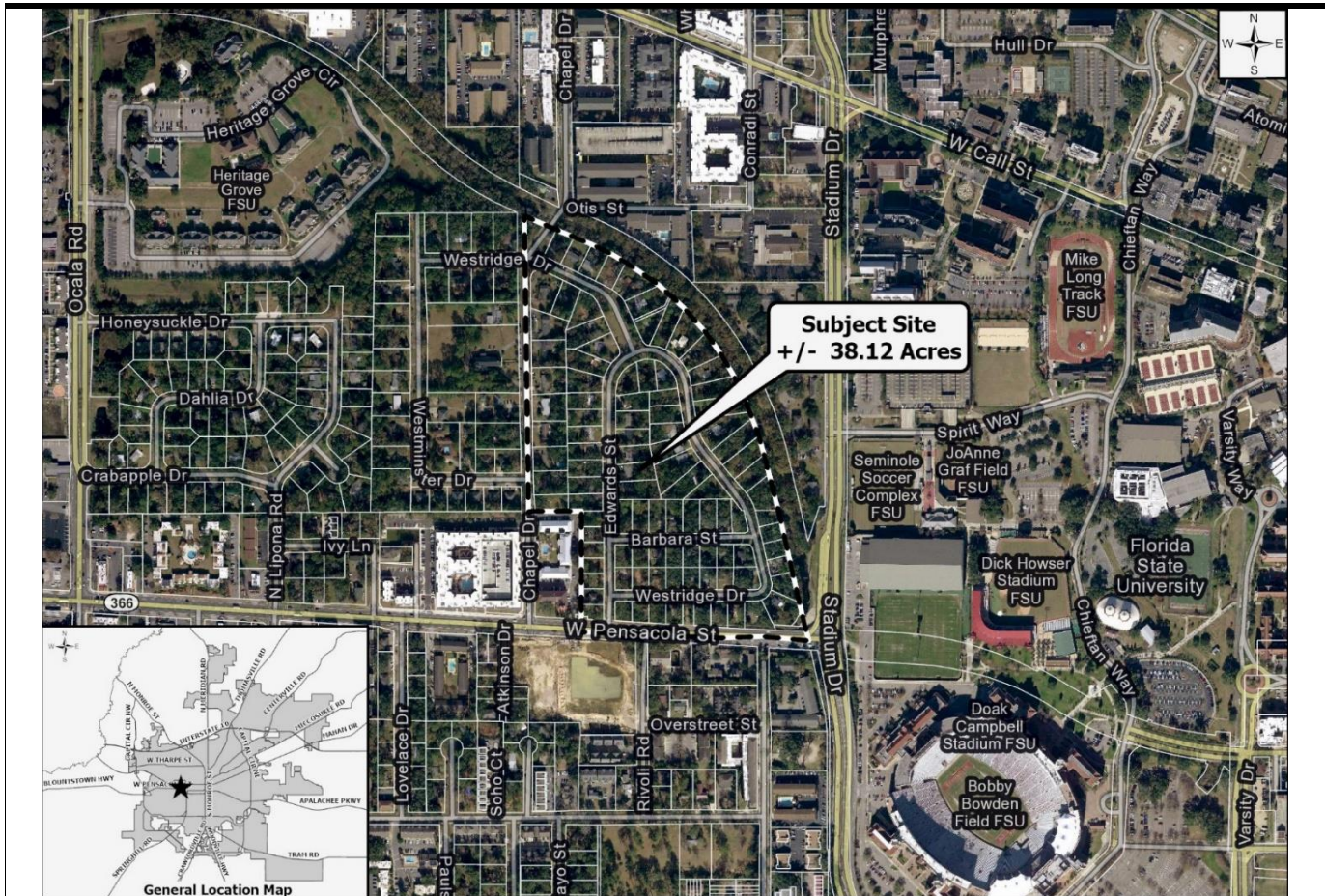
APPENDIX 3 - Photo of signs providing details of proposed land use and zoning changes posted on subject site







2023 Comprehensive Plan Amendment Cycle
TMA2023 005
Lambert Heights/Merrivale Amendment



SUMMARY

| Property Owners: | Property Location: | Amendment Type: |
|--|--|--|
| Multiple | Properties within the Lambert Heights and Merrivale Subdivisions that are located on Westridge Dr, Barbara St, Edwards St, and Chapel Dr. | City Small Scale Map Amendment |
| Applicant: Tallahassee Local Planning Agency | | |
| TLCPD Staff: Sean Reiss | Current Future Land Use & Zoning: <u>Future Land Use:</u> Residential Preservation <u>Zoning:</u> Residential Preservation 1 (RP-1) | LPA Recommendation: Deny |
| Contact Information: Sean.Reiss@talgov.com 850-891-6400 | Proposed Future Land Use & Zoning: <u>Future Land Use:</u> University Transition <u>Zoning:</u> University Transition (UT) | Staff Analysis: Consistent |
| Date: 12/5/22 | Updated: 2/9/2023 | |

A. EXECUTIVE SUMMARY

If approved, this map amendment would change the allowable uses for properties in a 38.12-acre area west of Stadium Drive and north of Pensacola Street from low-density residential uses to multi-family residential and mixed-use projects.

The subject properties are located within the Lambert Heights and Merrivale Subdivisions, which are located on Westridge Drive, Barbara Street, Edwards Street, and Chapel Drive. The applicant, the Tallahassee-Leon County Local Planning Agency (LPA), is requesting a change to the Future Land Use Map (FLUM) from Residential Preservation to University Transition. The requested amendment would increase allowable residential density and allow additional non-residential uses on approximately 38.12 acres of land.

The Residential Preservation FLUM designation allows for single-family houses, townhomes, and duplexes at a maximum density of six (6) units per acre. The University Transition FLUM designation allows for a mix of uses, including smaller scale retail and commercial uses, entertainment commercial uses, offices, and residential housing up to fifty (50) units per acre.

A rezoning application is being processed concurrently with this amendment. A zoning change from Residential Preservation 1 [RP-1] to University Transition (UT) is being requested to implement the proposed amendment to the FLUM. The proposed zoning allows for a maximum density of 50 dwelling units per acre.

Based on the Residential Preservation Analysis included in this report, the subject site no longer matches the description of the Residential Preservation Future Land Use category and RP-1 zoning district. The subject site more closely resembles the description of the University Transition land use category and zoning district. The subject site is 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. The proposed amendment continues a trend in this area of former Residential Preservation areas transitioning to University Transition as homeownership rates decline and renters become the primary residents. Since 2016, there have been multiple amendments in this area changing the FLUM from Residential Preservation to University Transition, including PCM201601 (Fairmeadow), PCM201804 (Chapel Drive), TMA2019002 (Murat Subdivision).

This step of the land development process determines consistency with the Goals, Objectives, and Policies in the Tallahassee-Leon County Comprehensive Plan. The concurrent rezoning determines the allowed uses and the density (50 dwelling units per acre) of development on the site. In reviewing this request, a determination must be made as to whether the present Residential Preservation designation is appropriate or whether the FLUM should be amended to re-designate the area as requested. Included in this consideration are the following: 1) the area does not meet the criteria for designation as Residential Preservation, 2) the area better meets the criteria for University Transition.

If the Land Use and/or Zoning changes are approved, any future development shall be subject to site plan review and permitting based on the type of proposed development. The site plan stage of development evaluates a proposed development plan for consistency with City Code requirements for

stormwater treatment and attenuation, environmental protection, traffic impacts, concurrency, school impacts, buffers, open space requirements, and all other applicable development standards.

B. APPLICANT'S REASON FOR THE REQUESTED CHANGE

Property owner Steve Leoni owns several properties in the Lambert Heights subdivision. Mr. Leoni approached Planning staff to request that the Lambert Heights and Merrivale subdivisions be considered for a change in Future Land Use from the current Residential Preservation category to the University Transition category. Mr. Leoni also requested a concurrent change of zoning from Residential Preservation 1 (RP-1) to University Transition (UT). Mr. Leoni requested that this land use and concurrent rezoning change be initiated by the Local Planning Agency (LPA) because it applies to property in addition to his own and because past land use and zoning changes in the surrounding area have excluded the Lambert Heights and Merrivale subdivisions.

At the LPA meeting on October 4, 2022, the LPA voted to approve the initiation of the requested FLUM amendment and concurrent rezoning.

C. LOCAL PLANNING AGENCY (LPA) RECOMMENDATION

Find that the proposed future land use map amendment is **inconsistent** with the Tallahassee-Leon County Comprehensive Plan, based on the existing land use and the testimony provided by speakers at the public hearing, and **deny** the proposed amendment.

Find that the proposed rezoning is **inconsistent** with the Tallahassee-Leon County Comprehensive Plan, based on the existing land use and the testimony provided by speakers at the public hearing, and **deny** the proposed rezoning.

D. STAFF ANALYSIS

Staff finds 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.

Staff finds 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.

E. CONSISTENCY WITH THE COMPREHENSIVE PLAN

The criteria required for consideration of a proposed Future Land Use Map change include consistency with the Tallahassee-Leon County Comprehensive Plan, conformance with the Tallahassee or Leon County Land Development Code, land use compatibility, changed conditions on the site and other matters deemed relevant and appropriate.

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 half miles from Florida A&M University. Based on these general distances and the fact that the majority of the area is currently rented by students, the proposed amendment is consistent with this characterization of the University Transition land use category.

Policy 2.2.17 [L] states that University Transition is not intended to “encourage or facilitate the premature conversion of existing viable single-family residential neighborhoods.” In a review of the Leon County Property Appraiser’s data, only eleven (11) parcels of the total 100 parcels within the subject site claim homestead exemption. Additionally, twenty (20) units within the subject site are registered rooming houses. Rooming houses are single-family houses or duplex units that are registered with the City allowing them to be rented by four or more unrelated people. Based on this analysis, the majority (89%) of properties in the subject area are rentals. The location of the properties qualifying for homestead exemption, as well as those listed as rooming houses, are shown in the Current Uses map below. Based on the neighborhood’s lack of single-family households, lack of a neighborhood association, and prevalence of rental housing, the proposed amendments would not be considered “the premature conversion of existing viable single-family residential neighborhoods.”

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-auto modes of transportation are viable.

F. SUMMARY OF FINDINGS

Staff presents the following findings of fact:

History and Background

The subject properties are located within the Lambert Heights and Merrivale Subdivisions, which are located on Westridge Drive, Barbara Street, Edwards Street, and Chapel Drive. The subject area encompasses 38.12 acres of land.

The site is located within the following locally designated areas:

- Urban Services Area
- The Multimodal Transportation District (MMTD)
- Historically Underutilized Business (HUB) Zone
- Identified in the West Pensacola Sector Plan

The West Pensacola Sector Plan, adopted by the City Commission in January 2006, identified strategies for the different neighborhoods in the West Pensacola Sector area. Per the plan:

The West Pensacola Sector is a highly urbanized area, comprised of a mixture of university properties, university-related retail and services, student rental housing, large apartment units, stable older neighborhoods, and several government owned properties. Tallahassee Community College and Florida State University bookend the sector.
(Page 3)

The Lambert Heights and Merrivale Subdivisions are considered part of the Chapel Ridge Neighborhood in the West Pensacola Sector Plan. Regarding ownership of the properties in the sector, the plan notes:

The analyzed data and calculations suggest a trend of increasing rental use. Those neighborhoods closest Florida State are the three with the lowest percentage of owner-occupied homes. Prince Murat and the adjacent parcels (16.76%), Chapel Ridge (22.7%), and the eastern portion of Palmer-Monroe (23.34%) have very low percentages of homeownership despite the low density, single-family house development patterns. The proximity of these areas to the Florida State campus makes each desirable for renters in search of short commutes.
(Page 10)

Some neighborhoods identified in the West Pensacola Sector Plan have undergone land use and zoning changes in the recent past. In 2016, the Fairmeadow subdivision was changed from the Residential Preservation land use and RP-1 zoning to University Transition and UT land use and zoning. Similarly, in 2018, the Westminster and White subdivisions (known as the Chapel Drive amendment) were changed from Residential Preservation and RP-1 to University Transition and UT land use and zoning. In 2019, this pattern continued south of Pensacola Street in the Murat Subdivision. In all cases, a Residential Preservation Analysis was completed and found that the subject sites no longer matched the description of the Residential Preservation land use category, and more closely resembled the description of the University Transition land use category. Similar findings were stated for the RP-1 zoning category.

The Lambert Heights and Merrivale subdivisions are included in the West Pensacola Sector area, and the analyzed data suggest a trend of increasing rental use. The plan identifies Lambert Heights and Merrivale, among other areas, as neighborhoods where preservation of single-family zoning "may not be the best option." Homeownership has reduced significantly in the past five years, as shown in the table below:

Table 1. Homeownership rates within the subject site.

| | Neighborhood | Total Number of Existing Single-Family Homes | Total Number of Existing Single-Family Homes (Homestead Exempt) | Percent Homestead Exempt |
|------|-------------------------------|---|--|---------------------------------|
| 2021 | Lambert Heights/ Merrivale | 100 | 11 | 11% |
| 2015 | Lambert Heights/ Merrivale | 100 | 18 | 18% |
| 2010 | Lambert Heights/ Merrivale | 99 | 22 | 22% |

The existing land use map below shows homestead exempt properties and registered rooming houses in the area that would be subject to the proposed amendment. Only eleven (11) parcels of the total 100 parcels in the subject site claim homestead exemption. Additionally, twenty (20) units in the subject site are registered rooming houses. The proposed land use and zoning changes would make the rooming houses conforming uses.

The Lambert Heights and Merrivale subdivisions are within the geographic area identified as the area where University Transition can be applied. This is described as 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 St. South of West Tennessee St., north of Orange Avenue and adjoining Innovation Park and Tallahassee Community College to the east. The homes in the Lambert Heights and Merrivale Subdivisions were built primarily between the 1940's and the 1950's. Overtime, the Lambert Heights and Merrivale Subdivisions and surrounding area have been impacted by the growth of Tallahassee Community College, Florida State University, and Florida A&M University

Compared to 22.7% of homes in the entire Chapel Ridge Neighborhood being owner-occupied in 2006, only 11% of the homes in the subject site are owner-occupied today.

Specifically, regarding the Chapel Ridge neighborhood, which includes both the Lambert Heights and Merrivale Subdivisions, the West Pensacola Sector Plan states:

For the remaining neighborhoods, preserving some or all of these areas may not be the best option. Some of these single-family areas aren't zoned exclusively for single family housing. In addition, for some of these neighborhoods that are, the homeownership has reduced significantly in just the past 5 years. The surrounding zoning has impacted these neighborhoods with traffic streaming through neighborhoods and apartments along the edge of the neighborhood. If these neighborhoods are to remain viable long-term, careful thought will be needed to make the areas attractive for single-family residents. (Page 26)

The West Pensacola Sector Plan identified three scenarios for the area in which the subject site is located (pages 24 -25).

The three options were:

Option 1 - Return to a neighborhood of majority homeowners – A major shift will be needed to move these neighborhoods back to majority homeownership. In the meetings, resident-owners have recommended incentives for the private sector to rebuild existing single-family neighborhoods and homeowners to purchase in the sector.

Option 2 - Become rental neighborhoods – The trend (both short-term and long-term) for all of the neighborhoods is an increase in rentals. With the exception of Cactus Street all neighborhoods are majority rental neighborhoods. This is the status quo choice.

Option 3 – Create an Urban Community - Some of the residential areas may be better utilized as higher density development. Through the application of design standards similar to areas in the Downtown, the western edge of campus could redevelop with a combination of housing types while improving the condition of the area. However, simply rezoning the property does not ensure the assembly of properties and quality redevelopment.

The proposed amendment to the subject site is consistent with both Option 2 and Option 3. In the time since the West Pensacola Sector Plan was adopted, home ownership has continued to decrease in the Chapel Ridge neighborhood, suggesting that it is unlikely that the subject site can remain a viable owner-occupied neighborhood long-term. Based on the continued trend toward fewer owner-occupied units and increased rentals, Option 1 is an unlikely outcome, regardless of the proposed land use amendment.

Previous Commission Consideration

Since 2016, multiple amendments changing the FLUM from Residential Preservation to University Transition have been approved in this area, including PCM201601 (Fairmeadow), PCM201804 (Chapel Drive), TMA2019002 (Murat Subdivision). Please see Appendix #1 for the maps of the amendments.

Current and Proposed Future Land Use Categories

The Subject Area is currently designated Residential Preservation on the FLUM. The proposed amendment would change the FLUM designation of the area to University Transition. A summary of the current and proposed FLU categories is below, and a comparison of permitted uses is provided in **Section G**. The complete comprehensive plan policies for Residential Preservation (Policy 2.2.3 [L]) and University Transition (Policy 2.2.17 [LU]) are included as Appendix #2.

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.” Residential Preservation areas are characterized by existing homogeneous residential areas within the community which are predominantly accessible by local streets. The Residential Preservation FLUM designation allows for single-family houses, townhomes, and duplexes at a maximum density of six (6) units per acre.

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.” The University Transition FLUM designation allows for a mix of uses, including smaller scale retail and commercial uses, entertainment commercial uses, offices, and residential housing up to fifty (50) units per acre.

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. 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. The category is not intended to be applied in a manner that would encourage or facilitate the premature conversion of existing viable single-family residential neighborhoods.

Determination for Future Land Use Map Amendment

1) Does the area meet the criteria for designation as the current land use designation of Residential Preservation (RP)?

No. Based on the Residential Preservation Analysis, the subject site no longer matches the description of the Residential Preservation Future Land Use category and RP-1 zoning district.

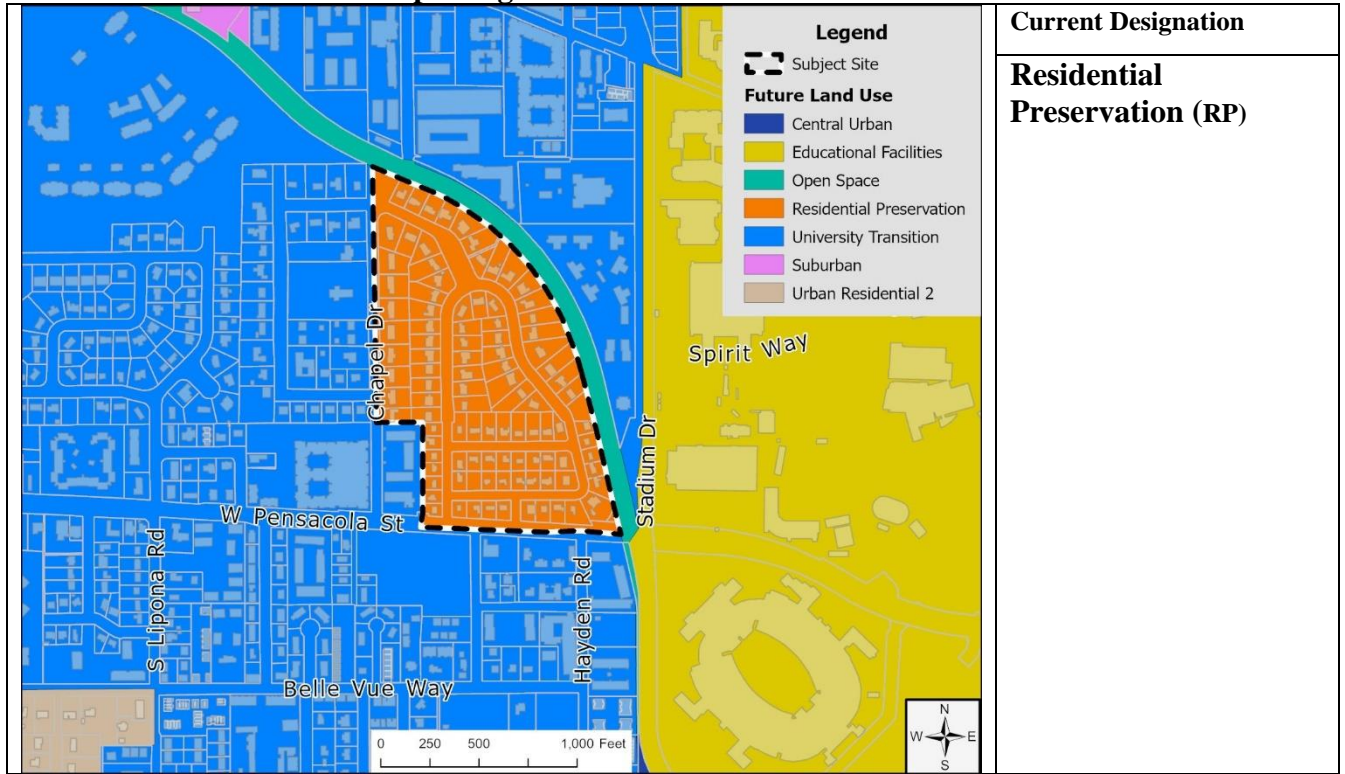
Homeownership rates have continued to decline in the past ten years. Since 2016, there have been multiple amendments in this area changing the FLUM from Residential Preservation to University Transition, including PCM201601 (Fairmeadow), PCM201804 (Chapel Drive), TMA2019002 (Murat Subdivision).

2) Does the area better meet the criteria for the proposed land use designation of University Transition (UT)?

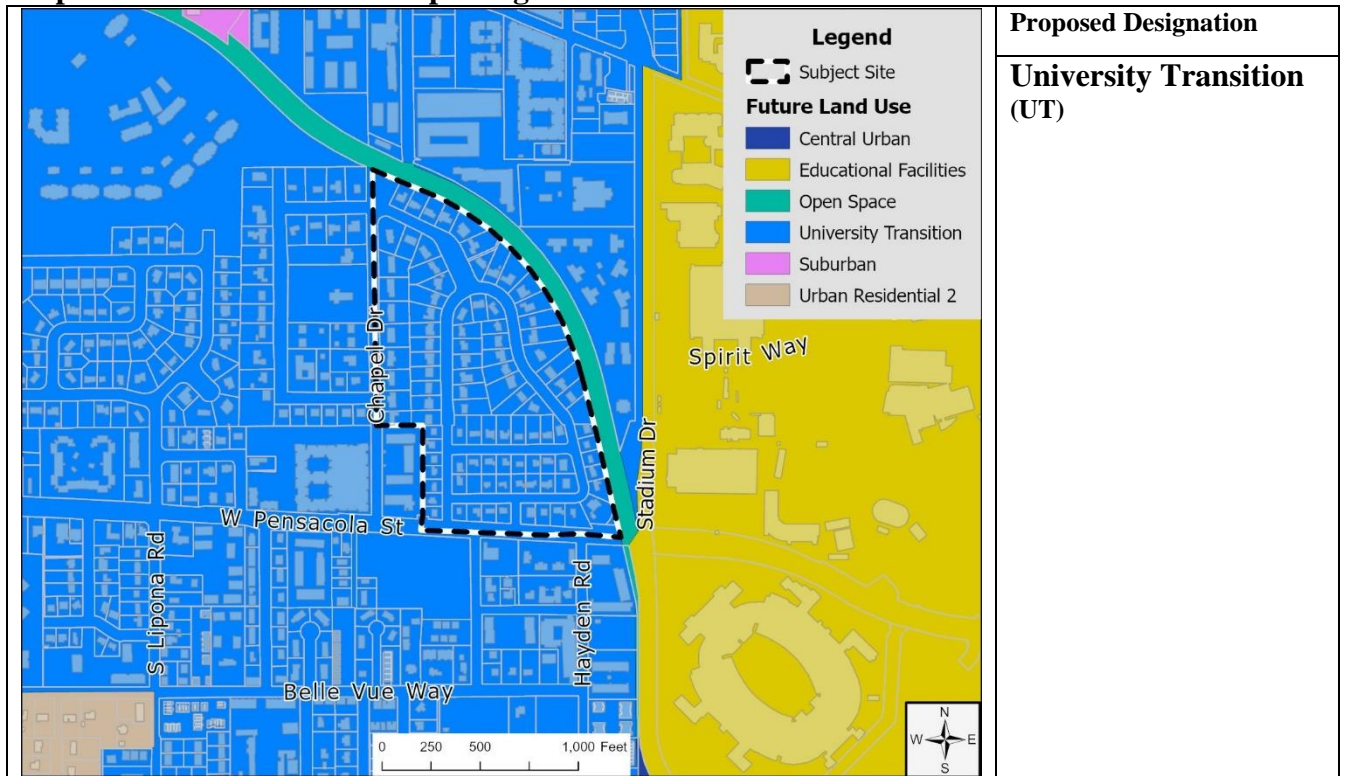
Yes. The subject site more closely resembles the description of the University Transition land use category and zoning district. The subject site is within the geographic boundary identified in the Comprehensive Plan as being appropriate for the University Transition Future Land Use and is predominantly surrounded by University Transition Future Land Use. The proposed amendment continues a trend in this area of former Residential Preservation areas transitioning to University Transition as homeownership rates decline and renters become the primary residents.

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



Zoning

A concurrent rezoning is requested for this site. The site is currently zoned Residential Preservation-1 (RP-1). The proposed rezoning would change the zoning designation to University Transition (UT) to implement the proposed underlying University Transition land use category. A summary of the current and proposed zoning categories is below, and a comparison of permitted uses is provided in **Section G**. The Land Development Code sections for the RP-1 (Sec. 10-170) and UT zoning district (Sec. 10-242) zoning are included as Appendix #3.

Residential Preservation 1 (RP-1) (Current)

The current zoning for the subject site, Residential Preservation – 1, 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 3.6 dwelling units per acre.

University Transition (UT) (Proposed)

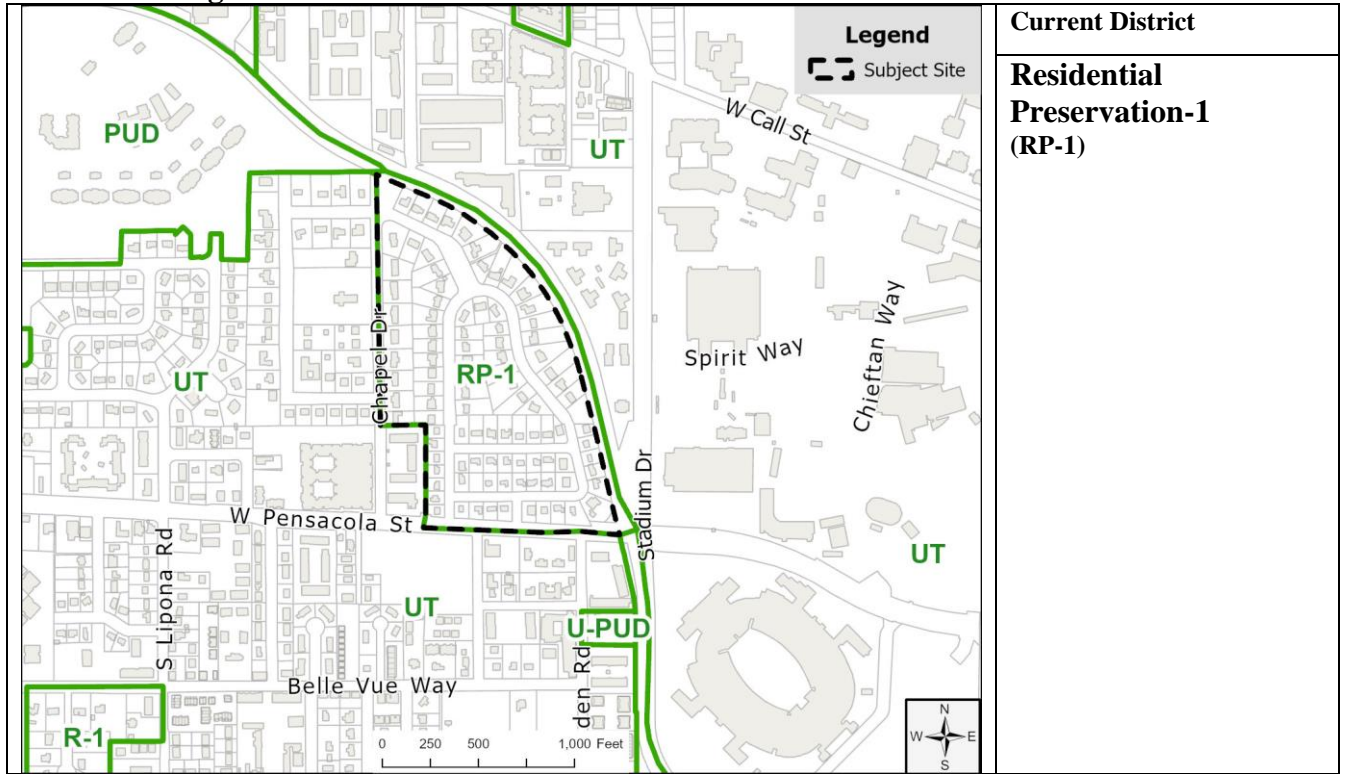
The proposed zoning for the subject site, University Transition, is intended to be a compact district that provides higher density residential opportunities and student oriented services near the campuses; protect existing residential neighborhoods located away from the campuses from student housing encroachment; and transition industrial and lower density residential uses to vibrant urban areas. UT zoning provides for higher density residential development of up to 50 dwelling units per acre, as well as smaller scale retail and commercial that provides essential services to immediate residents and ancillary needs of universities.

Determination for Concurrent Rezoning

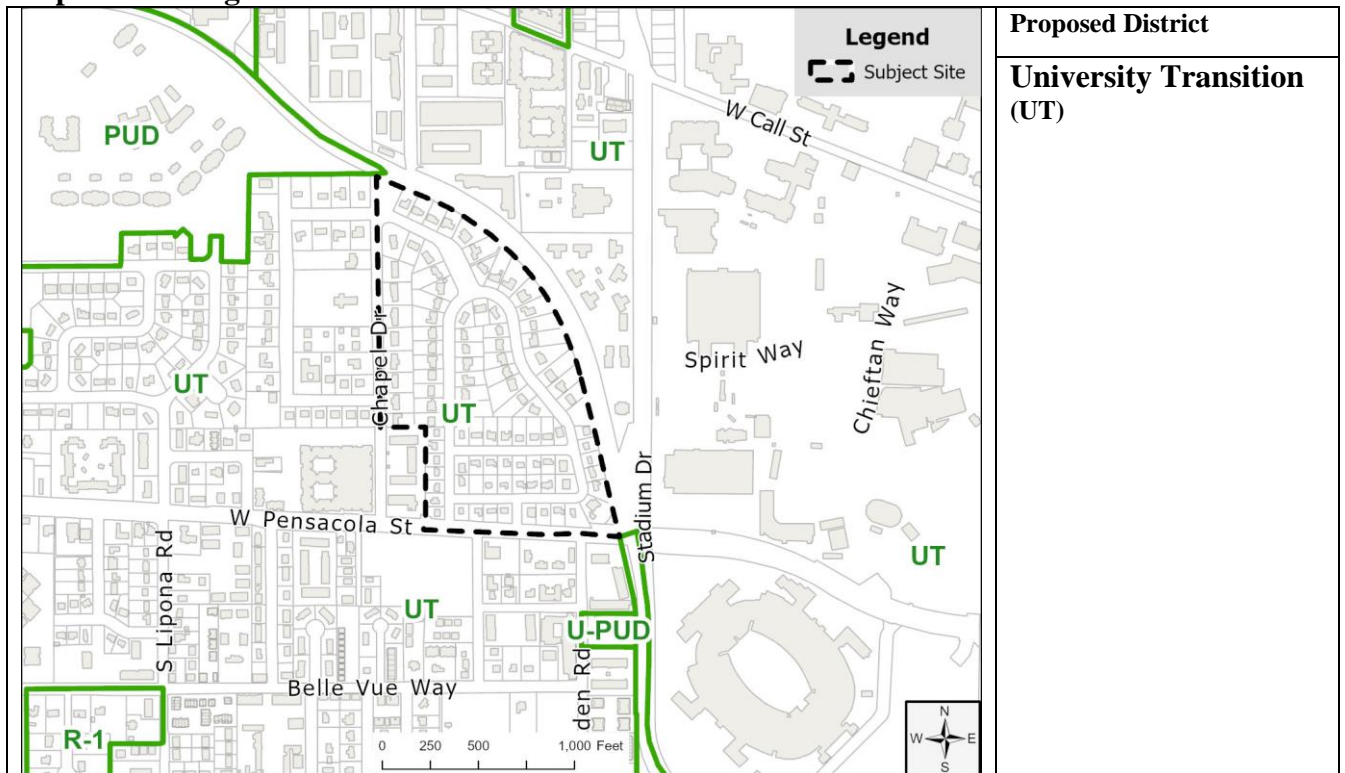
Provided the requested Future Land Use Map amendment is approved, the proposed University Transition zoning district implements the University Transition land use category and conforms to the land development requirements of the UT zoning district. The subject site is located in the complementary area for serving post-secondary educational institutions, allows student housing and compatible uses and is consistent with existing surrounding uses.

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

Current Zoning



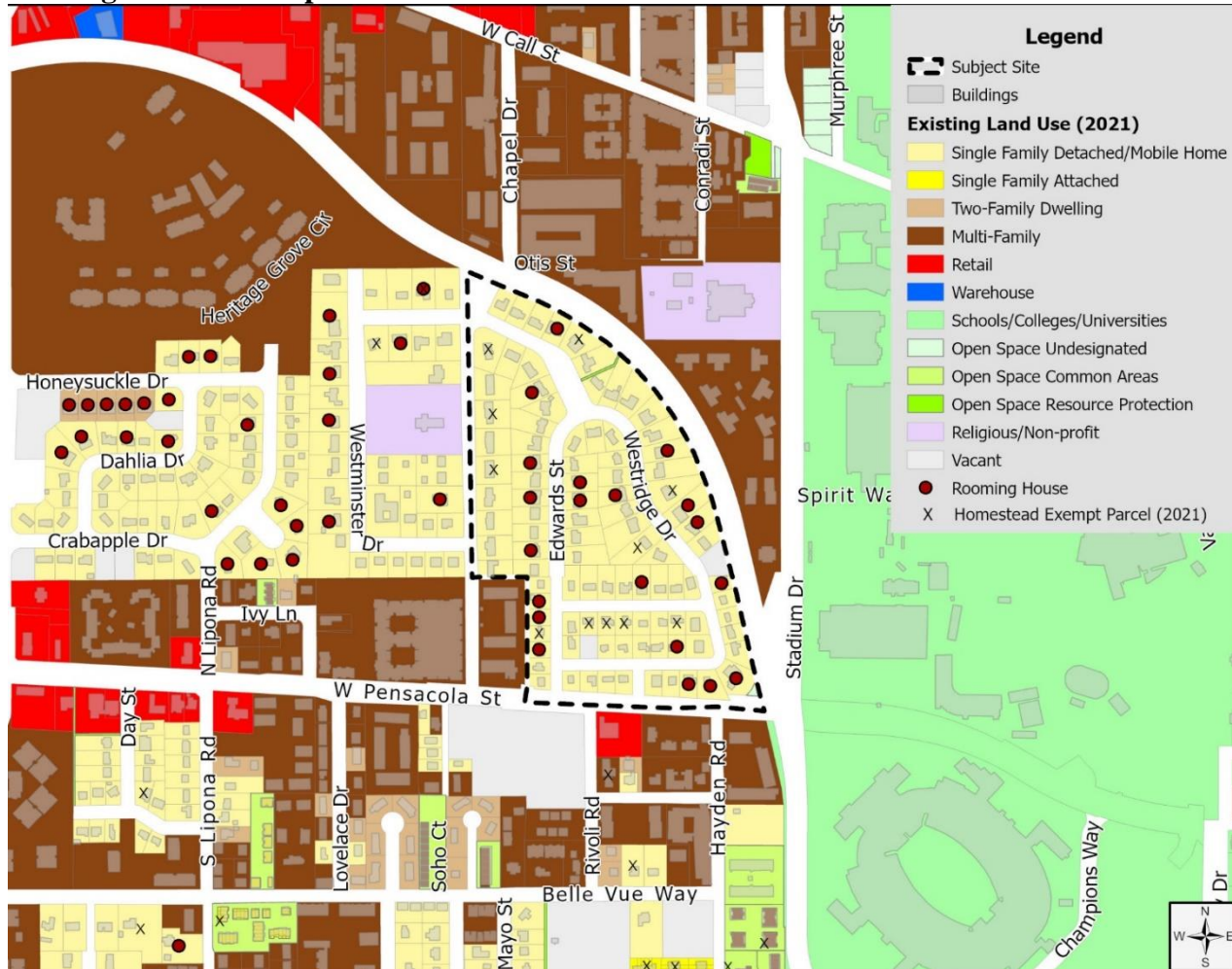
Proposed Zoning



Compatibility with Adjacent and Surrounding Uses

This subject site is approximately 35.48 acres and comprised of single-family detached houses and bounded by University Transition (UT) on all sides. To the west of the subject sight is largely detached single-family homes that are designated as UT. To the north, south, and east are multi-family apartment complexes, mixed-use commercial development, and Florida State University. The proposed land use category and zoning are consistent with the pattern of development and land uses of the surrounding areas.

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.

1. 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, including 20 registered rooming houses which allow more than four unrelated people to rent the house.

2. 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 Chapel Drive, which is fronted by the Chabad House @ FSU in addition to residences. Chapel Drive is a minor collector that connects West Call Street and West Pensacola Street, both of which serve a variety of uses, including single-family residential, multi-family residential, retail, and office.

 - ii) Relatively safe internal mobility.
Analysis: The subject site has relatively safe internal mobility; however, the internal mobility is limited. Westridge Drive, Edwards Street, and Barbara Street have no pedestrian facilities, but any future multi-family or non-residential development on those streets would be required to provide new sidewalks. As noted above, Chapel Drive is a minor collector that connects West Call Street and West Pensacola Street. Chapel Drive has a sidewalk that runs from West Call Street and West Pensacola Street. Additionally, the Stadium Trail is adjacent to the northern portion of the subject site and crosses Chapel Drive, which makes the street an important connection to the Stadium Trail for bicyclists and pedestrians in the neighborhood and surrounding area.

3. Densities within the area generally are six (6) units per acre or less.
Analysis: Within the subject site, and directly to the west, densities are generally six units per acre or less. However, this is not the case with the areas surrounding the subject site. On the north side of the subject site are multiple high-density student housing developments. Directly south and west of the subject site are other higher-density multi-family apartment complexes that are generally marketed to college students. Shopping centers and other commercial/retail uses are also in the general area. To the east of the subject site is Florida State University.

4. Existing residential type and density exhibits relatively homogeneous patterns.
Analysis: The majority of the subject site is detached single-family houses used as rental properties. Many of the houses are registered rooming houses, so one home can contain multiple unrelated households rather than one single-family. A typical pattern in the neighborhood that has resulted from having multiple households within one dwelling unit is the conversion of many of the front yard areas into surface parking to accommodate multiple occupant vehicles.

5. Assessment of stability of the residential area, including but not limited to:

i) Degree of home ownership.

Analysis: The degree of home ownership in the subject site declined rapidly over the past few decades. This rapid decline was noted in the West Pensacola Sector Plan, adopted in 2006. Ownership in the subject site continued to decline in the time since the adoption of the West Pensacola Sector Plan. In the subject site, 11 out of 100 parcels (11%) are homestead exempt and 20 are registered rooming houses (20%).

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

The Subject Area is zoned for Riley Elementary School, Nims Middle School, and Godby High School.

While maximum theoretical buildout of the subject site could result capacity issues, the nature of the area and potential for student renters is expected to result in a lower than normal student generation rate. Any future redevelopment of the area would follow the site plan review process. This process includes a school concurrency impact analysis.

Roadway Network

The subject site is served by local streets and a minor collector (Chapel Drive) that connects directly to West Call Street, a major collector, and West Pensacola Street, a minor arterial. 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. The actual traffic impacts and concurrency will be calculated at the time of site plan review.

Pedestrian and Bicycle Network

Sidewalks, bicycle lanes, and the Stadium Trail (part of the St. Marks Trail) provide connectivity between the subject site and both Florida State University and Tallahassee Community College. 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. West Call Street and West Pensacola Street have both bicycle lanes and sidewalks on both sides of the streets. The local streets within the subject site do not have sidewalks or bicycle facilities, but Chapel Drive does have a sidewalk. The St. Marks Trail is accessible from Chapel Drive and is directly adjacent to the northern and eastern portions of the subject site.

Transit Network

The subject site is served by StarMetro’s Tall Timbers route. The Tall Timbers Route has 40 minute headways and provides connections to Tallahassee Community College, Florida State University, Gaines Street, the Koger Center, and the Village Square shopping center. A transfer to the Moss Route or the Dogwood Route is necessary to take transit to Florida A&M University.

The subject site is also served by Florida State University’s Seminole Express Bus on the Garnet, Gold, Heritage, Night Nole, and Osceola routes. The closest bus stops are located at the intersection of Pensacola Street and Chapel Drive and at the intersection of Call Street and Chapel Drive.

Environmental Analysis

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

G. COMPARISON OF EXISTING AND PROPOSED ALLOWED USES

The Future Land Use Map provides a general pattern for the location, distribution, and character of land uses. The zoning category implements the underlying land use category and further regulates allowed and prohibited uses, building densities and intensity of uses, and site design specifics such as setbacks, parking requirements, infrastructure, and other land development issues.

| Permitted Uses- Future Land Use | Current Residential Preservation | Proposed University Transition |
|--|---|---------------------------------------|
| Residential | 6 unit/1 acre | 50 units/acre |
| Single-Family Detached | X | X |
| Single-Family Attached | X | X |
| Two-Family Dwellings | X | X |
| Multi-Family | | X |
| Community and Recreational Facilities | X | X |
| Commercial Goods and Services | | X |
| Mixed-Use Development | | X |
| Office | | X |

| Permitted Uses- Zoning (See Zoning Charts in Appendix #2 for detailed uses) | Current RP-1 | Proposed UT |
|--|---------------------|--------------------|
| Allowed maximum residential density. | 3.6 units/acre | 50 units/acre |
| Community Services, Passive and Active Recreation, Light Infrastructure | X | X |
| Community and Recreation Facilities, Educational Facilities, Day care | | X |
| Cultural Activities, art studio, museum | | X |
| Retail Commercial Goods and Services | | X |
| Restaurants | | X |
| Office, Medical | | X |
| Structured Parking | | X |

H. PUBLIC OUTREACH AND NOTIFICATION

An initial mailing was sent to **1572** property owners within 1,000 feet of subject site and signs were posted on the site (see Appendix #4).

| Public Outreach | | Date Completed |
|-----------------|--|---|
| X | Applications posted to Planning Website | |
| X | Notices Mailed to Property Owners, Renters, and Homeowners Associations within 1000 feet | 11/16/2022 |
| X | Signs providing details of proposed land use posted on subject site | 11/29/22 |
| X | Public Open House | 12/8/22 |
| X | Staff Reports Available Online (https://www.talgov.com/place/pln-cp-2023#05) | 1/3/23 |
| X | Email Subscription Notice sent to all users of service | 8/02/22 8/31/22 9/14/22 9/15/22 1/4/23 1/31/23 |
| X | Legal Ads posted | 12/30/22 1/27/23 |

Public Open House – Provide description, location, attendance, major questions, concerns, or topics of discussion from attendees.

On December 8, 2022, the Planning Department held an open house for the public to learn more about the 2023 Amendment Cycle items. Several attendees were residents and/or property owners within the subject site of TMA22023 005. Several attendees wanted more information to better understand what the proposed amendment entailed. Multiple attendees were unsupportive of the proposed amendment. Reasons cited for opposition included:

- a desire for things to remain as they are,
- concerns that the change from Residential Preservation to University Transition is too large an increase in intensity and that a medium density land use category/zoning district would better suit the context of the neighborhood, and
- concerns that the area does not have the infrastructure to accommodate such a high intensity zoning district (one attendee used Belle Vue Way as an example for how piecemeal new infrastructure improvements can be as sites get redeveloped at different times, resulting in gaps in sidewalk connectivity).

Attendees recognized that the area no longer satisfies the required criteria to be designated as Residential Preservation, but felt that there could be alternative land use and zoning districts that better reflected the existing conditions of the area. Staff explained that despite the built environment predominantly consisting of single-family detached homes, the neighborhood is not considered a viable single-family neighborhood given the high percentage of renters. The residential composition of the neighborhood and the proximity to FSU are consistent with the University Transition criteria. Staff also reminded attendees that any development in the neighborhood would be subject to infrastructure improvements and protected residential provisions of the Land Development Code, all of which would be determined upon submittal of a development application or site plan. At this time, there are no site plans or development plans related to this 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 Meetings | Date Completed |
|---|--|-----------------------|
| X | Local Planning Agency Workshop | 1/10/23 |
| X | Local Planning Agency Public Hearing | 2/07/23 |
| | Joint City-County Commission Workshop | |
| | Transmittal Public Hearing [If Applicable] | |
| | Adoption Public Hearing | |

Local Planning Agency Workshop – Provide description, major questions, concerns, or topics of discussion.

A workshop was held on January 10, 2023, to discuss the proposed 2023 Cycle amendments. Staff provided an overview of the proposed amendments and details of the preliminary analyses for the amendments. There were no questions from the LPA that resulted in updates to this staff report.

Local Planning Agency Public Hearing – Provide voting results of public hearing, description of public speakers and major topics of concern or support.

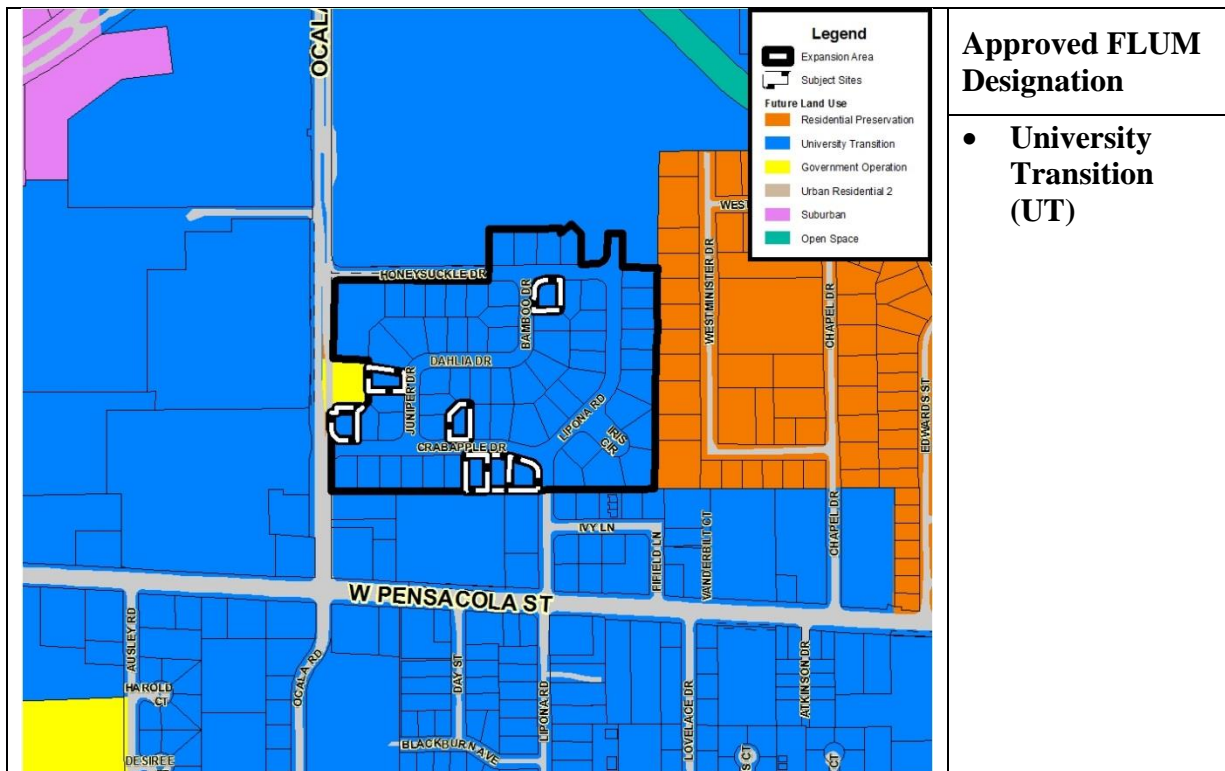
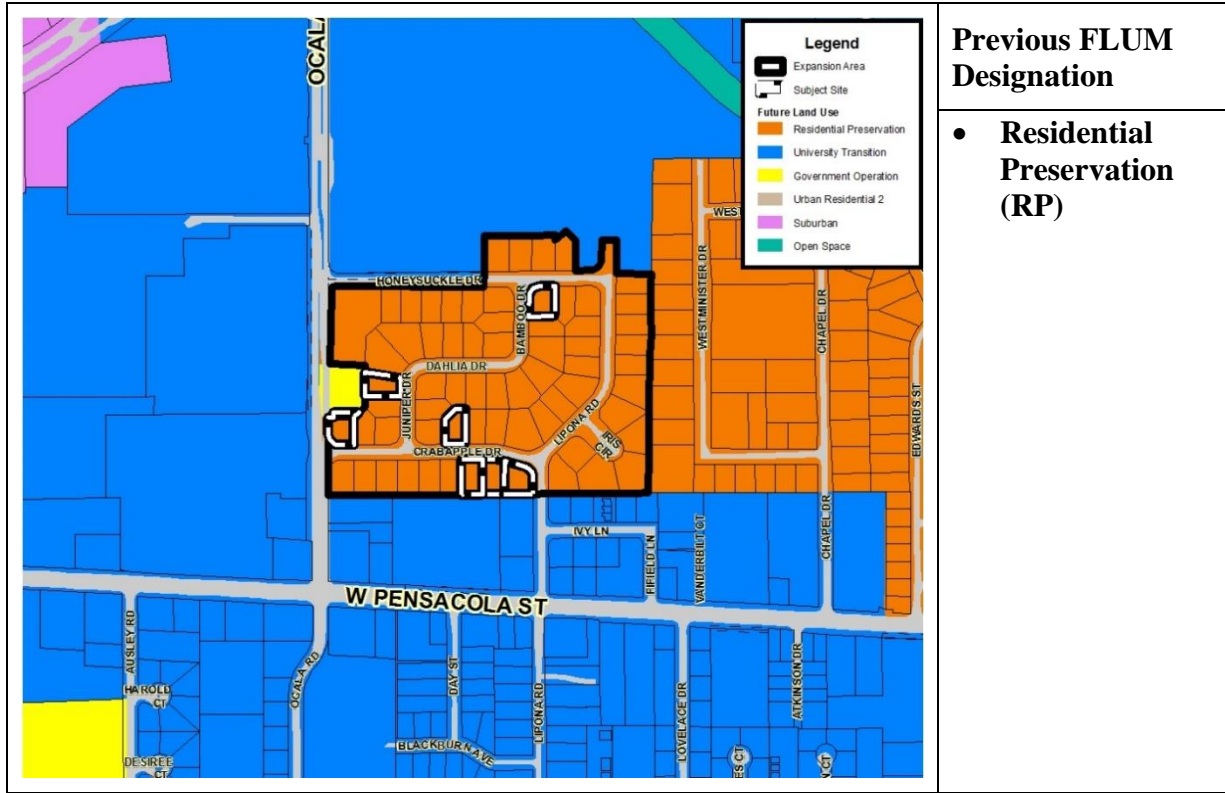
The public hearing was held on February 7, 2023 to vote on the proposed 2023 Cycle Amendments. The LPA found the proposed future land use map amendment is inconsistent with the Tallahassee-Leon County Comprehensive Plan, based on the existing land use and the testimony provided by speakers at the public hearing, and recommended DENIAL of the proposed amendment. They also found that the

proposed rezoning is inconsistent with the Tallahassee-Leon County Comprehensive Plan, based on the existing land use and the testimony provided by speakers at the public hearing, and recommended DENIAL of the proposed rezoning. There were two public speakers on this item. Both were opposed to the proposed amendment, citing compatibility concerns.

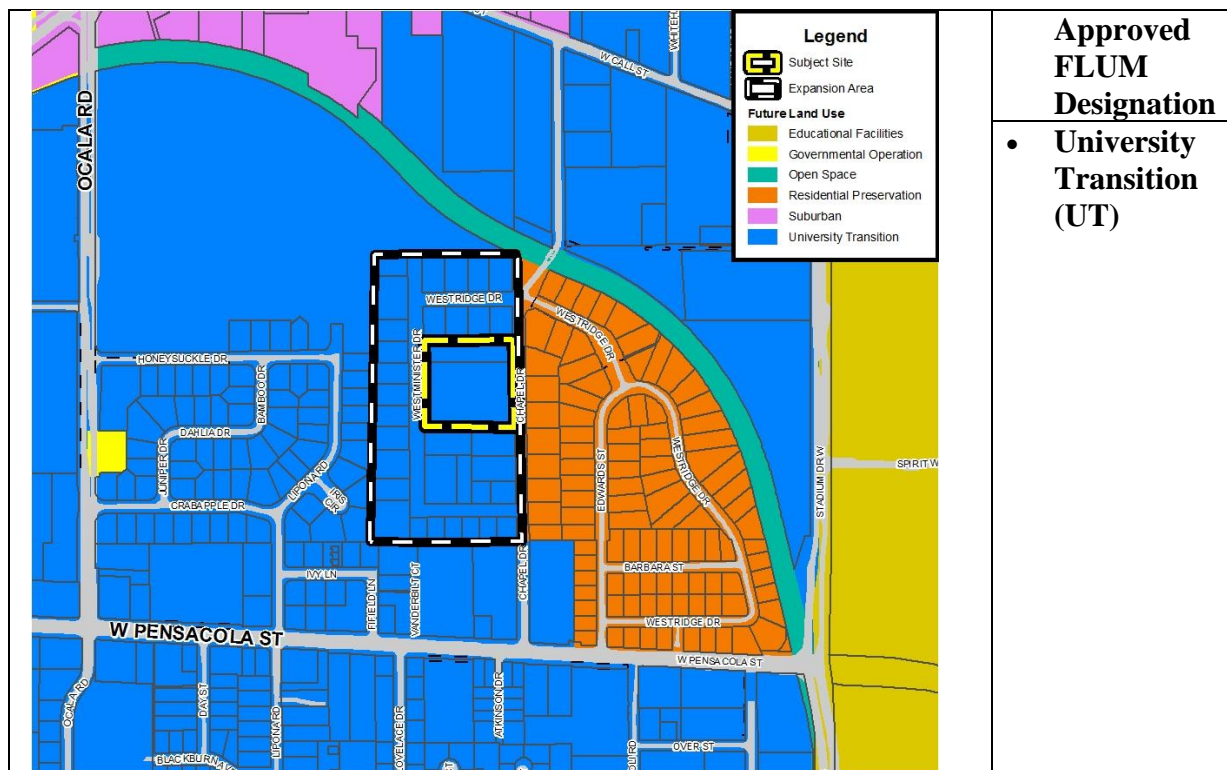
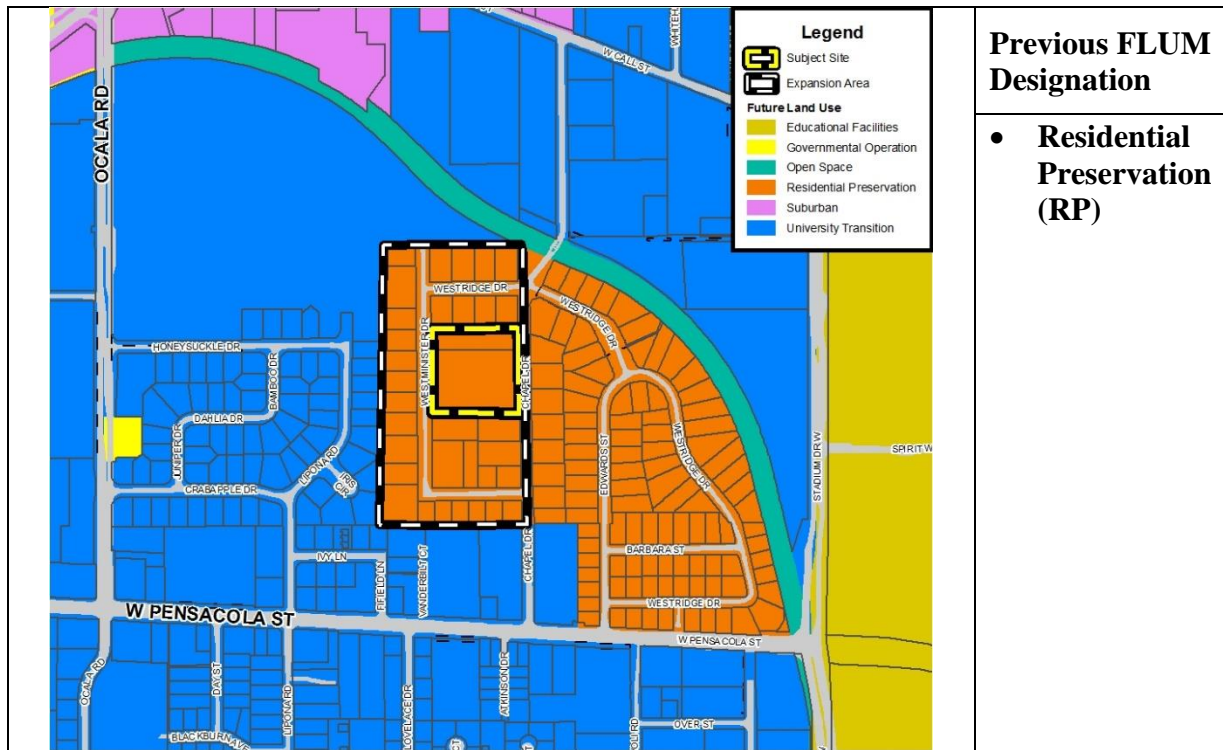
I. APPENDICES

- Appendix #1: Maps of previous FLUM amendments in the area of the subject site
- Appendix #2: Comprehensive Plan policies relevant to the proposed amendment
- Appendix #3: Land Development Code sections relevant to the proposed amendment and/or rezoning
- Appendix #4: Photo of signs providing details of proposed land use and zoning changes posted on subject site

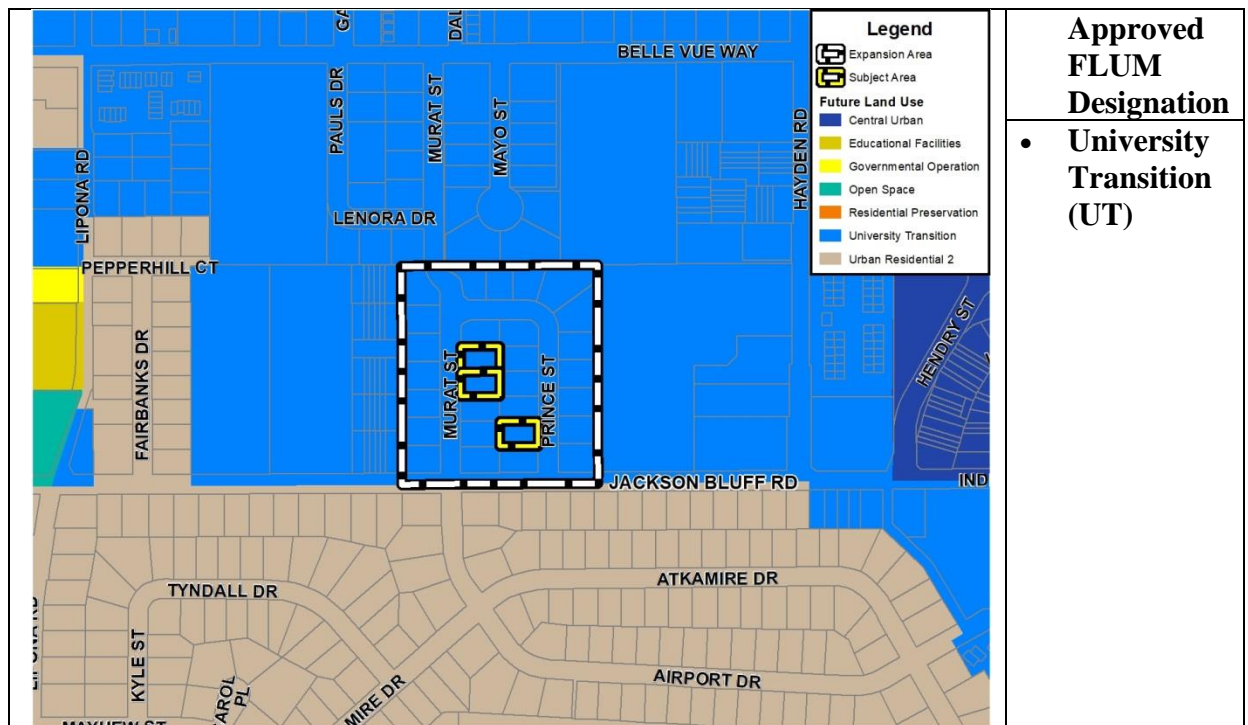
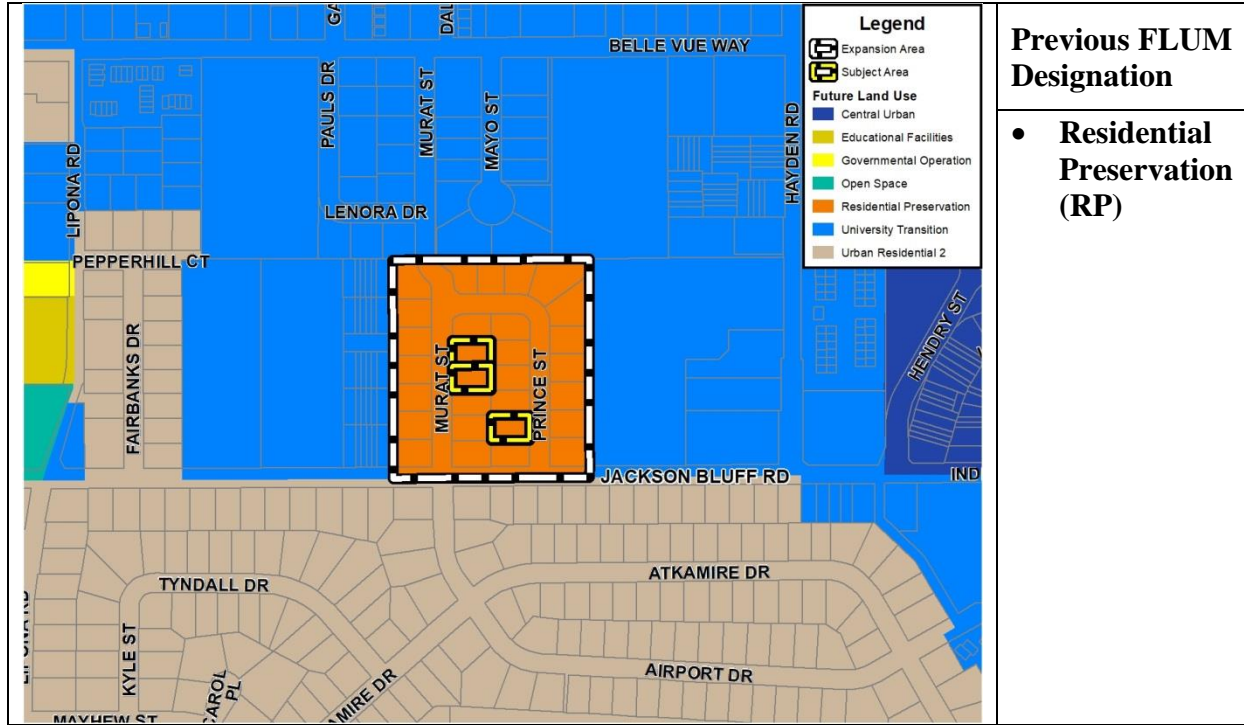
APPENDIX 1
2016 Fairmeadow Amendment



2018 Chapel Drive Amendment



2019 Murat Subdivision Amendment



APPENDIX 2Comprehensive Plan Policies**Policy 2.2.3: [L]****RESIDENTIAL PRESERVATION**

(EFF. 7/16/90; REV. EFF. 7/26/06; REV. EFF. 4/10/09; REV. EFF. 5/31/18)

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
 1. Predominance of residential uses front on local street
 2. 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:
 1. Degree of home ownership
 2. 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.

Expanding or redeveloped light industrial uses adjoining low density residential areas within the residential preservation land use category shall mitigate potential negative impacts and provide screening, buffering, or 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 expanding or redeveloping light industrial uses and adjoining residential preservation areas 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 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.

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:

| <u>Existing land use character of the subdivision</u> | <u>Gross residential density</u> |
|--|--|
| Homogenous, very low density single family detached units (City Only) | 0-3.6 dwelling units per acre (generally consistent with density of the subdivision) |
| Low density single family detached and/or non-single family detached units (including but not limited to townhomes and duplexes) | 0-6.0 dwelling units per acre (generally consistent with density of the subdivision) |

This section shall not be construed as to restrict the development of building types allowed by the applicable zoning district.

Policy 2.2.17: [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 bookstores 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.

APPENDIX 3

Land Development Code sections

Sec. 10-170. Residential preservation district.(a) *Purpose and intent.*

- (1) The residential preservation district is characterized by existing homogeneous residential areas within the community which are predominantly accessible predominantly by local streets. The primary function of the residential preservation district is to protect existing stable and viable residential areas from incompatible land uses and density intrusions. Commercial, retail, office and industrial activities are prohibited in the residential preservation district (certain nonresidential 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 in the residential preservation district within a range of zero to six units per acre. Compatibility with surrounding residential type and density shall be a major factor in the authorization of development approval and in the determination of the permissible density. 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 nonvested development in residential preservation area shall be consistent with the underlying land use category: no more than one unit per ten acres in the rural category; no more than one dwelling unit per acre (clustered) or one dwelling unit per three acres (not clustered) in the urban fringe category. The residential preservation land use category is divided into five 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 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 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 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 3.6 dwelling units per acre in platted subdivisions, one dwelling unit per acre (net) for clustered developments on unplatted lots, or one unit per three 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 3.6 dwelling units per acre in platted subdivisions, or one dwelling unit per ten 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).

(Code 1984, ch. 27, § 10.3(J); Ord. No. 95-O-0025AA, 9-13-1995; Ord. No. 96-O-0033AA, § 7, 12-11-1996; Ord. No. 97-O-0027AA, §§ 6—12, 7-8-1997; Ord. No. 02-O-88AA, § 2, 10-23-2002)

Sec. 10-171. University transition district.

- (a) *Purpose and intent.*
 - (1) The university transition zoning district is intended to complement three major public post secondary educational institutions; Florida State University (FSU), including Innovation Park; Florida Agricultural and Mechanical University (FAMU); and Tallahassee Community College; allowing for land uses and activities typically required by students, faculty, and other university personnel. The district is also intended to accommodate the growth and expansion of these institutions, as well as the establishment of university-related research and development businesses and industries. The provision of student housing and prevention of housing displacement are integral to the viability of the university transition district. Another function of the university transition district is to provide for a compatible transition between the land uses and activities established within this district and the uses found in the more intensive downtown zoning district and the less intensive single-family residential zoning districts (RP-1, RP-2, R-1, R-2).
 - (2) Emphasis in this division is placed upon the allowance of such complementary activities and uses as post-secondary institutional, high density residential at a density of up to 50 dwelling units per acre, neighborhood commercial, entertainment establishments, and active recreational. The location of such uses in close physical proximity maximizes opportunities for pedestrian and bicycle traffic and reduces automobile dependency and the demand for parking. Additionally, multi-family residential and mixed-use projects within the central core, as

defined in the comprehensive plan, are allowed up to a 35 percent density bonus in addition to the maximum allowable 50 dwelling units per acre, subject to the provisions of sections 10-200 and 10-280.7.

- (3) It is anticipated that the provisions of the university transition district will be periodically revised and modified to reflect changes in the Florida State University and Florida Agricultural and Mechanical University master plans and the continued revisions of the downtown improvement plan.
 - (4) Urban planned unit developments. Urban planned unit developments are encouraged in this district. Please see section 10-200 for detailed criteria and procedures.
- (b) *Allowable uses.* For the purpose of this chapter, the following land use types are allowable in the university transition zoning district and are controlled by the land use development standards of this chapter, the comprehensive plan and schedules of permitted uses. The uses are listed in order of consistency with the district intent:
- (1) Post-secondary.
 - (2) High-density residential.
 - (3) Neighborhood commercial.
 - (4) Active recreation.
 - (5) Medium-density residential.
 - (6) Minor office.
 - (7) Minor industrial (university research or development related).
 - (8) Low-density residential.
 - (9) Passive recreation.
 - (10) Minor commercial.
 - (11) Community services.
 - (12) Light infrastructure.
 - (13) Major office.
 - (14) Community commercial.
 - (15) Office park (no residential component).
- (c) *List of permitted uses.* See permitted uses, section 10-242. The activity or use may be classified as principal accessory, or permitted through special exception. Special exception uses must meet the criteria in article VII. Chapter 9, article III sets forth the development approval process required for allowable uses.
- (d) *Development standards.* All proposed development shall meet the land use development standards specified in subsections 10-242.5—10-242.19; and parking and loading requirements (article VI).
- (e) *Specific restrictions.* If uses are restricted according to the permitted use subsection, they must follow the general development guidelines for restricted uses as provided in section 10-242. Specific restricted uses are addressed in article section 10-422.

(Code 1984, ch. 27, § 10.3(K); Ord. No. 95-O-0025AA, 9-13-1995; Ord. No. 96-O-0033AA, § 7, 12-11-1996; Ord. No. 97-O-0027AA, §§ 6—12, 7-8-1997; Ord. No. 01-O-28AA, § 9, 10-24-2001; Ord. No. 05-O-57, § 9, 10-26-2005; Ord. No. 07-O-39, § 2, 11-20-2007; Ord. No. 13-O-03, § 11, 8-28-2013)

Sec. 10-241. Residential preservation district.

The following applies to the Residential Preservation District:

- (1) Allowable uses; appropriate permit level and applicable development and locational standards.

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

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

Residential Preservation-1

| RESIDENTIAL PRESERVATION-1 | | LAND USE TYPE | | | | |
|----------------------------|--|---------------|----|----|----|----|
| SIC CODE | NAME OF USE | LR | PR | AR | CS | LI |
| | RESIDENTIAL | | | | | |
| | Dwelling, one-family (Rooming houses are prohibited.) | P | | | | |
| | SERVICES | | | | | |
| 821 | Elementary and secondary schools (middle and high) legally established and in existence on July 1, 2015, including expansions to existing facilities | | | | S | |
| 866 | Religious organizations | | | | S | |
| | RECREATION | | | | | |
| | Hiking and nature trails | | P | | | |
| | Picnicking | | P | | | |
| | Canoe trails | | P | | | |
| | Bicycle trails | | P | | | |
| | Horseback riding trails | | P | | | |
| | Tot lots | | | | | |
| | Court sports | | | | | |
| | Field sports | | | | | |
| | PUBLIC ADMINISTRATION | | | | | |
| | Police protection | | | | | |
| | Fire protection | | | | | |
| | Public order and safety | | | | | |

Residential Preservation - 2

| RESIDENTIAL PRESERVATION-2 | | LAND USE TYPE | | | | |
|----------------------------|-------------|---------------|----|----|----|----|
| SIC CODE | NAME OF USE | LR | PR | AR | CS | LI |
| | RESIDENTIAL | | | | | |

| | | | | | | |
|-----|--|---|---|---|---|--|
| | Dwelling, one-family | P | | | | |
| | Dwelling, two-family | P | | | | |
| | (Roominghouses are prohibited) | | | | | |
| | Dwelling, two-unit townhouses | P | | | | |
| | SERVICES | | | | | |
| 821 | Elementary and secondary schools (middle and high) that are established and in existence on July 1, 2015 including expansions to existing facilities | | | | S | |
| 866 | Religious organizations | | | | S | |
| | RECREATION | | | | | |
| | Hiking and nature trails | | P | | | |
| | Picnicking | | P | | | |
| | Canoe trails | | P | | | |
| | Bicycle trails | | P | | | |
| | Horseback riding trails | | P | | | |
| | Tot lots | | | P | | |
| | Court sports | | | R | | |
| | Field sports | | | R | | |
| | PUBLIC ADMINISTRATION | | | | | |
| | Police protection | | | | S | |
| | Fire protection | | | | S | |
| | Public order and safety | | | | S | |

Residential Preservation-MH

| SIC CODE | RESIDENTIAL PRESERVATION-MH NAME OF USE | LAND USE TYPE | | | | |
|----------|--|---------------|----|----|----|----|
| | | LR | PR | AR | CS | LI |
| | RESIDENTIAL | | | | | |
| | Dwelling, one-family | P | | | | |
| | Dwelling, two-family | P | | | | |
| | Dwelling, manufactured home | P | | | | |
| | Mobile home park | S | | | | |
| | Dwelling, duplex mobile home | P | | | | |
| | SERVICES | | | | | |
| | Elementary and secondary schools legally established and in existence on July 1, 2015, including expansions to existing facilities | | | | S | |
| | Religious organizations | | | | S | |
| | PUBLIC ADMINISTRATION | | | | | |
| 922 | Public order and safety | | | | R | |
| 9221 | Police protection | | | | R | |
| 9224 | Fire protection | | | | R | |

| | | | | | | |
|--|--------------------------|--|---|---|--|--|
| | RECREATION | | | | | |
| | Hiking and nature trails | | P | | | |
| | Picnicking | | P | | | |
| | Canoe trails | | P | | | |
| | Bicycle trails | | P | | | |
| | Horseback riding trails | | P | | | |
| | Tot lots | | | P | | |
| | Court sports | | | R | | |
| | Field sports | | | R | | |

Residential Preservation-UF

| RESIDENTIAL PRESERVATION-UF | | LAND USE TYPE | | | | |
|-----------------------------|--|---------------|----|----|----|----|
| SIC CODE | NAME OF USE | LR | PR | AR | CS | LI |
| | RESIDENTIAL | | | | | |
| | Dwelling, one-family | P | | | | |
| | Dwelling, manufactured home | P | | | | |
| | SERVICES | | | | | |
| 821 | Elementary and secondary schools legally established and in existence on July 1, 2015, including expansions to existing facilities | | | | S | |
| 866 | Religious organizations | | | | S | |
| | PUBLIC ADMINISTRATION | | | | | |
| 922 | Public order and safety | | | | R | |
| 9221 | Police protection | | | | R | |
| 9224 | Fire protection | | | | R | |
| | RECREATION | | | | | |
| | Hiking and nature trails | | P | | | |
| | Picnicking | | P | | | |
| | Canoe trails | | P | | | |
| | Bicycle trails | | P | | | |
| | Horseback riding trails | | P | | | |
| | Tot lots | | | P | | |
| | Court sports | | | P | | |
| | Field sports | | | P | | |

Residential Preservation-R

| RESIDENTIAL PRESERVATION-R | | LAND USE TYPE | | | | |
|----------------------------|-----------------------------|---------------|----|----|----|----|
| SIC CODE | NAME OF USE | LR | PR | AR | CS | LI |
| | RESIDENTIAL | | | | | |
| | Dwelling, one-family | P | | | | |
| | Dwelling, manufactured home | P | | | | |

| | | | | | | |
|------|--|--|---|---|---|--|
| | SERVICES | | | | | |
| 821 | Elementary and secondary schools legally established and in existence on July 1, 2015, including expansions to existing facilities | | | | S | |
| 866 | Religious organizations | | | | S | |
| | PUBLIC ADMINISTRATION | | | | | |
| 922 | Public order and safety | | | | R | |
| 9221 | Police protection | | | | R | |
| 9224 | Fire protection | | | | R | |
| | RECREATION | | | | | |
| | Hiking and nature trails | | P | | | |
| | Picnicking | | P | | | |
| | Canoe trails | | P | | | |
| | Bicycle trails | | P | | | |
| | Horseback riding trails | | P | | | |
| | Tot lots | | | P | | |
| | Court sports | | | P | | |
| | Field sports | | | P | | |

- (2) Minimum development standards. (Development standards for properties located within the MMTD are established within division 4 of this Code.)

Residential Preservation-1

| RESIDENTIAL PRESERVATION-1 | SINGLE FAMILY RESIDENTIAL UNITS | SINGLE FAMILY RESIDENTIAL UNITS CLUSTERED | ACTIVE RECREATION | COMMUNITY SERVICES; ACTIVE RECREATION; PUBLIC, PRIMARY AND SECONDARY SCHOOLS |
|----------------------------|---------------------------------|---|-------------------|--|
| MINIMUM SETBACKS (FEET) | | | | |
| Front Yard | | | | |
| | Building | 25 | 25 | 25 |
| | Parking | — | — | 20 |
| Corner Yard | | | | |
| | Building | 20 | 25 | 25 |
| | Parking | — | — | 20 |
| Interior Side Yard | | | | |
| | Building | 10 | 15 | 20 |
| | Parking | — | — | 20 |
| Rear Yard | | | | |
| | | | Perimeter Setback | |

| | | | | | |
|--|----------|---|---|----|--------|
| | Building | 25 | 25 | 25 | 30 |
| | Parking | — | — | 20 | 10 |
| MAXIMUM PERCENT OF IMPERVIOUS SURFACE AREA | | 40 | 40 (of Not Area) | 10 | 40 |
| MAXIMUM HEIGHT (FEET) | | 35 | 35 | 15 | 35 |
| MIN. LOT SIZE | | 12.100 square feet avg. of all lots created with a minimum lot size of no less than 6,000 square feet | The net density of the project site (clustered development and required open space) may be no greater than 6 units per acre | — | ½ acre |
| MIN. LOT FRONTAGE | | 15 | 15 | 15 | — |

Residential Preservation-2

| DEVELOPMENT TYPE | | | | | |
|-------------------------|-----------|---|---|--------------------------------------|--|
| | | SINGLE FAMILY AND TWO-UNIT TOWNHOUSE RESIDENTIAL UNITS NONCLUSTERED | SINGLE-FAMILY RESIDENTIAL UNITS CLUSTERED | DUPLEX RESIDENTIAL UNIT NONCLUSTERED | COMM. SERVICES; ACTIVE REC.; PUBLIC, PRIMARY AND SECONDARY SCHOOLS |
| MINIMUM SETBACKS (FEET) | | | | | |
| Front Yard | | | Perimeter Setback | | |
| | Building | 15 | 25 | 20 | 25 |
| | Parking | - | - | - | 20 |
| Corner Yard | | | Perimeter Setback | | |
| | Building | 15 | 25 | 20 | 25 |
| | Parking | - | - | - | 20 |
| Interior Side Yard | | | Perimeter Setback | | |
| | Building* | 7.5 | 15 | 7.5 | 20 |
| | Parking | - | - | - | 20 |
| Rear Yard | | | Perimeter Setback | | |
| | Building | 25 | 25 | 25 | 25 |
| | Parking | - | - | - | 10 |

| | | | | |
|--|---|--|--|--------|
| MAXIMUM PERCENT OF IMPERVIOUS SURFACE AREA | 40 | 40 (of net area) | 40 | 40 |
| MAX. HEIGHT FEET | 35 | 35 | 35 | 35 |
| MIN. LOT AREA (ACRES) | 7,260 square feet average of all lots created with a minimum lot size of no less than 6,000 square feet | The net density of the project site (clustered) development and required open space) may be no greater than 6 Units per acre | 14,520 square feet average of all lots created with a minimum lot size of no less than 7,500 square feet | ½ acre |
| MINIMUM LOT FRONTAGE (FEET) | 15 | 15 | 15 | - |

* Zero-lot line construction permitted along common wall of townhouse dwelling units.

Residential Preservation-MH

| RESIDENTIAL PRESERVATION-MH | | SINGLE DETACHED MANUFACTURED HOMES; SINGLE CONVENTIONAL RESIDENTIAL UNITS | DUPLEX MANUFACTURED HOMES; DUPLEX CONVENTIONAL RESIDENTIAL UNITS | COMMUNITY SERVICES ACTIVE RECREATION; PUBLIC, PRIMARY AND SECONDARY SCHOOLS |
|--|----------|---|--|---|
| MINIMUM SETBACKS (FEET) | | | | |
| Front Yard | | | | |
| | Building | 10 | 10 | 25 |
| | Parking | - | - | 20 |
| Corner Yard | | | | |
| | Building | 20 | 20 | 25 |
| | Parking | - | - | 20 |
| Interior Side Yard | | | | |
| | Building | 7.5 | 7.5 | 20 |
| | Parking | - | - | 20 |
| Rear Yard | | | | |
| | Building | 7.5 | 7.5 | 25 |
| | Parking | - | - | 20 |
| MAXIMUM PERCENT OF IMPERVIOUS SURFACE AREA | | 40 | 40 | 40 |
| MAXIMUM HEIGHT (FEET) | | 35 | 35 | 35 |

| | | | |
|--------------------------|--|--|--------|
| MIN. LOT SIZE | 7,260 square feet avg. of all lots created with a minimum lot size of no less than 3,600 square feet | 14,520 square feet of all lots created with a minimum lot size of no less than 7,500 square feet | ½ acre |
| MIN. LOT FRONTAGE (FEET) | 15 | 15 | |

Residential Preservation-UF

| RESIDENTIAL PRESERVATION-UF | PLATTED BEFORE JULY 18, 1990* | PLATTED (SUBDIVIDED) AS PER POLICY 2.1.8 OF FUTURE LAND USE ELEMENT OF THE TALL-LEON COUNTY COMPREHENSIVE PLAN* | LOW DENSITY RESIDENTIAL | | COMMUNITY SERVICES; ACTIVE RECREATION; PUBLIC, PRIMARY AND SECONDARY SCHOOLS |
|--|-------------------------------|---|-------------------------|---------------|--|
| | | | CLUSTERED | NON-CLUSTERED | |
| MINIMUM SETBACKS (FEET) | | | | | |
| Front Yard | | | Perimeter Setback | | |
| Building | 25 | 25 | 25 | 30 | 25 |
| Parking | - | - | - | | 20 |
| Corner Yard | | | Perimeter Setback | | |
| Building | 25 | 25 | 25 | 30 | 25 |
| Parking | - | - | - | | 20 |
| Interior Side Yard | | | Perimeter Setback | | |
| Building | 15 | 15 | 25 | 20 | 20 |
| Parking | - | - | - | | 20 |
| Rear Yard | | | Perimeter Setback | | |
| Building | 25 | 25 | 25 | 25 | 25 |
| Parking | - | - | - | | 20 |
| MAXIMUM PERCENT OF IMPERVIOUS SURFACE AREA | 30 | 30 | 25% minimum pervious | 30 | 40 |
| MAXIMUM HEIGHT (FEET) | 35 | 35 | 35 | 35 | 35 |
| MIN. LOT SIZE | 20,000 square feet | .5 acre | 1 acre | 3 acre | ½ acre |

| | | | | | |
|--------------------------|----|----|----|----|--|
| MIN. LOT FRONTAGE (FEET) | 15 | 15 | 15 | 15 | |
|--------------------------|----|----|----|----|--|

*Subsequent redevelopment, not vested per Leon County Ordinance 90-31 or not addressed by policy 2.1.9 of the future land use element of the comprehensive plan shall conform to the provisions for unplatted lots.

Residential Preservation RP-R

| RESIDENTIAL PRESERVATION-RP-R | PLATTED BEFORE JULY 16, 1990* | PLATTED (SUBDIVIDED) AS PER POLICY 2.1.9 OF FUTURE LAND USE ELEMENT OF THE TALL-LEON COUNTY COMPREHENSIVE PLAN* | LOW DENSITY RESIDENTIAL | COMMUNITY SERVICES; ACTIVE RECREATION; PUBLIC, PRIMARY AND SECONDARY SCHOOLS |
|--|-------------------------------|---|-------------------------|--|
| MINIMUM SETBACKS (FEET) | | | | |
| Front Yard | | | | |
| Building | 25 | 25 | 30 | 25 |
| Parking | — | — | — | 20 |
| Corner Yard | | | | |
| Building | 25 | 25 | 30 | 25 |
| Parking | — | — | — | 20 |
| Interior Side Yard | | | | |
| Building | 15 | 15 | 20 | 20 |
| Parking | — | — | — | 20 |
| Rear Yard | | | | |
| Building | 25 | 25 | 25 | 25 |
| Parking | — | — | — | 20 |
| MAXIMUM PERCENT OF IMPERVIOUS SURFACE AREA | 30 | 30 | 30 | 40 |
| MAXIMUM HEIGHT (FEET) | 35 | 35 | 35 | 35 |
| MIN. LOT SIZE | 20,000 square feet | .5 acre | 10 acre | ½ acre |
| MIN. LOT FRONTAGE (FEET) | 15 | 15 | 15 | — |

*Subsequent redevelopment, not vested per chapter 2, article IV, and Leon County Ordinance 90-31 or not addressed by policy 2.1.9 of the future land use element of the comprehensive plan shall conform to the provisions for unplatted lots.

(Code 1984, ch. 27, §§ 10.6.X, 10.6.Y; Ord. No. 00-O-54, § 4, 9-27-2000; Ord. No. 02-O-88AA, §§ 3, 4, 10-23-2002; Ord. No. 10-O-14AA, § 6, 2-23-2011; Ord. No. 15-O-17AA, § 9, 8-26-2015)

Sec. 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"> •Be a compact land use category that provides higher density residential opportunities and student oriented services near the campuses; •Protect existing residential neighborhoods located away from the campuses from student housing encroachment; and •Transition industrial and lower density residential uses to vibrant urban areas. <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&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 Downtown Overlay , a 25% density bonus is available subject to the provisions of Sec. 10-280.7 of this Code.</p> <p>Development Standards for this zoning district are established within Division 4 applicable to the MMTD.</p> | <ol style="list-style-type: none"> 1. Advertising agencies. 2. Antique shops 3. Beauty & barber shops. 4. Book & stationary stores. 5. Banks, credit unions, financial institutions without drive through facilities. 6. Banks, credit unions, financial institutions with drive-through facilities (only allowed on parcels fronting West Pensacola St. between Cactus Drive and Lipona Road). 7. Camera & photographic supply stores. 8. Civic & social associations. 9. Colleges & universities - educational facilities, administrative offices, athletic & intramural fields and stadiums. 10. Commercial art & graphic design. 11. 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. 12. Computer & data processing services. 13. Dance studio, schools, halls. 14. Day care centers. 15. Employment agencies. 16. Gift, novelty, souvenir shops. 17. Hobby, toy, game stores. 18. Hotels, motels, bed & breakfasts. 19. Indoor amusements (bowling, billiards, arcades). 20. Laundromats, laundry, & dry cleaning services without drive through facilities. 21. Laundromats, laundry, & dry cleaning services with drive-through facilities (only allowed on parcels fronting West Pensacola St. between Cactus Drive and Lipona Road). 22. Live-work units. 23. Mailing and postal services. 24. Medical & dental offices, clinics, laboratories. 25. Mortgage brokers. 26. Movie theaters and amphitheaters. 27. Museums & art galleries. 28. Musical instrument stores. 29. News dealers and newsstands. 30. Non-medical offices & services, | <ol style="list-style-type: none"> 34. Personal services (barber, spa, etc.) 35. Photocopying & duplicating services. 36. Photographic studios, portrait. 37. Physical fitness, gyms. 38. Public community center/meeting building (non-commercial use only). 39. Radio and Television broadcasting. 40. Rental and sales of home movies & games. 41. Repair services, non-automotive. 42. Residential - any type. 43. Restaurants and drinking establishments without drive through facilities 44. Restaurants with drive-through facilities (Only allowed on parcels fronting West Pensacola St. between Cactus Drive and Lipona Road). 45. Retail establishments - bakeries, computer, clothing & accessories, video, records/ compact discs, electronics, drug store without drive-through facilities, drug store with drive-through facilities (only allowed on parcels fronting West Pensacola St. between Cactus Drive and Lipona Road), florist, food & grocery, furniture, home appliances, home/garden supply, hardware, jewelry, needlework/knitting, newsstands, books, greeting cards, package liquor, picture framing, trophy stores, shoes, luggage, leather goods, used goods. 46. Security & commodity brokers. 47. Sewing & needlework goods. 48. Shoe repair, shoe shine parlors. 49. Sporting goods and bicycle shops. 50. Social, fraternal, recreational clubs/assemblies. 51. Structured parking, with active uses located along a minimum of 75 percent of all walls adjacent to public streets and pedestrian areas. 52. Studios: photography, music, art, drama, voice. 53. Tailoring. 54. Travel agencies. 55. Veterinary services. 56. Vocational schools. 57. Watch, clock, jewelry repair. 58. Existing drive-through uses and |
| | | <p>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 Land Use Administrator.</p> <p>2) Light infrastructure and/or utility services and facilities necessary to serve permitted uses, as determined by the Land Use Administrator.</p> <p><i>4. Special Exception Uses</i></p> <ol style="list-style-type: none"> 1. Automotive rentals, parking, repairs, & service. 2. Commercial sports. 3. Taxicab operations. 4. Off-street parking facilities (applicable to properties in the Downtown Overlay). (Section 10-422 applies) |

| | | | |
|--|---|--|--|
| | including business, insurance, real estate, and governmental. 31. Non-store retail. 32. Optical goods stores. 33. Passive and active recreation. | existing motor vehicle fuel sales which were legally established and in existence on 11-20-2007. 59. Other uses, which in the opinion of the Land Use Administrator, are of a similar or compatible nature to the uses and intent described in this district. | |
|--|---|--|--|

(Code 1984, ch. 27, §§ 10.6.Z, 10.6.AA, 10.6.BB; Ord. No. 00-O-54, § 3, 9-27-2000; Ord. No. 01-O-28AA, § 15, 10-24-2001; Ord. No. 07-O-39, § 3, 11-20-2007; Ord. No. 10-O-14AA, § 6, 2-23-2011; Ord. No. 13-O-03, § 13, 8-28-2013; Ord. No. 14-O-46AA, § 1, 1-28-2015; Ord. No. 16-O-05, § 2(Exh. A), 5-18-2016)

APPENDIX 4
Photos of public notice signage



Citizen Comments
Amendment # TMA2023 005
Lambert Heights & Merrivale Subdivisions

From: Jasonfnettlles@gmail.com
To: [Planning Inquiries](#)
Cc: [White, Artie](#); [Mohrman, Melinda](#)
Subject: Citizen comment on proposed Lambert Heights and Merrivale Rezoning Amendment (TMA2023-005)
Date: Sunday, November 20, 2022 12:07:39 PM

Citizen comment on proposed Lambert Heights and Merrivale Rezoning Amendment (TMA2023-005)

With the Planning Agency as the applicant, is there a plan for eminent domain if this change is made? With ~100 parcels it feels highly unlikely that a single developer could figure out this assemblage.

Jason Nettles
521 Terrace Ave NE
Atlanta GA 30307
Jasonfnettlles@gmail.com

From: [Mohrman, Melinda](#)
To: Jasonfnettlles@gmail.com
Cc: [White, Artie](#)
Subject: Re: Citizen comment on proposed Lambert Heights and Merrivale Rezoning Amendment (TMA2023-005)
Date: Friday, November 25, 2022 8:17:19 AM

Thank you for contacting the planning department. There is no plan for purchase of these properties through eminent domain or any other method. They will remain privately owned.

Best,

Mindy Mohrman

Administrator- Comprehensive Planning/

Urban Forester

ISA Certified Arborist/Municipal Specialist MW-4433AM

Tree Risk Assessment Qualified

Tallahassee-Leon County Planning Dept.

Comprehensive Planning & Urban Design

[850.891.6415](tel:850.891.6415) • melinda.mohrman@talgov.com

From: Jasonfnettlles@gmail.com <Jasonfnettlles@gmail.com>
Sent: Sunday, November 20, 2022 12:07 PM
To: Planning Inquiries <planning@talgov.com>
Cc: White, Artie <Artie.White@talgov.com>; Mohrman, Melinda <Melinda.Mohrman@talgov.com>
Subject: Citizen comment on proposed Lambert Heights and Merrivale Rezoning Amendment (TMA2023-005)

Citizen comment on proposed Lambert Heights and Merrivale Rezoning Amendment (TMA2023-005)

With the Planning Agency as the applicant, is there a plan for eminent domain if this change is made? With ~100 parcels it feels highly unlikely that a single developer could figure out this assemblage.

Jason Nettles
521 Terrace Ave NE
Atlanta GA 30307
Jasonfnettlles@gmail.com

From: openedwindow@gmail.com
To: [Planning Inquiries](#)
Cc: [White, Artie](#); [Mohrman, Melinda](#)
Subject: Citizen comment on proposed amendments to the Tallahaasee-Leon County Comprehensive Plan (CP 2023 Cycle)
Date: Tuesday, February 7, 2023 3:42:56 PM

Citizen comment on proposed amendments to the Tallahaasee-Leon County Comprehensive Plan (CP 2023 Cycle)

1718 Mahan Dr (TMA2023-001):

5411 Capital Circle SW (TMA2023-003):

3534 Thomasville Rd (TMA2023-004):

Lambert Heights and Merrivale Rezoning (TMA2023-005):

Regarding Amendment # TMA2023005 We as owners of property at 231 Westridge Drive wish the following information to be considered by the Local Planning Agency and the City/County Commissions with regard to Amendment # TMA2023005. Meg's grandmother, Bernice Fulford, who originally purchased 231 Westridge in the 1960s, left the property to her granddaughter with the understanding that it would be a fine place to raise a family. Meg was brought to this home the day she was born. Meg and I brought our daughter, Theia, to this home after she was born. This is currently a family friendly neighborhood, we intend to stay in this home, and so will oppose the proposed rezoning. Our concerns are as follows: 1. The infrastructure of this neighborhood is not designed for high density development. Westridge Drive, Edwards and Barbara Streets are narrow residential roads with no sidewalks or curbs. Changing that would permanently alter the character of the neighborhood. 2. The area in question has serious water drainage problems. A hard rain will create a torrent that overwhelms the existing drainage infrastructure that then overflows into the streets. Replacing the many porous, absorbent yards with non-porous parking lots would exacerbate this issue. 3. Lambert Heights retains a unique neighborhood feel while being surrounded by encroaching commercial development. It is known for its many single unique family homes with large trees and safe pedestrian use. The proposed rezoning would ruin the personality of this neighborhood by allowing for the replacement of homes with the bland, impersonal, mixed-use student housing that has taken over so much of Tallahassee. 4. Increasing population density and allowing for commercial uses will increase criminal behavior. We intend to raise our family here. This proposed amendment would not allow for that. Thank you for considering these important concerns. We implore you to discontinue this rezoning effort. We will advocate for our County and City Commissions to deny Amendment # TMA2023005. Your neighbors, Meg Fulford and Alex Stigliano

Tharpe St at Old Bainbridge Rd (TMA2023-006):

Westwood Plaza (TMA2023-007):

Southside Action Plan (TTA2023-009):

Alex Stigliano and Meg Fulford

231 Westridge Drive
Tallahassee FL 32304
openedwindow@gmail.com

From: mallorycumbie@gmail.com
To: [Planning Inquiries](#)
Cc: [White, Artie](#); [Mohrman, Melinda](#)
Subject: Citizen comment on proposed amendments to the Tallahaasee-Leon County Comprehensive Plan (CP 2023 Cycle)
Date: Wednesday, February 8, 2023 3:02:50 PM

Citizen comment on proposed amendments to the Tallahaasee-Leon County Comprehensive Plan (CP 2023 Cycle)

1718 Mahan Dr (TMA2023-001):

5411 Capital Circle SW (TMA2023-003):

3534 Thomasville Rd (TMA2023-004):

Lambert Heights and Merrivale Rezoning (TMA2023-005):

I strongly support this amendment. This area of town deserves updated residency options for university students. Allowing this zone to increase its allowed occupancy for students will bring more business to the local businesses in the area, allow for a revitalized area in extremely close proximity to FSU, and improve the community and representation of our city.

Tharpe St at Old Bainbridge Rd (TMA2023-006):

Westwood Plaza (TMA2023-007):

I strongly support this amendment. This would do amazing things for a section of town that needs revitalization.

Southside Action Plan (TTA2023-009):

Mallory Cumbie
1600 Chadwick Way
Tallahassee FL 32312
mallorycumbie@gmail.com

From: jacobscottleoni@gmail.com
To: [Planning Inquiries](#)
Cc: [White, Artie](#); [Mohrman, Melinda](#)
Subject: Citizen comment on proposed amendments to the Tallahaasee-Leon County Comprehensive Plan (CP 2023 Cycle)
Date: Wednesday, February 8, 2023 2:45:06 PM

Citizen comment on proposed amendments to the Tallahaasee-Leon County Comprehensive Plan (CP 2023 Cycle)

1718 Mahan Dr (TMA2023-001):

5411 Capital Circle SW (TMA2023-003):

3534 Thomasville Rd (TMA2023-004):

Lambert Heights and Merrivale Rezoning (TMA2023-005):

I am in strong support of this rezoning. I own multiple properties in the neighborhood, and with a UT zoning, my values will continue to rise. This will also benefit the City since it will raise assessment values.

Tharpe St at Old Bainbridge Rd (TMA2023-006):

Westwood Plaza (TMA2023-007):

I strongly support this because a new Marriott Hotel will be built if it is passed. There is no hotel product on the west side of campus or that close to the airport.

Southside Action Plan (TTA2023-009):

Jacob Scott Leoni
3951 West Millers Bridge Road
Tallahassee FL 32312
jacobscottleoni@gmail.com

From: jennifer@shsweb.us
To: [Planning Inquiries](#)
Cc: [White, Artie](#); [Mohrman, Melinda](#)
Subject: Citizen comment on proposed amendments to the Tallahaasee-Leon County Comprehensive Plan (CP 2023 Cycle)
Date: Thursday, February 9, 2023 4:11:13 PM

Citizen comment on proposed amendments to the Tallahaasee-Leon County Comprehensive Plan (CP 2023 Cycle)

1718 Mahan Dr (TMA2023-001):

5411 Capital Circle SW (TMA2023-003):

3534 Thomasville Rd (TMA2023-004):

Lambert Heights and Merrivale Rezoning (TMA2023-005):

To Whom It May Concern: I am a business owner in the area and own multiple homes in the surrounding area. I support this plan amendment. Thank you, Jennifer Pearce JNP Holdings, LLC and SHS Management, LLC

Tharpe St at Old Bainbridge Rd (TMA2023-006):

Westwood Plaza (TMA2023-007):

To Whom It May Concern: I am a business owner in the area and own multiple homes in the surrounding area. I support this plan amendment. Thank you, Jennifer Pearce JNP Holdings, LLC and SHS Management, LLC

Southside Action Plan (TTA2023-009):

Jennifer Pearce
2020 West Pensacola Street, Suite 285
Tallahassee FL 32304
jennifer@shsweb.us

From: sleoni@stevenleoni.com
To: [Planning Inquiries](#)
Cc: [White, Artie](#); [Mohrman, Melinda](#)
Subject: Citizen comment on proposed amendments to the Tallahaasee-Leon County Comprehensive Plan (CP 2023 Cycle)
Date: Thursday, February 9, 2023 6:45:17 AM

Citizen comment on proposed amendments to the Tallahaasee-Leon County Comprehensive Plan (CP 2023 Cycle)

1718 Mahan Dr (TMA2023-001):

5411 Capital Circle SW (TMA2023-003):

3534 Thomasville Rd (TMA2023-004):

Lambert Heights and Merrivale Rezoning (TMA2023-005):

Lambert Heights is a small pocket of RP surrounded by FSU and UT zoning. More than 99% of the properties are rental units serving students. The neighborhood is bordered by FSU to the North, East, and West. The Southern Border of the neighborhood is on West Pensacola Street. There is no property that deserves UT like this neighborhood. Please approve this amendment as there is no need to preserve home ownership whereby current owners have to pay unnecessary rooming house fees to the City in a 99% student rental market.

Tharpe St at Old Bainbridge Rd (TMA2023-006):

Westwood Plaza (TMA2023-007):

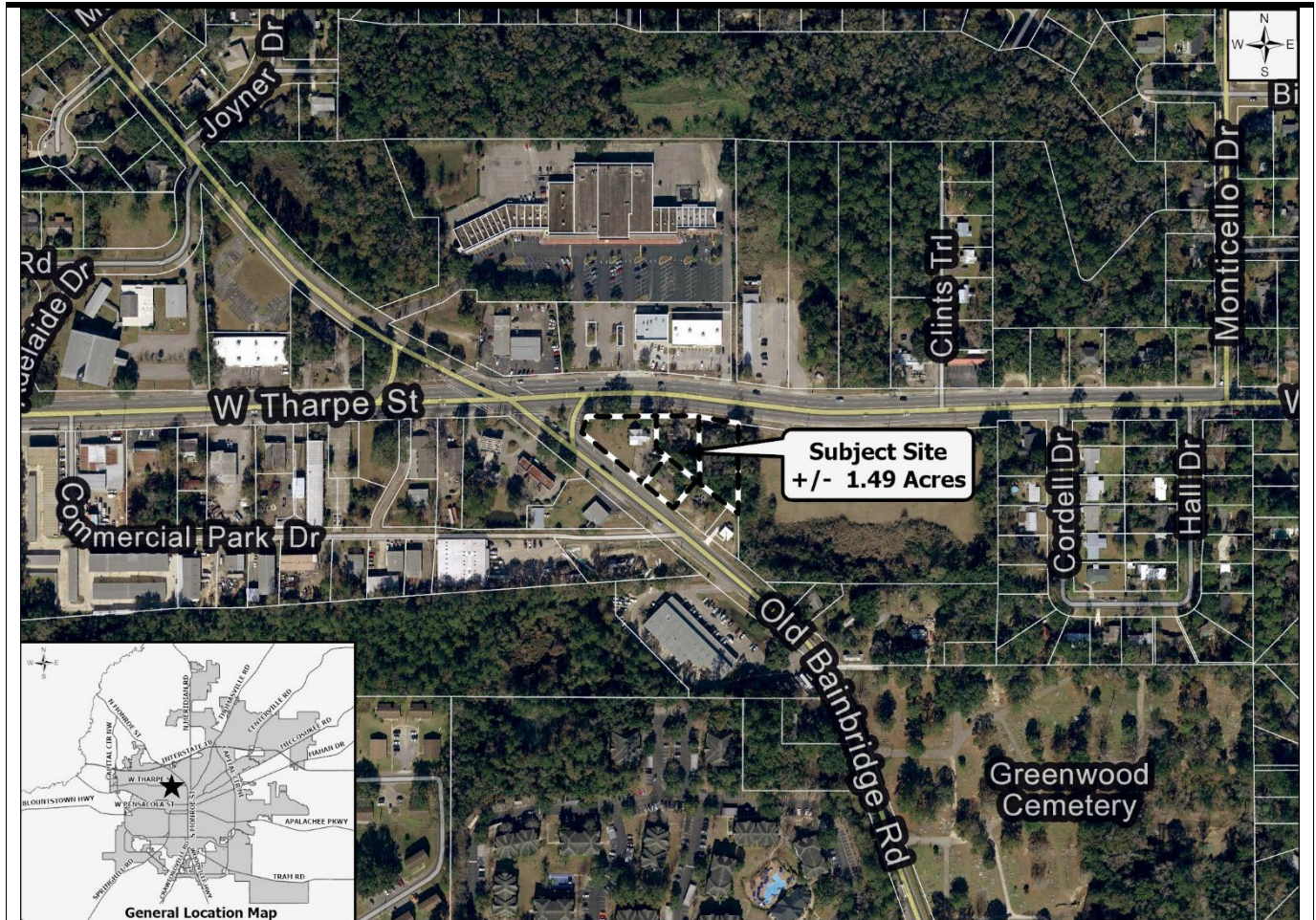
I own many properties surrounding this property. This one parcel was not included in the recent rezoning, in error, many years ago. This amendment allows this one parcel to be properly zoned as UT like everything else around it. I support this rezoning and ask that the commission approve it.

Southside Action Plan (TTA2023-009):

Steven Leoni
2020 W. Pensacola Street, Suite 285
Tallahassee FL 32304
sleoni@stevenleoni.com



2023 Comprehensive Plan Amendment Cycle
TMA2023006
Tharpe at Old Bainbridge



SUMMARY

| | | |
|--|--|---|
| Property Owners: | Property Location: | Amendment Type: |
| Robert and Marilyn Livingston | 933, 937, & 939 W Tharpe Street (212628000010; 0020; & 0030) and 1761 Old Bainbridge Road (212628000070) | City of Tallahassee Small Scale Map Amendment |
| Applicant: | | |
| RPJ Properties, LLC | | |
| TLCDP Staff: | Current Future Land Use & Zoning: | LPA Recommendation: |
| Anne Rokyta | <u>Future Land Use:</u> Government Operational & Suburban <u>Zoning:</u> UP-1 Urban Pedestrian 1 | [Approve/Deny] |
| Contact Information: | Proposed Future Land Use & Zoning: | Staff Analysis: |
| anne.rokyta@talgov.com 850-891-6436 | <u>Future Land Use:</u> Suburban <u>Zoning:</u> C-2 General Commercial | Consistent |
| Date: November 23, 2022 | Updated: February 13, 2023 | |

A. EXECUTIVE SUMMARY

If approved, this map amendment would remove approximately 0.52 acres of privately owned property from the Government Operational Land Use (which is intended for property owned by a governmental entity) and change it to Suburban, similar to the remaining parcels in the 1.49-acre site. The concurrent rezoning would change the allowable uses on the entire 1.49-acre site from mixed-use development with an intensive, higher density urban pattern to general commercial uses with a development pattern that reflects small groups of retail commercial, professional, office, community and recreational facilities and other convenience commercial activities in order to provide goods and services that people frequently use in close proximity to their homes.

The subject site contains four privately-owned parcels, containing approximately 1.49 acres, located southeast of the intersection of Tharpe Street and Old Bainbridge Road. Two of the parcels, containing approximately 0.52 acres, are designated Governmental Operational (GO) on the Future Land Use Map (FLUM). The other two parcels and all lands adjacent to the site are designated Suburban (SUB). The applicant, RPJ Properties, LLC, requests a change of future land use designation from GO to SUB for two parcels and a concurrent rezoning of all four parcels from Urban Pedestrian 1 (UP-1) to General Commercial (C-2).

The current GO designation provides for the operation of and provision of services on property owned or operated by local, state and federal government. The two parcels are privately owned and therefore the current GO designation is inconsistent with the Comprehensive Plan.

The proposed SUB designation allows a mixture of office, commercial uses, and residential densities up to 20 units per acre. The Suburban land use category is intended 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. All parcels adjacent to the subject site are currently designated SUB.

A rezoning application for the subject site will be processed concurrently with this amendment. A zoning change from Urban Pedestrian-1 (UP-1) to General Commercial (C-2) has been requested to implement the proposed amendment to the Future Land Use Map. The proposed zoning is intended primarily for commercial uses and allows residential uses (but only above first floor commercial) at intensities and densities similar to the existing zoning.

Based on staff analysis, the requested Suburban land use category is a more appropriate land use for the subject site, as the parcels are privately owned and surrounded by the Suburban land use category. The proposed C-2 General Commercial rezoning implements the Suburban land use category and is consistent with the surrounding uses and development patterns. Old Bainbridge Road and West Tharpe Street are minor arterial roadways, which makes them suitable sites for the additional uses allowed by the C-2 zoning category.

This step in the development process determines consistency with the Goals, Objectives, and Policies in the Tallahassee-Leon County Comprehensive Plan. The concurrent rezoning determines the allowed uses and the density (number of dwelling units per acre) of development on the site. In reviewing this request, a determination must be made as to whether the present Government Operational land use designation is appropriate or whether the Future Land Use Map should be amended to re-designate the area as requested. Included in this

consideration are the following: 1) does the area meet the criteria for designation as the current land use designation of Government Operational and 2) does the area better meet the criteria for the proposed land use designation of Suburban.

If the Land Use and/or Zoning changes are approved, the next step in the development process is site plan review and permitting. The site plan stage of development evaluates a proposed development plan for consistency with City Land Development Code requirements for stormwater treatment and attenuation, environmental protection, traffic impacts, concurrency, school impacts, buffers, open space requirements, and all other applicable development standards.

B. APPLICANT’S REASON FOR THE REQUESTED CHANGE

The applicant, RPJ Properties, LLC, stated they seek this future land use change to make the subject site consistent with surrounding properties and allow for infill development of under-utilized properties within the Urban Services Area (USA) and the Multimodal Transportation District (MMTD).

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 **ADOPT** 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 **APPROVE** the proposed rezoning.

D. STAFF ANALYSIS

Staff finds the proposed future land use map amendment is **consistent** with the Tallahassee-Leon County Comprehensive Plan because the current GO designation is inconsistent with the ownership of the land, and the proposed SUB designation is consistent with all surrounding lands.

Staff finds the proposed rezoning is **consistent** with the Tallahassee-Leon County Comprehensive Plan because area conditions have changed and the request is consistent with surrounding existing and anticipated land uses, the Comprehensive Plan, and land development regulations.

E. CONSISTENCY WITH THE COMPREHENSIVE PLAN

The criteria required for consideration of a proposed Future Land Use Map change include consistency with the Tallahassee-Leon County Comprehensive Plan, conformance with the Tallahassee Land Development Code, land use compatibility, changed conditions on the site and other matters deemed relevant and appropriate.

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

Policy 2.2.16 [L] states that the Government Operational category contains facilities which include those defined on the Land Use Development Matrix as Community Services, Light

Infrastructure, Heavy Infrastructure and Post-Secondary, that provide for the operation of and provision of services of properties owned by local, state and federal government.

Local, state, and federal governments do not own or operate the property; therefore, the current land use is inconsistent with the Policy 2.2.16 [L].

Policy 2.2.5 [L] indicates that the purpose of the Suburban land use category 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.

All parcels adjacent to the subject site are currently designated Suburban and reflect the development patterns allowed by the Suburban FLU designation. The subject site is located near low to medium density residential uses and other commercial development. Therefore, the requested amendment is consistent with Policy 2.2.5: [L].

F. SUMMARY OF FINDINGS

Staff presents the following findings of fact:

History and Background

The subject site consists of four parcels, totaling approximately 1.49 acres, located at the southeast corner of the intersection of Tharpe Street and Old Bainbridge Road, approximately two miles northwest of Downtown Tallahassee within the City Limits and Urban Service Area. The site includes Lots 1-7 of the 9-lot Gillium Subdivision, recorded in 1946 and is currently owned by Robert and Marilyn Livingston. **Table 1** provides details of each parcel within the subject site:

Table 1: Site Summary Table

| | Parcel Number | Address | Description | ~Area (acres) |
|----------|---------------|------------------------|--|---------------|
| Parcel 1 | 212628000010 | 933 W Tharpe ST | Two residential structures built in 1945 and 1961 and later converted to office. Current ownership since 1980. Structures appear to be vacant. | 0.46 |
| Parcel 2 | 212628000020 | 937 W Tharpe ST | Residential structure built in 1955 and later converted to office. Current ownership since 1991. Structure appears vacant. | 0.32 |
| Parcel 3 | 212628000030 | 939 W Tharpe ST | Includes Lots 3, 4 & 6* of the Gillium Subdivision. Residential structure built in 1948 later converted to office. Current ownership since 1994. Currently in use as a barber/beauty shop. | 0.51 |
| Parcel 4 | 212628000070 | 1761 Old Bainbridge RD | Residential structure built in 1954. Current ownership since 1992. Appears to be in use as a residence (not owner-occupied). | 0.52 |
| | | | TOTAL | 1.49 |

*Lot 5 was acquired for right of way for implementation of the right turn lane in the early 1990s.

The site is located within the following locally designated areas:

- Urban Services Area
- The Multimodal Transportation District (MMTD)
- Frenchtown/Southside Community Redevelopment Area (CRA)
- Historically Underutilized Business (HUB) Zone
- Urban Jobs Tax Credit Areas
- Urban Vitality Job Creation Pilot Program

Land Use Changes

The subdivision was built out with single family residences between 1945 and 1961, per property appraiser information. The three parcels with frontage on Tharpe Street have all been converted to non-residential uses as early as 1976 when the Leon County Humane Society acquired Parcel 3. Presently, only Parcel 3 appears to have an active non-commercial use as a barber/beauty salon.

Previous Commission Consideration

1997: The City of Tallahassee rezoned the subject property from C-2 to UP-1 pursuant to the adoption of revised Tallahassee-Leon County Comprehensive Plan in 1990.

2018: Five properties located directly across Tharpe Street from the subject site were rezoned. Ordinance 18-Z-32 changed ~3.11 acres of land from UP-1 to C-2; the same change as is requested herein.

Current and Proposed Future Land Use Categories

Two of the four parcels within the subject site are currently designated Government Operational (GO). The proposed amendment would change the FLUM designation to Suburban (SUB). A summary of the current and proposed FLU categories is below and a comparison of the permitted uses is provided in **Section G**. The complete Comprehensive Plan policies for Government Operational (Policy 2.2.16: [L]) and Suburban (Policy 2.2.5: [L]) are included as **Appendix 1**.

Government Operational (Current)

The Government Operational (GO) future land use designation is intended for facilities that provide for the operation and provision of services on property owned or operated by local, state and federal government.

Suburban (Proposed)

The Suburban (SUB) future land use designation is intended 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. This designation allows a mixture of office, commercial uses, and residential densities up to 20 units per acre.

Determination for Future Land Use Map Amendment

1) Does the area meet the criteria for designation as the current land use designation of Government Operational (GO)?

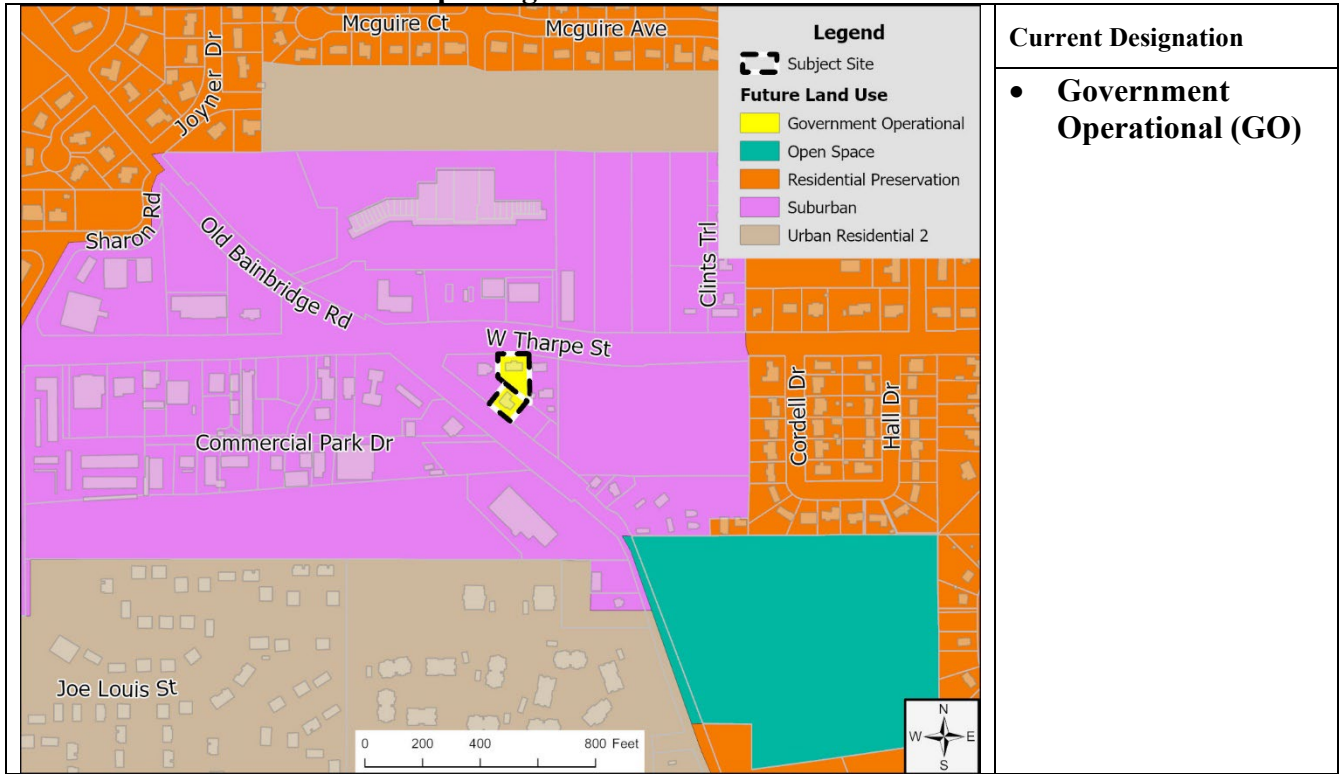
No. The GO designation is intended for properties owned or operated by a governmental body. The subject site is privately owned and operated.

2) Does the area better meet the criteria for the proposed land use designation of Suburban (SUB)?

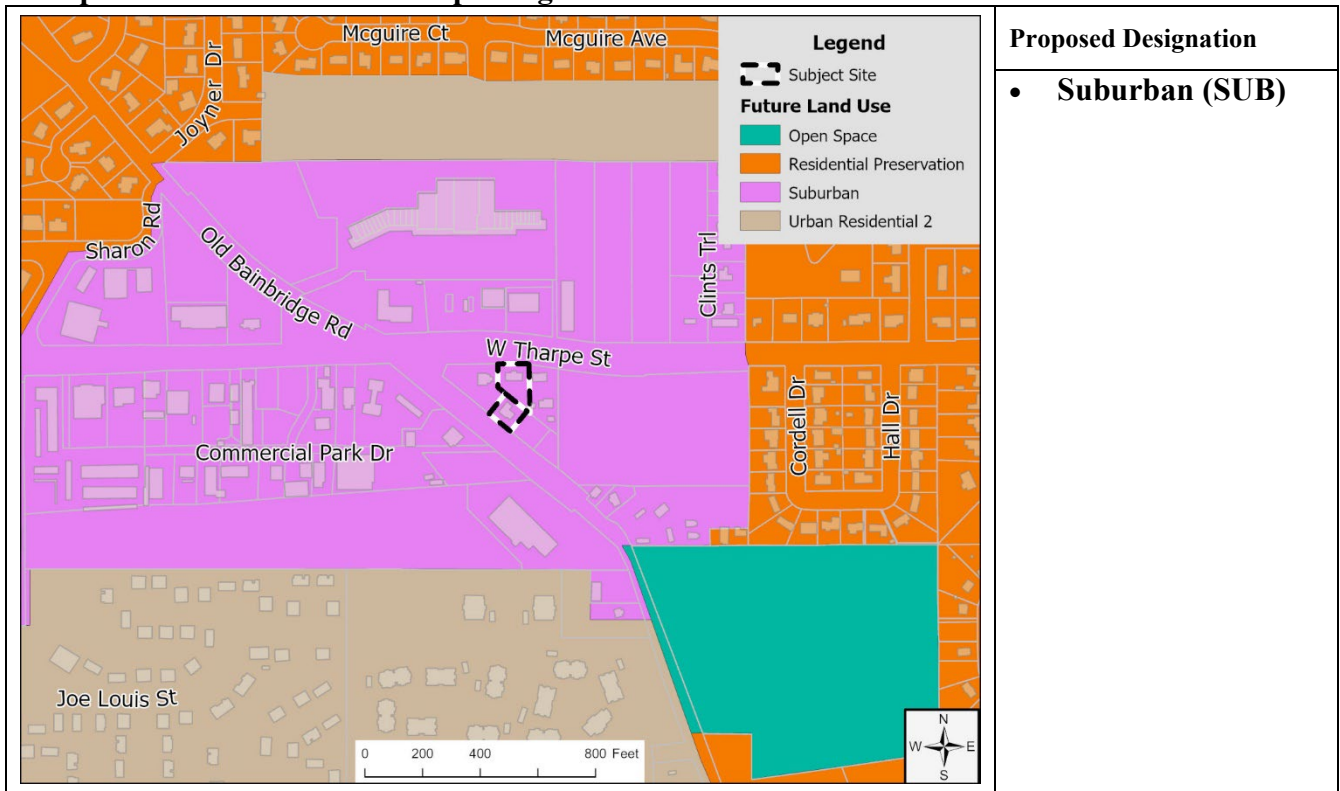
Yes. The SUB designation is consistent with all lands surrounding the subject site and would allow for the development of land uses consistent with the intent of both the current and proposed zoning.

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



Zoning

A concurrent rezoning is requested for this site. The site is currently zoned UP-1 Urban Pedestrian District. The proposed rezoning would change the site's zoning to C-2 General Commercial. Development standards for both the current and proposed zoning categories are implemented by the Multimodal Transportation District (MMTD) Transect 4 (T-4). A summary of the current and proposed zoning districts is below and a comparison of the permitted uses is in **Section G**. The Land Development Code sections for the UP-1 Urban Pedestrian District (Sec. 10-259), and C-2 General Commercial District (Sec. 10-256) are included as **Appendix 2**.

UP-1 Urban Pedestrian District (Current)

The current UP-1 zoning is intended for areas designated suburban on the future land use map and apply to compact, linear urban areas with direct access to an arterial roadway. The intent of this district is to promote the redevelopment of areas from lower intensity "strip" development pattern into a more intensive, higher density urban pattern. The district is not intended to accommodate regional scale commercial and service activities, nor automotive oriented uses (expressly auto sales, service or repair). Residential development shall have a minimum gross density of six (6) and a maximum of 16 dwelling units per acre. Maximum nonresidential intensity is allowed up to 20,000 square feet per acre.

C-2 General Commercial District (Proposed)

The proposed C-2 zoning is intended for areas designated suburban on the future land use map and apply to areas with direct access to major collectors or arterial roadways located within convenient traveling distance to several neighborhoods. The C-2 district is not intended to accommodate large scale commercial or service activities or more intensive commercial activity. Residential density shall be between eight (8) and 16 dwelling units per acre. Residential uses are required to be located above a first floor containing office or commercial uses. Maximum non-residential intensity is allowed up to 20,000 square feet per acre, but buildings may not exceed 50,000 square feet.

The C-2 district includes restrictions for vehicular access to protect residential areas from non-residential traffic. The site is not adjacent to any of the listed protected zoning districts and therefore would not be limited by this regulation.

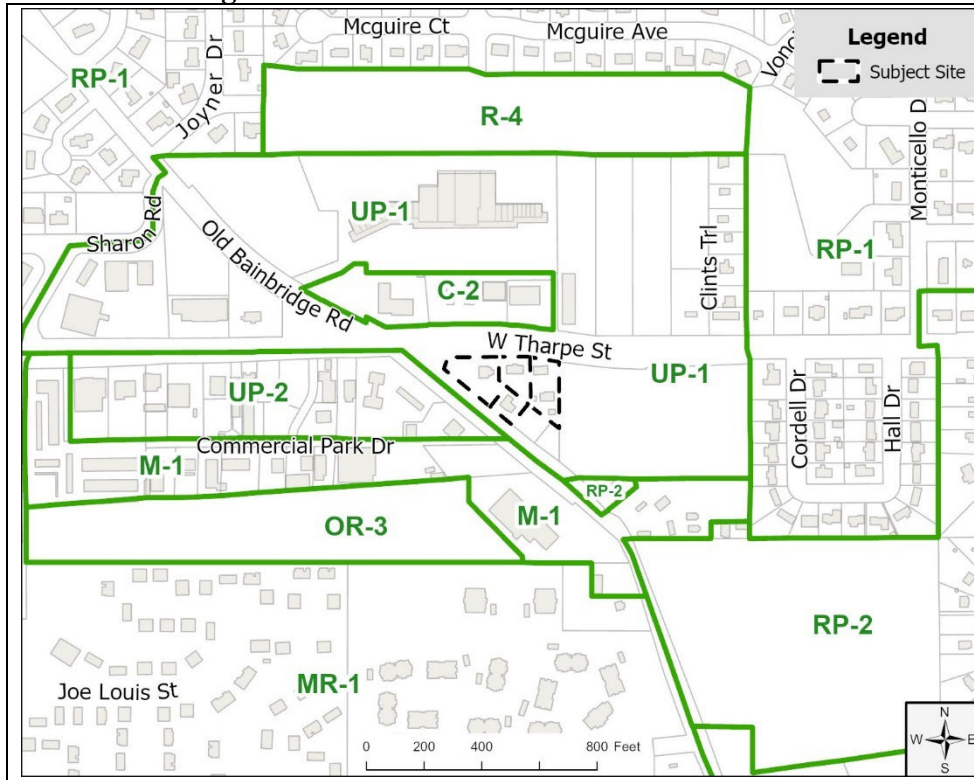
MMTD Transect-4

The site is located within the Multimodal Transportation District (MMTD). For properties within the MMTD, lot size, setbacks, and height standards typically adopted as part of a zoning district are superseded by the MMTD development standards. Each zoning category is assigned to a transect, each with distinct development standards. Both the current UP-1 and proposed C-2 zones are assigned to Transect 4 (T-4), which limits building height to four (4) stories and establishes a 6-20' front setback. The requested zoning change will not change the development standards applied to the site.

Determination for Concurrent Rezoning

Provided the requested Future Land Use Map amendment is approved, the proposed rezoning implements the Suburban land use category and conforms to the land development requirements of the C-2 zoning district. Old Bainbridge Road and West Tharpe Street are minor arterial roadways, which makes them suitable sites for C-2. The allowable densities are not increasing from the current zoning, and development standards regarding setbacks and building height are the same as the current zoning. The proposed rezoning allows for additional allowable land uses while other uses are prohibited compared to those currently allowed in the UP-1 zone, as discussed in the next section.

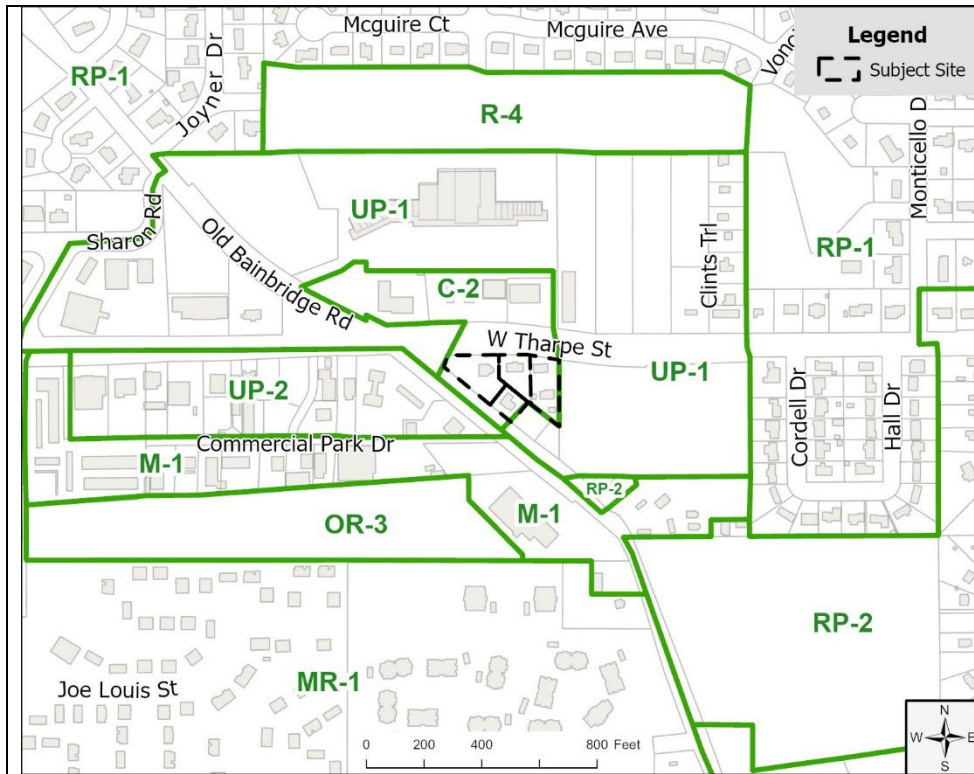
Current Zoning



Current District

- **UP-1 Urban Pedestrian 1 District**

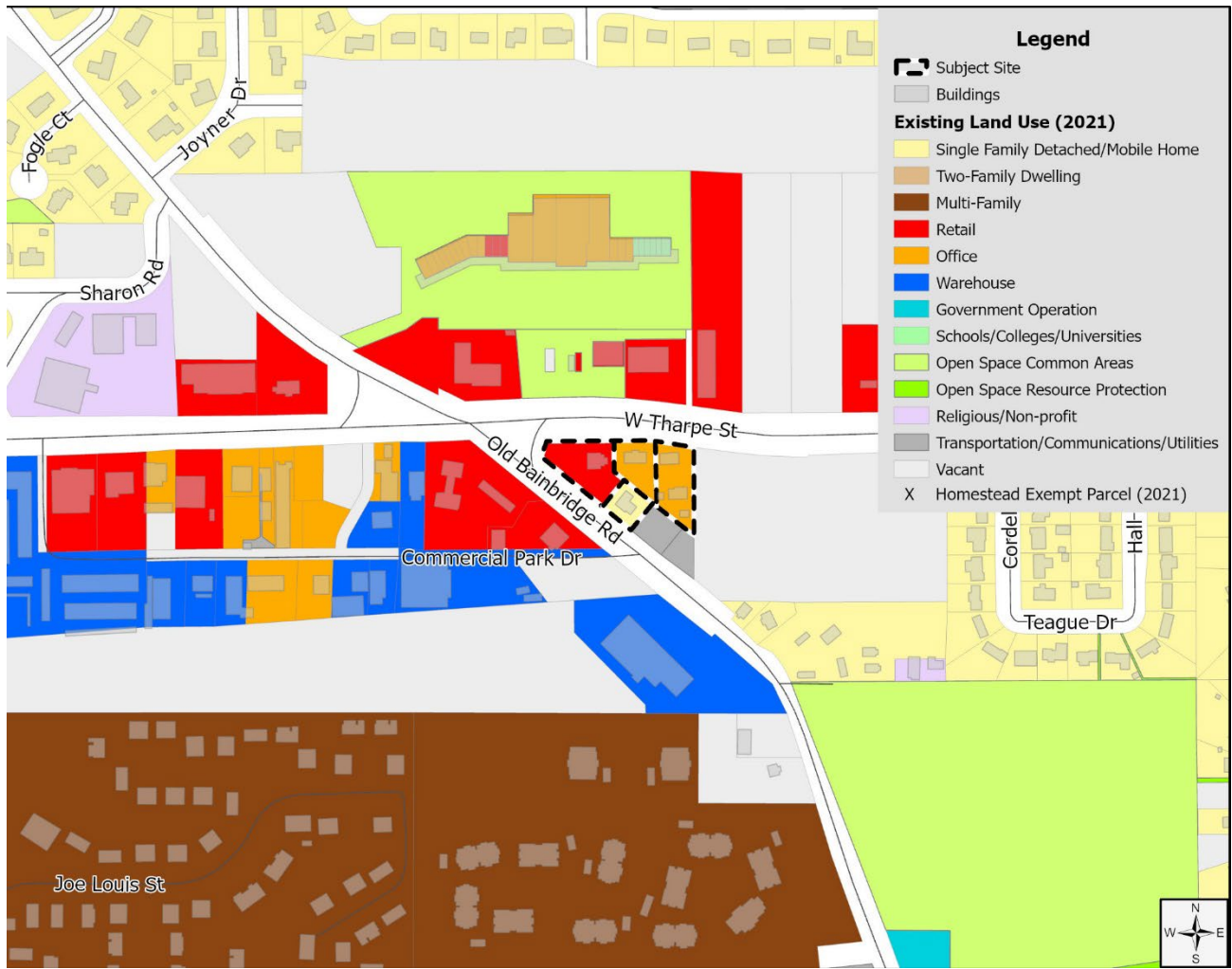
Proposed Zoning



Proposed District

- **C-2 General Commercial District**

Existing Land Use Map



Compatibility with Adjacent and Surrounding Uses

If approved, the requested rezoning to C-2 will allow for a few additional uses, including drive-through uses without additional restrictions, automotive service and repair including car washes, motor vehicle fuel sales, and veterinary services. These uses are similar in nature to the adjacent and surrounding uses. Expressly, a drive through convenience grocery and auto service/repair shop are across Tharpe Street, and a fueling station and car wash are located across Old Bainbridge Road from the subject site. Furthermore, the size and form of future development will not change because the two zones share the same T-4 development standards and intensity/density maximums.

Section G, below, includes a summary table listing differences in allowed uses between the two zoning districts. A complete list of allowed uses is found in **Appendix 2**.

Infrastructure Analysis

Water/Sewer

Water and sewer service is available to the site.

Schools

The Subject Area is zoned for Ruediger Elementary School, Raa Middle School, and Leon High School. Given the commercial nature of the requested rezoning, impacts to schools is not anticipated. Any future redevelopment of the area would follow the site plan review process. This process includes a school concurrency impact analysis.

Roadway Network

The site is located at the southeast corner of the intersection of Tharpe Street and Old Bainbridge Road. Both roadways are classified as minor arterials and maintained by Leon County. Tharpe is a five-lane roadway, with two travel lanes in each direction and a center turn lane. Old Bainbridge is a two-lane roadway serving traffic in both directions.

The site is located within the Multimodal Transportation District (MMTD), which was established “for the purpose of promoting walking, bicycling and transit use in order to reduce dependence on the automobile” (Policy 1.1.9 [M]). Development standards applicable to the MMTD, including concurrency, vary from other areas to implement built environments that reduce automobile dependence.

Redevelopment of the site could potentially have direct vehicle access to Tharpe and/or Old Bainbridge. Future development may require capacity improvements to the transportation network to accommodate added traffic demand. Final determination of transportation traffic impacts and concurrency calculations will be conducted, consistent with applicable development standards and procedures, during site plan review.

Pedestrian and Bicycle Network

Sidewalks are located on both sides of Tharpe Street and on the west side of Old Bainbridge Road. Only one pedestrian crossing of Tharpe is offered at the west side of its intersection with Old Bainbridge. Therefore, a pedestrian originating from the subject site wishing to walk to the Old Bainbridge Square development directly across Tharpe would need to cross Old Bainbridge, Tharpe and then Old Bainbridge again. Redevelopment of the site will require streetscaping improvements to achieve a 10’ sidewalk separated by the street by a six (6) foot landscape strip with street trees along both street frontages, or as otherwise approved by the road-maintaining government.

On-street bike lanes are located on both sides Tharpe Street providing an east-west connection. A segment of on-street bike lane is located on the east side of Old Bainbridge to aid north-bound bicyclists navigate the right turn lane. Connection to the Northside Route is less than a quarter (0.25) mile north of the site. Both Tharpe Street on-street bike lanes and the Northside Route connect to the High Road to FSU Route to the west (~0.8 mile) and the Lake Jackson to Munson Hills Route to the east (~0.5 mile).

Transit Network

The site is adjacent to two (2) StarMetro bus routes: Moss (M) Route and Evergreen (E) Route. Three bus stops are within an approximately 0.25-mile walking distance from the subject site. All stops are located on Tharpe Street. A stop located southwest of the intersection of Tharpe and Old Bainbridge serves southbound travel on the M Route and eastbound travel on the E Route. Two stops, located on the north side of Tharpe Street one either side of the intersection with Old Bainbridge Road, serve only westbound travel on the E Route. The nearest stop for the northbound M Route is over one-half (0.5) mile to the west on Colorado Street just south of Tharpe.

The Evergreen (E) Route runs on weekdays between 6:00 am and 7:30 pm at half-hour intervals except for off-peak times (10:00 am–3:00 pm) when it runs on one-hour intervals. The E Route connects Tallahassee Community College, Tharpe Street, MLK Boulevard, CK Steele Plaza, Downtown, Park Avenue, Tom Brown Park/Lincoln High School, and the Walmart on Apalachee Parkway.

The Moss (M) Route runs on weekdays between 5:00 am and 7:30 pm on half-hour intervals and Saturdays between 6:30 am and 7:00 pm on one-hour intervals. The M Route is also known as Route 5 on Nights and Sundays operating between 7:00-11:00 pm Monday-Saturday and between 10:30 am and 7:00 pm on Sundays at one-hour intervals. The M Route connects Astoria Park Elementary School, Griffin Heights, Frenchtown, CK Steele Plaza, Macomb Street, FAMU, Bond Community, Orange Avenue, and the Fairgrounds.

Environmental Analysis

No impacts to sensitive environmental features are expected with the requests. No hydrologic features, karst features, or flood zones are identified on the site, and no known cultural resources are present on the site.

The high point of the site is generally parallel to Tharpe Street and slopes down toward the south falling approximately 12 feet (for an average 5% slope).

The site is within the Riley ES watershed within the Lake Munson Drainage Basin. Water draining from the site meets a low point on Old Bainbridge approximately 500 feet to the south.

A portion of Old Bainbridge is designated as a Canopy Road beginning at a point approximately 0.5 mile north of the site, therefore this site is not subject to those regulations.

G. COMPARISON OF EXISTING AND PROPOSED ALLOWED USES

The Future Land Use Map provides a general pattern for the location, distribution, and character of land uses. The zoning category implements the underlying land use category and further regulates allowed and prohibited uses, building densities and intensity of uses, and site design specifics such as setbacks, parking requirements, infrastructure, and other land development issues.

| Permitted Uses- Future Land Use | Current Government Operational | Proposed Suburban |
|--|---------------------------------------|--------------------------|
| Commercial Goods and Services, Retail | | X |
| Office | | X |
| Residential | | 20 units/acre |
| Recreational | X | X |
| Community Facilities | X | X |
| Community Facilities, Post-Secondary Education | | X |
| Mixed Use Development | | X |

| Permitted Uses- Zoning (See Zoning charts in Appendix #2 for detailed uses) | Current UP-1 | Proposed C-2 |
|---|---------------------|--|
| Residential | 6-16 units/acre | 8-16 units/acre 2 nd Floor |
| Automotive service and repair, including car wash | | X |
| Commercial | X | X |
| Administrative Offices | X | X |
| Retail | X | X |
| Restaurant/bar | X | X |
| Community facilities related to the permitted principal uses, including libraries, religious facilities, vocational and elementary, middle, and high schools, and police/fire stations. | X | |
| Community facilities related to the permitted principal uses, including libraries, religious facilities, and police/fire stations. Elementary, middle and high schools are prohibited. | | X |
| Medical and dental offices, services, laboratories, and clinics | X | X |
| Motor vehicle fuel sales | | X |
| Off-street parking facilities | X | |
| Passive and active recreational facilities | X | X |
| Veterinary services, including veterinary hospitals | | X |
| Existing drive-through uses and existing motor vehicle fuel sales which were legally established and in existence on November 1, 1997 | X | |

H. PUBLIC OUTREACH AND NOTIFICATION

An initial mailing was sent to 253 property owners within 1,000 feet of Subject Site.

| | Public Outreach | Date Completed |
|----------|--|--|
| X | Applications posted to Planning Website | Oct. 12, 2022 |
| X | Notices Mailed to Property Owners, Renters, and Homeowners Associations within 1000 feet | Nov. 16, 2022 |
| X | Signs providing details of proposed land use posted on subject site | Nov. 22, 2022 |
| X | Public Open House | Dec. 8, 2022 |
| X | Staff Reports Available Online (https://www.talgov.com/place/pln-cp-2023) | Jan. 18, 2023 |
| X | Email Subscription Notice sent to all users of service | Aug. 2, 2022 Aug. 31, 2022 Sep. 14, 2022 Nov. 15, 2022 Jan. 4, 2023 Jan. 31, 2023 |
| X | Legal Ads posted | Dec. 30, 2022 Jan. 27, 2023 |

Public Open House – The public open house was held from 5:30 to 7:00 p.m. on Thursday December 8, 2022 in the second floor conference room of the Renaissance Center. A representative for the agent was present to observe and answer any questions related to their interest in the site. Two members of the public casually inquired about the request, but they were primarily interested in other amendment requests.

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 Meetings | | Date Completed |
|----------------|--|----------------|
| X | Local Planning Agency Workshop | Jan. 10, 2023 |
| X | Local Planning Agency Public Hearing | Feb. 7, 2023 |
| | Joint City-County Commission Workshop | Mar. 7, 2023 |
| | Transmittal Public Hearing [If Applicable] | N/A |
| | Adoption Public Hearing | Mar. 22, 2023 |

Local Planning Agency Workshop – A workshop was held on January 10, 2023, to discuss the proposed 2023 Cycle amendments. Staff provided an overview of the proposed amendments and details of the preliminary analyses for the amendments. There were no questions from the LPA that resulted in updates to this staff report.

Local Planning Agency Public Hearing – A public hearing was held on February 7, 2023, to vote on proposed 2023 Cycle Amendments. Staff provided an overview of the proposed amendments. The applicant’s agent was available for questions and one speaker expressed concerns about his tenant-landlord relationship with the owners of the site. The LPA voted unanimously to recommend approval for both the FLUM amendment and rezoning based on the findings and other information contained in this staff report.

J. APPENDICES

- Appendix #1: Comprehensive Plan policies relevant to the proposed amendment
- Appendix #2: Land Development Code sections relevant to the proposed amendment and/or rezoning
- Appendix #3: Photo of signs providing details of proposed land use and zoning changes posted on subject site

Comprehensive Plan Sections

I. Land Use



Policy 2.2.16: [L]

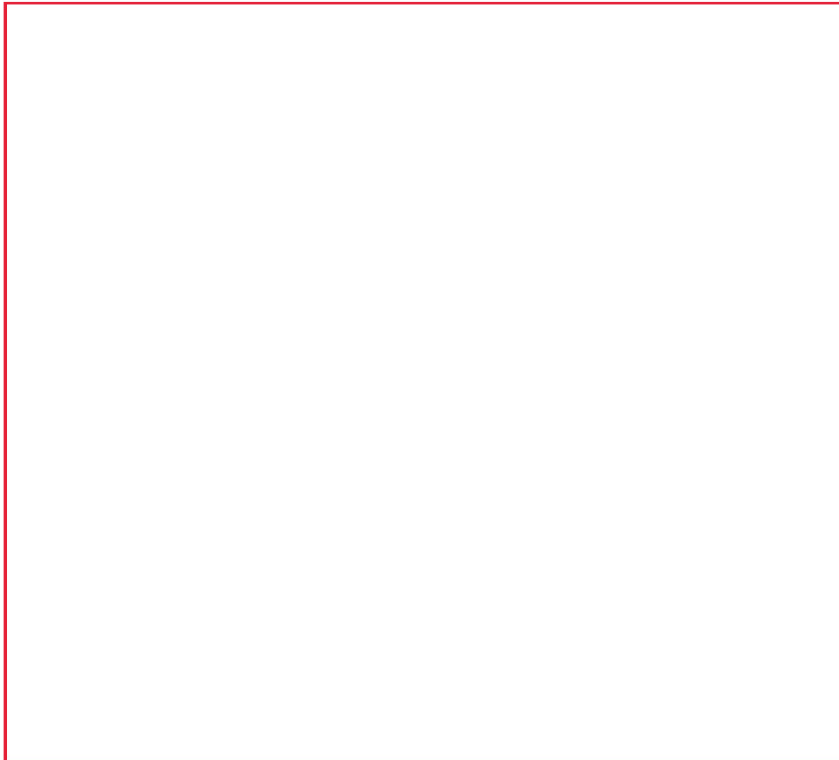
GOVERNMENT OPERATIONAL (EFF. 8/17/92; REV. EFF. 7/26/06; RENUMBERED 3/14/07; REV. EFF. 12/24/10)

Contains facilities, which include those defined on the Land Use Development Matrix as Community Services, Light Infrastructure, Heavy Infrastructure, and Post-Secondary, that provide for the operation of and provision of services on property owned or operated by local, state and federal government. The government facilities may include services and uses provided by private entities operating on property owned by the local, state, or federal government. These facilities shall include, but are not limited to:

- | | |
|--------------------------------|----------------------------------|
| Airports* | Offices |
| Correctional Facilities | Outdoor Storage Facilities |
| Courts | Police/Fire Stations |
| Electric Generating Facilities | Sanitary Sewer Percolation Ponds |
| Electric Sub-Stations | Sanitary Sewer Pump Stations |
| Health Clinics | Sanitary Sewer Sprayfields |
| Libraries | Vehicle Maintenance Facilities |
| Incinerators | Waste to Energy |
| Materials Recovery Facilities | Water Tanks |
| Museums | Water Treatment Plants |
| Postal Facilities | Water Wells |

*Includes services and uses provided by private entities that are commonly located at commercial service airports.

I. Land Use



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.

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

I. Land Use

Suburban Intensity Guidelines (EFF. 3/14/07; REV. EFF. 7/14/14;
REV. EFF. 5/31/18)

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/ACRE ⁽⁴⁾ | 10,000 SQ FT/ACRE | 65-80% |
| Low Density Residential Office | Residential, Office, Recreation, Light Infrastructure & Community Service | 0 to 8 UNITS/ACRE ⁽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 st Floor Commercial, Recreation, Light Infrastructure, Community Service & Post-Secondary Schools | 8 to 20 UNITS/ACRE | 20,000 SQ FT/ACRE ⁽⁶⁾ | |
| 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/ACRE ⁽⁸⁾ | Up to 20,000 SQ FT/ACRE ⁽⁸⁾ | |
| Suburban Corridor | Residential, Office, Commercial, Recreation, Light & Heavy Infrastructure & Community Service | Up to 16 UNITS/ACRE | Up to 25,000 SQ FT/ACRE ⁽⁸⁾ | |

| Development Patterns | Allowed Land Uses | Gross Residential Density | Non-Res Intensity | Percentage Mix of Uses |
|----------------------|---|-----------------------------------|----------------------------------|------------------------|
| Medical Center | Residential, Office, Commercial, Recreation, Light Infrastructure & Community Service | 6 to 20 UNITS/ACRE ⁽¹⁾ | 80,000 SQ FT/ACRE ⁽²⁾ | |
| Business Park | Office, Residential and Commercial | Up to 16 UNITS/ACRE | 20,000 SQ FT/ACRE | 5-10% |

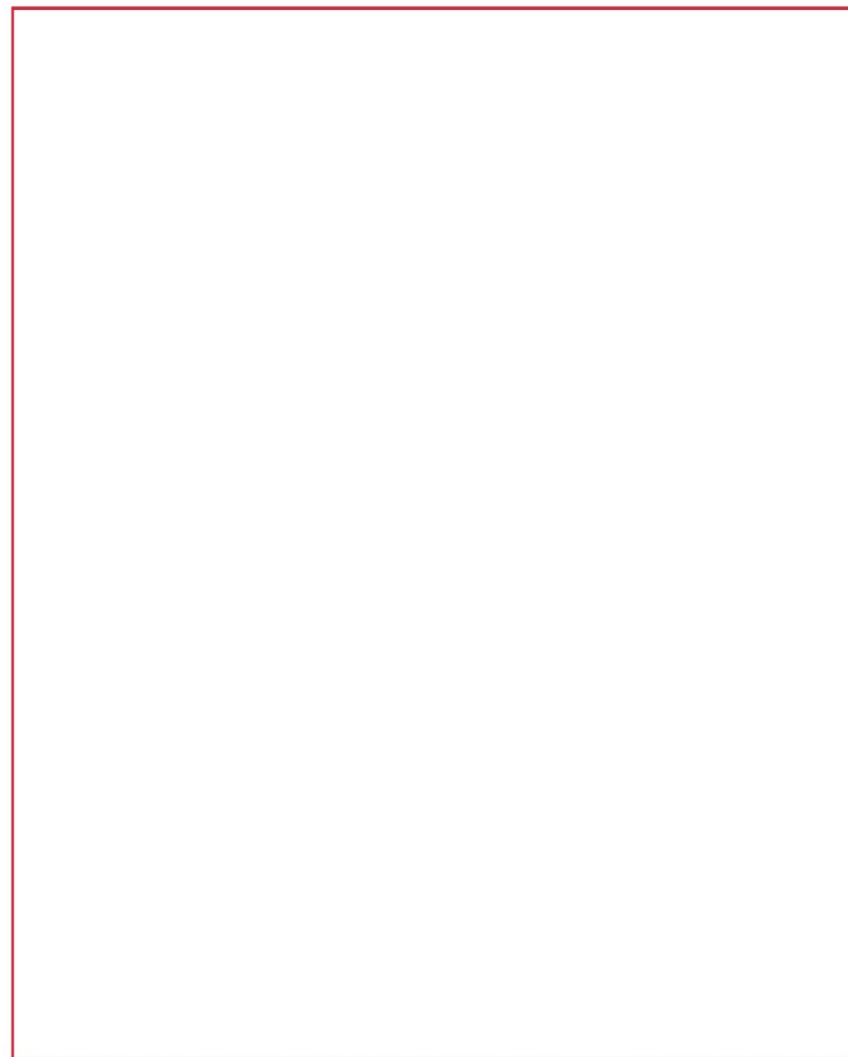
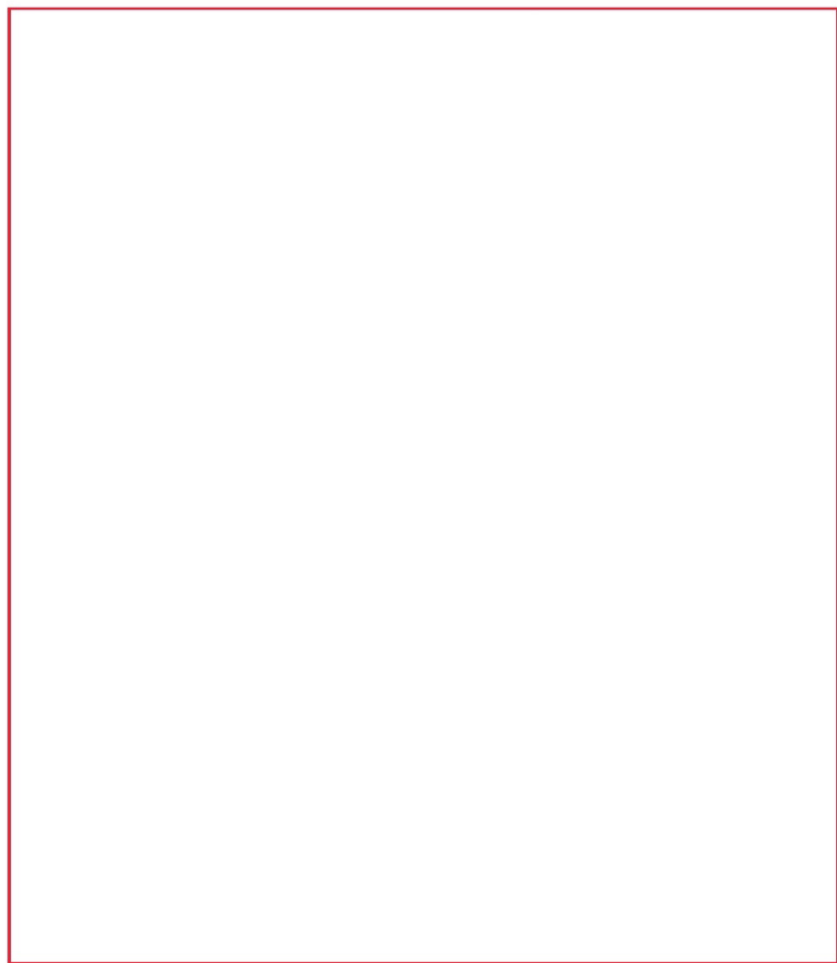
Notes:

- (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.

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, and retail 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

I. Land Use

of zoning to a more intensive district shall consider, among other criteria, the availability of the requisite infrastructure.



APPENDIX 2

Land Development Code Sections

Sec. 10-259. UP-1 Urban Pedestrian District.

The following applies to the UP-1 Urban Pedestrian District:

UP-1 Urban Pedestrian District

| | | | <i>PERMITTED USES</i> |
|--|---|---|--|
| <i>1. District Intent</i> | <i>2. Principal Uses</i> | | <i>3. Accessory Uses</i> |
| <p>The UP-1 district is intended to be located in areas designated suburban on the future land use map of the comprehensive plan and shall apply to compact, linear urban areas with direct access to an arterial roadway. The intent of this district is to promote the redevelopment of areas from lower intensity "strip" development pattern to a more intensive, higher density urban pattern. It is one of the intents of this district to permit the gradual conversion of existing development to the new standards by allowing the continuation of certain existing uses and allowing the conversion of those existing uses to drive-through uses, provided that the new uses meet the development standards of this district and foster an improved pedestrian environment. It is not intended that additional sites within this district be converted to new drive-through uses unless sites are located outside the MMTD and meet the standards of Section 10-284.8 of this Code. The UP-1 district shall be located in areas near employment or activity centers with access to public transit. The provisions of this district are intended to promote more intensive and multiple use developments with pedestrian facilitation and orientation. Retail commercial, professional, office, medium density residential, and community and recreational facilities related to principal permitted uses are permitted. This district is not intended to accommodate regional scale commercial and service activities, nor automotive oriented uses (auto sales, service or repair). New residential development shall have a minimum gross density of six dwelling units per acre and a maximum gross density of 16 dwelling units per acre. The minimum gross density requirements may be eliminated if constraints of concurrency or preservation and/or conservation features preclude the attainment of the minimum densities.</p> <p>Development standards for properties located within the MMTD are established within Division 4 of this Code.</p> | <ol style="list-style-type: none"> 1. Antique shops. 2. Banks and other financial institutions without drive-through facilities. 3. Banks and other financial institutions with drive-through facilities (only allowed on parcels outside the MMTD except parcels located on the east and west side of Thomasville Road).* 4. Camera and photographic stores. 5. Cocktail lounges and bars. 6. Community facilities related to the permitted principal uses, including libraries, religious facilities, vocational and elementary, middle, and high schools, and police/fire stations. Other community facilities may be allowed in accordance with Section 10-413 of these regulations. 7. Day care centers. 8. Gift, novelty, and souvenir stores. 9. Hotels and motels, including bed and breakfast inns. 10. Indoor amusements (bowling, billiards, skating, etc.). 11. Laundromats, laundry and dry cleaning pick-up stations without drive-through facilities. 12. Laundromats, laundry and dry cleaning pick-up stations with drive-through facilities (only allowed on parcels outside the MMTD except parcels located on the east and west side of Thomasville Road).* 13. Mailing services. 14. Medical and dental offices, services, laboratories, and clinics. 15. Non-medical offices and services, including business and government offices and services. 16. Non-store retailers. 17. Off-street parking facilities. 18. Passive and active recreational facilities. 19. Personal services (barber shops, fitness clubs etc.). 20. Photocopying and duplicating services. 21. Rental and sales of DVDs, video tapes and games. | <ol style="list-style-type: none"> 23. Residential (any type). 24. Restaurants without drive through facilities. 25. Restaurants with drive-through facilities (only allowed on parcels outside the MMTD except parcels located on the east and west side of Thomasville Road).* 26. Retail bakeries. 27. Retail computer, video, record, and other electronics. 28. Retail department, apparel, and accessory stores. 29. Retail drug store without drive-through facilities. 30. Retail drug store with drive-through facilities (only allowed on parcels outside the MMTD except parcels located on the east and west side of Thomasville Road).* 31. Retail florist. 32. Retail food and grocery. 33. Retail furniture, home appliances, accessories. 34. Retail home/garden supply, hardware, and nurseries without outside storage or display. 35. Retail jewelry stores. 36. Retail needlework shops and instruction. 37. Retail newsstand, books, greeting cards. 38. Retail package liquors. 39. Retail picture framing. 40. Retail trophy stores. 41. Shoes, luggage, and leather goods. 42. Social, fraternal and recreational clubs and lodges, including assembly halls. 43. Studios for photography, music, art, drama, and voice. 44. Tailoring. 45. Existing drive-through uses and existing motor vehicle fuel sales which were legally established and in existence on November 1, 1997. 46. Other uses, which in the opinion of the Land Use Administrator, are of a similar and compatible nature to those uses described in this district. | <p>(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 Land Use Administrator.</p> <p>(2) Light infrastructure and/or utility services and facilities necessary to serve permitted uses, as determined by the Land Use Administrator.</p> |

| | | |
|--|--|--|
| | 22. Repair services, non-automotive. *NOTE: Drive through facilities shall comply with Section 10.284.8 of this Code. | |
|--|--|--|

UP-1 Urban Pedestrian District

| <i>DEVELOPMENT STANDARDS</i> | | | | | | | | | |
|---|------------------------------------|--------------|--------------|--|----------------------|---------------------------------------|---|---|--|
| | <i>4. Minimum Lot or Site Size</i> | | | <i>5. Minimum or Maximum Building Setbacks</i> | | | | <i>6. Maximum Building Restrictions</i> | |
| Use Category | a. Lot or Site Area | b. Lot Width | c. Lot Depth | a. Front | b. Side-Interior Lot | c. Side-Corner Lot | d. Rear | a. Building Size (excluding gross building floor area used for parking) | b. Building Height |
| Any Permitted Principal Use | none | none | none | Zero feet minimum Ten feet maximum | none | Zero feet minimum Ten feet maximum | 20 feet minimum if adjoining a residential district | 20,000 square feet of gross building floor area per acre | Six stories (excluding stories used for parking); or four stories (including stories used for parking) if proposed structure is within 150 feet of a low density residential zoning district |
| <p><i>7. Requirements and Incentives for Off-Street Parking Facilities:</i> In order to create developments consistent with the intent of the district and to encourage mixed uses and pedestrian friendly developments, off-street parking facilities associated with the construction of a new building or the expansion of an existing building are prohibited from being located in the front of the subject lot or parcel. The off-street parking requirements set forth in Article XVI, including the number of required off-street parking spaces and dimensional requirements are not applicable to properties in the UP-1 zoning district. Instead, the number of required off-street parking spaces and dimensional requirements shall be approved by the City Traffic Engineer during site plan review or permitting (whichever comes first) based on the information provided by the applicant.</p> | | | | | | | | | |
| <p><i>8. Additional Criteria for Non-Residential Uses:</i> The construction of a new non-residential building or expansion of an existing non-residential building shall require the front lot and street side exterior walls on the ground floor to contain a minimum of 70 percent transparent material.</p> | | | | | | | | | |
| <p><i>9. Street Vehicular Access Restrictions:</i> Properties in the UP-1 zoning district may have vehicular access to any type of street. However, in order to protect residential areas and neighborhoods from non-residential traffic, vehicular access to a local street is prohibited if one of the following zoning districts is located on the other side of the local street: RA, R-1, R-2, R-3, R-4, R-5, MH, MR-1, RP-1, RP-2, RP-MH, RP-UF, and RP-R.</p> | | | | | | | | | |
| <p><i>10. Criteria for Conditional Uses for Properties Located Within the MMTD:</i> After November 1, 1997, drive through facilities as part of a permitted use in this district may be permitted as conditional uses, providing that the following criteria are met: (a) the new use must be the redevelopment of a site which contains a conforming motor vehicle fuel sale use or a conforming drive through use (see Section #2 of this chart); (b) the new use complies with development standards of the zoning district; (c) the use has a gross building floor area in excess of 5,000 square feet; and (d) arterial street access does not exceed one vehicular access point per arterial street frontage.</p> | | | | | | | | | |

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 chapter 5, environmental management for information pertaining to the regulation of environmental features (preservation/conservation features), stormwater management requirements, etc.

3. Refer to chapter 4, concurrency management for information pertaining to the availability of capacity for certain public facilities (roads, parks, etc.).

4. For cluster development standards, refer to section 10-426.

(Code 1984, § 10.6.SS; Ord. No. 97-O-0027AA, 7-8-1997; Ord. No. 01-O-28AA, § 25, 10-24-2001; Ord. No. 09-O-06, § 4, 3-25-2009; Ord. No. 10-O-14AA, § 6, 2-23-2011; Ord. No. 14-O-24, § 2(Exh. A), 9-10-2014; Ord. No. 15-O-17AA, § 20(Exh. N), 8-26-2015; Ord. No. 17-O-24AA, § 1, 7-19-2017)

Sec. 10-256. C-2 General Commercial District.

The following applies to the C-2 General Commercial District:

C-2 General Commercial District

| <i>PERMITTED USES</i> | | | |
|---|---|--|--|
| <i>1. District Intent</i> | <i>2. Principal Uses</i> | | <i>3. Accessory Uses</i> |
| <p>The C-2 district is intended to be located in areas designated Suburban on the Future Land Use Map of the Comprehensive Plan and shall apply to areas with direct access to major collectors or arterial roadways located within convenient traveling distance to several neighborhoods, wherein small groups of retail commercial, professional, office, community and recreational facilities and other convenience commercial activities are permitted in order to provide goods and services that people frequently use in close proximity to their homes. The C-2 district is not intended to accommodate large scale commercial or service activities or other types of more intensive commercial activity. The maximum gross density allowed for new residential development in the C-2 district is 16 dwelling units per acre, with a minimum gross density of 8 dwelling units per acre, unless constraints of concurrency or preservation and/or conservation features preclude the attainment of the minimum density. The residential uses are required to be located on the second floor or above of a building containing commercial or office uses on the first floor.</p> | <p>(1) Antique shops. (2) Automotive service and repair, including car wash. (3) Bait and tackle shops. (4) Banks and other financial institutions. (5) Camera and photographic stores. (6) Cocktail lounges and bars. (7) Community facilities related to the permitted principal uses, including libraries, religious facilities, and police/fire stations. Elementary, middle, and high schools are prohibited. Other community facilities may be allowed in accordance with section 10-413. (8) Day care centers. (9) Gift, novelty, and souvenir shops. (10) Indoor amusements (bowling, billiards, skating, etc.). (11) Indoor theaters (including amphitheaters). (12) Laundromats, laundry and dry cleaning pick-up stations. (13) Mailing services. (14) Medical and dental offices, services, laboratories, and clinics. (15) Motor vehicle fuel sales. (16) Non-medical offices and services, including business and government offices and services. (17) Non-store retailers. (18) Passive and active</p> | <p>(25) Residential (any type), provided that it is located on the second floor or above a building containing commercial or office uses on the first floor. (26) Restaurants, with or without drive-in facilities. (27) Retail bakeries. (28) Retail computer, video, record, and other electronics. (29) Retail department, apparel, and accessory stores. (30) Retail drug store. (31) Retail florist. (32) Retail food and grocery. (33) Retail furniture, home appliances, accessories. (34) Retail home/garden supply, hardware and nurseries. (35) Retail jewelry store. (36) Retail needlework shops and instruction. (37) Retail newsstand, books, greeting cards. (38) Retail office supplies. (39) Retail optical and medical supplies. (40) Retail package liquors. (41) Retail pet stores. (42) Retail picture framing. (43) Retail sporting goods, toys. (44) Retail trophy store. (45) Shoes, luggage, and leather goods. (46) Social, fraternal and recreational clubs and lodges, including assembly halls. (47) Studios for photography,</p> | <p>(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 land use administrator. (2) Light infrastructure and/or utility services and facilities necessary to serve permitted uses, as determined by the land use administrator.</p> |

| | | | |
|--|---|--|--|
| <p>Mixed use projects in the C-2 district are encouraged, but are not required.</p> <p>Development standards for properties located within the MMTD are established within Division 4 of this Code.</p> | <p>recreational facilities. (19) Personal services (barber shops, fitness clubs etc.). (20) Pet day care centers. (21) Photocopying and duplicating services. (22) Rental and sales of DVDs, video tapes and games. (23) Rental of tools, small equipment, or party supplies. (24) Repair services, non-automotive.</p> | <p>music, art, dance, and voice. (48) Tailoring. (49) Veterinary services, including veterinary hospitals. (50) Other uses, which in the opinion of the land use administrator, are of a similar and compatible nature to those uses described in this district.</p> | |
|--|---|--|--|

C-2 General Commercial District

| 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) |
| Any Permitted Principal Use | none | none | none | 25 feet | 15 feet on each side | 25 feet | Ten feet | 20,000 square feet of non-residential gross building floor area per acre and commercial and/or office uses. May not exceed 50,000 gross square feet. | Three stories |
| <p>7. <i>Street Vehicular Access Restrictions:</i> Properties in the C-2 zoning district shall be located on a major collector or arterial street, but may have additional vehicular access to any type of street. However, in order to protect residential areas and neighborhoods from non-residential traffic, vehicular access a local street is prohibited if one of the following zoning districts is located on the other side of the local street: RA, R-1, R-2, R-3, R-4, R-5, MH, RP-1, RP-2, RP-MH, RP-UF, and RP-R.</p> | | | | | | | | | |
| <p>8. <i>Additional Criteria and Restrictions for Pet Day Centers:</i> Outside boarding and unsupervised outside activity are prohibited. In the event that a pet day care center abuts a residential property, the center shall not exceed an L10 noise level of 60 dBA in the daytime (6:00 a.m. to 9:00 p.m.) as measured on the property line abutting the center. Hours of operation for pet day care centers shall be 6:00 a.m. to 9:00 p.m.</p> | | | | | | | | | |
| <p>9. <i>Additional Criteria for Charitable Donation Stations:</i> Such station shall have indoor storage for all donations, and shall have an attendant available during normal business hours responsible for the collection and/or storage of said donations. A "charitable donation station" is considered a community service/facility regulated by section 10-413.</p> | | | | | | | | | |

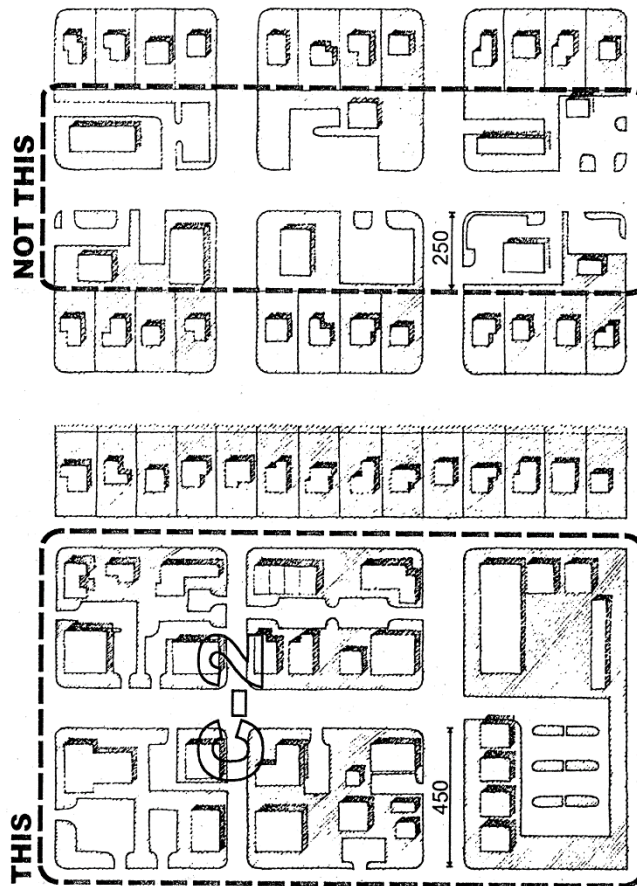
General Notes:

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 chapter 5, pertaining to environmental management, for information pertaining to the regulation of environmental features (preservation/conservation features), stormwater management requirements, etc.

3. Refer to chapter 4, pertaining to concurrency management, for information pertaining to the availability of capacity for certain public facilities (roads, parks, etc.).
4. For cluster development standards, refer to section 10-426.

C-2 - Neighborhood Commercial District

The Neighborhood Commercial district limits arterial street frontage to 100 feet per acre. This provision is intended to promote "nodes" of commercial development rather than "strip" commercial development along arterial streets.



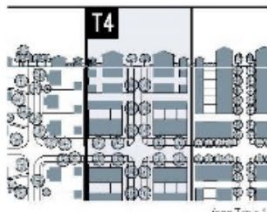
CITY 43

(Code 1984, ch. 27, § 10.6.PP; Ord. No. 97-O-0027AA, 7-8-1997; Ord. No. 01-O-28AA, § 23, 10-24-2001; Ord. No. 05-O-18AA, § 4, 4-27-2005; Ord. No. 05-O-39AA, § 3(Att. 1), 7-13-2005; Ord. No. 09-O-06, § 4, 3-25-2009; Ord. No. 09-O-11AA, § 3, 10-28-2009; Ord. No. 10-O-14AA, § 6, 2-23-2011; Ord. No. 15-O-17AA, § 19(Ex. M), 8-26-2015; Ord. No. 18-O-08, § 2, 2-28-2018)

§ 10-285

TALLAHASSEE LAND DEVELOPMENT CODE

TABLE 10B: Development standards for Tract 4 (R-4, OR-2, UP-1, MR-1, C-2, CP, CU-18, CU-26)

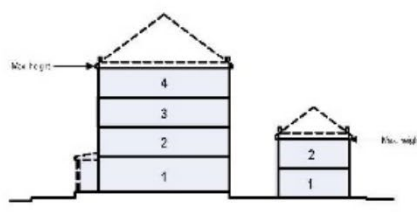


Tract 4

(see Table 1)

BUILDING CONFIGURATION

1. Building height shall be measured in number of stories, excluding attics and raised basements.
2. Stories may not exceed 14 feet in height from finished floor to finished ceiling, except for a first floor commercial function which must be a minimum of 12 feet with a maximum of 25 feet.
3. Height shall be measured to the eave or roof deck as specified in Table 6.



a. BUILDING CONFIGURATION (see Table 6)

| | |
|--------------------|----------------|
| Principal Building | 4 stories max. |
| Accessory Building | 2 stories max. |

b. LOT OCCUPATION

| | |
|--------------|------------------------|
| Lot Width | 75 ft min./200 ft max. |
| Lot Depth | 35 min. |
| Lot Coverage | 80% max. - |

c. BUILDING DISPOSITION (see Table 7)

| | |
|-----------|-----------|
| Porches | permitted |
| Stoop | permitted |
| Rear yard | permitted |
| Courtyard | permitted |

d. SETBACKS - PRINCIPAL BUILDING (see Table 12)

| | |
|-------------------------------|------------------------|
| (d.1) Front Setback/Principal | 5 ft min./20 ft max. |
| (d.2) Side Corner Setback | 5 ft min./20 ft max.** |
| (d.3) Side Setback | 5 ft min. |
| (d.4) Rear Setback | 10 ft min.** |

e. SETBACKS - ACCESSORY BUILDING (see Table 12)

| | |
|---------------------|--------------------------|
| (e.1) Front Setback | 70 ft min. + dog setback |
| (e.2) Side Setback | 5 ft min. |
| (e.3) Rear Setback | 10 ft min.** |

f. PRIVATE FRONTAGES (see Table 5)

| | |
|------------------|---------------|
| Porch & Lawn | permitted |
| Terrace | permitted |
| Patio | permitted |
| Stoop | permitted |
| Shops and Awning | permitted |
| Gallery & Arcade | Not permitted |

PARKING PROVISIONS

See Tables 8A & 8C

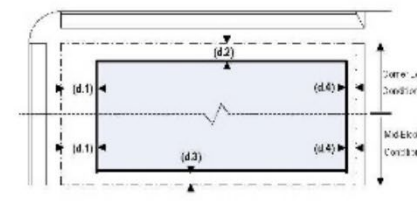
* 15 ft from center line of alley

+ See Sec. 10.28 Environmental Standards and Sec. 5.88 and 5.89 Environmental Management.

** The maximum setbacks may be exceeded where it is unreasonably due to parcel configuration or due to required infrastructure or other setbacks, that affect its application.

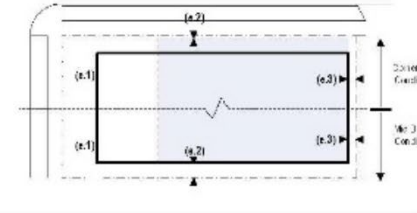
SETBACKS - PRINCIPAL BLDG

1. The facades and elevations of principal buildings shall be distanced from the lot lines as shown.



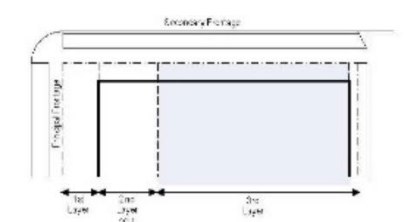
SETBACKS - ACCESSORY BUILDING

1. The elevations of the accessory building shall be distanced from the lot lines as shown.
2. Not permitted in 1st layer.



PARKING PLACEMENT

1. Uncovered parking spaces may be provided within the third layer as shown in the diagram (see Table 12).
2. Covered parking shall be provided within the third layer as shown in the diagram (see Table 12).
3. Trash containers should be stored within the third layer.
4. A single parking space may be located in the 1st layer of single family and duplex residences.



APPENDIX 3

Photos of Public Notice Signage

Tharpe Street Frontage



Old Bainbridge Road Frontage





TALLAHASSEE-LEON COUNTY PLANNING DEPARTMENT



SIGN POSTING AFFIDAVIT

I, Robert Volpe, hereby attest that, as required by Chapter 10 of the Tallahassee Land Development Code and as demonstrated by the attached photograph, which was taken at 4:38 pm a.m./p.m. on November 22, 2022, by me or under my direct supervision by Zack Bennington, a sign has been prominently displayed that is clearly visible and centrally located along the primary street immediately adjacent to the property for the following project:

Project #: TMA2023 006
 Project Name: Tharpe at Old Bainbridge
 Parcel #: 2126280000010; 0020; 0030; & 0070
 Applicant Name: RPJ Properties, LLC
 Agent Name: Robert Volpe

I also understand that the sign shall remain as posted until all applicable approvals for the project are obtained, and will be removed within 10 days after completion of all applicable approvals.

| | | |
|--|---|--------------------------------------|
| <input type="checkbox"/> Individual | <input checked="" type="checkbox"/> Corporation | <input type="checkbox"/> Partnership |
| _____ | <u>RPJ Properties, LLC</u> | _____ |
| Signature: _____ | Print Corporation Name | Print Partnership Name |
| Print Name: _____ | By: <u>RV</u> | By: _____ |
| Address: _____ | Signature | Signature |
| Phone #: _____ | Print Name: <u>Robert Volpe</u> | Print Name: _____ |
| | Its: <u>Applicant's Agent</u> | Its: _____ |
| | Address: <u>119 S. Monroe St., Ste. 500</u> | Address: _____ |
| | <u>Tallahassee, FL 32301</u> | Phone #: _____ |
| <input type="checkbox"/> Government Entity | Phone #: <u>863.287.9432</u> | |
| Print Government Name | | |
| By: _____ | | |
| Signature | | |
| Print Name: _____ | | |
| Title: _____ | | |
| Department: _____ | | |

NOTARY INFORMATION (Please use appropriate block.)

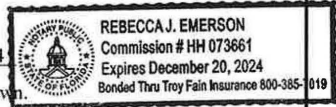
STATE OF Florida COUNTY OF Leon

Individual

Before me, this 22nd day of November, 2022, personally appeared Robert Volpe who executed the foregoing instrument, and acknowledged before me that same was executed for the purposes therein expressed.

Rebecca J. Emerson NOTARY STAMP:
 Signature of Notary My commission expires: December 20, 2024

Rebecca J. Emerson Identification Method: Personally known, _____ Produced I.D. - Type: _____
 Print Notary Name

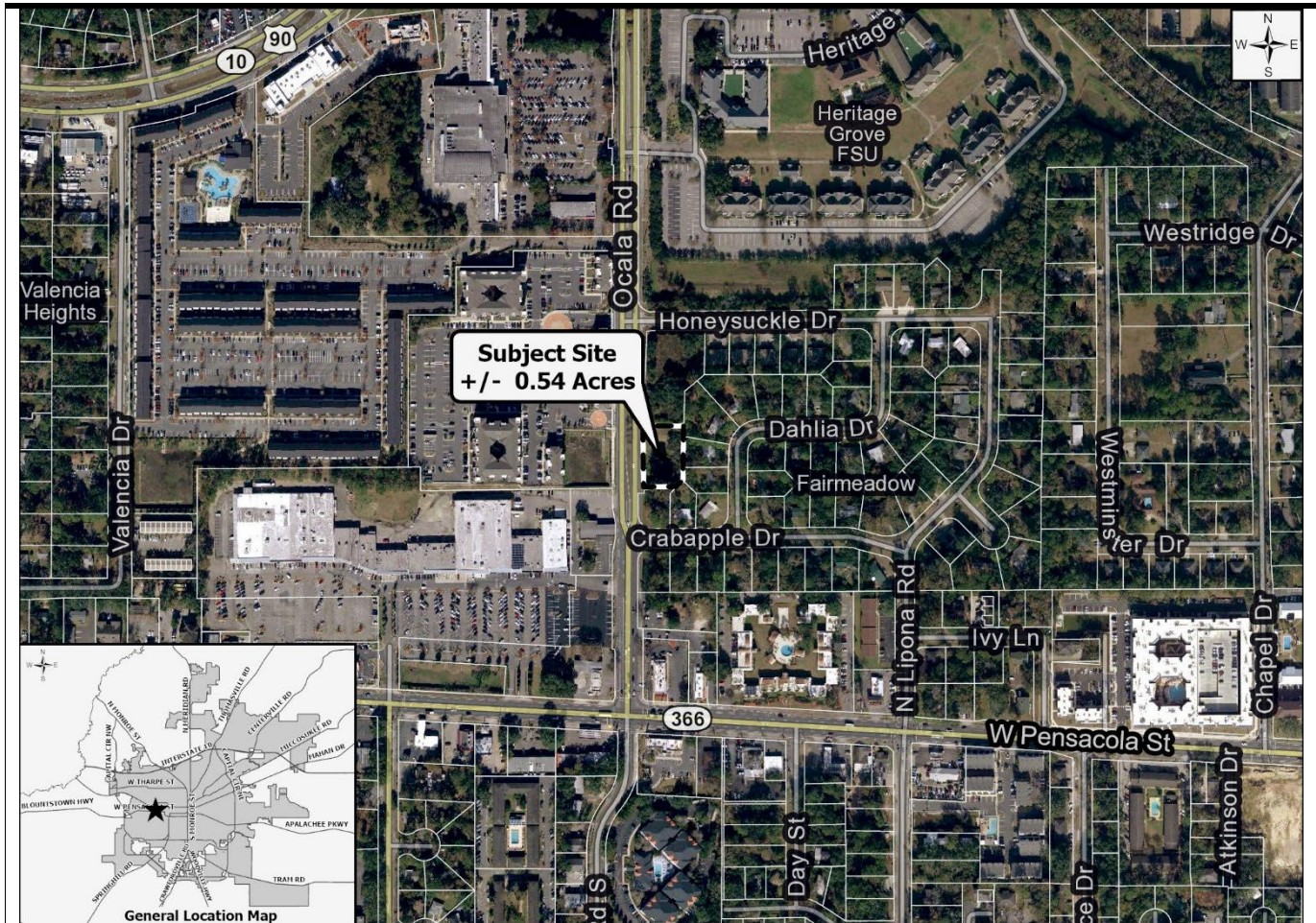


4th Floor City Hall • 300 S. Adams Street • Tallahassee, Florida 32301 • 850- 891-8600

Revised: 4/26/07
Expires: 9/30/07



2023 Comprehensive Plan Amendment Cycle
TMA2023 007
Westwood Plaza



SUMMARY

| | | |
|--|---|---|
| Property Owners: | Property Location: | Amendment Type: |
| Student Housing Partners, LLC | Ocala Rd. north of 2006 Crabapple Drive | City Small Scale Map Amendment |
| Applicant: | | |
| TLCDP | | |
| TLCDP Staff: | Current Future Land Use & Zoning: | LPA Recommendation: |
| Oluwaseyi Akinrinde | <u>Future Land Use:</u> Government Operational <u>Zoning:</u> Residential Preservation - 1 | Approve |
| Contact Information: | Proposed Future Land Use & Zoning: | Staff Analysis: |
| oluwaseyi.akinrinde@talgov.com 8508916412 | <u>Future Land Use:</u> University Transition <u>Zoning:</u> University Transition | Consistent |
| Date: 10/13/2022 | Updated: 02/8/2023 | |

A. EXECUTIVE SUMMARY

If approved, this map amendment would remove a 0.54 acre parcel of privately owned property from the Government Operational Future Land Use category and redesignate it as University Transition, consistent with surrounding properties.

The subject site includes parcel 2134810002466 on Ocala Road, north of 2006 Crabapple Drive. The Tallahassee-Leon County Planning Department is requesting a change to the Future Land Use Map (FLUM) from Governmental Operation to University Transition. The requested amendment will establish consistency with the surrounding future land use designation and zoning district. The site is in the Urban Services Area.

The Government Operational FLUM designation contains facilities that provide for the operation of and provision of services of properties owned by local, state and federal government. The proposed University Transition FLUM designation is intended to be a compact land use category that provides higher density residential opportunities near 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.

A rezoning application will be processed concurrently with this amendment. A change from Residential Preservation – 1 (RP-1) to University Transition (UT) has been requested to implement the proposed amendment to the Future Land Use Map. The proposed zoning increases the allowable density from 3.6 dwelling units per acre to up to 50 dwelling units per acre, and allows a mix of uses including smaller scale retail and commercial uses.

Based on staff analysis, the subject site no longer matches the description of the Government Operational FLUM category. Local, state, and federal governments do not own or operate the property. The property was formally owned by the City of Tallahassee and has been deeded to Student Housing Partners, LLC. Additionally, the subject site is surrounded by uses consistent with the University Transition land use category. This step in the development process determines consistency with the Goals, Objectives, and Policies in the Tallahassee-Leon County Comprehensive Plan. The concurrent rezoning determines the allowed uses and the density of development on the site. In reviewing this request, a determination must be made as to whether the present Government Operational is appropriate or whether the Future Land Use Map should be amended to re-designate the area to University Transition as requested. Included in this consideration are the following: 1) the area does not meet the criteria for designation as Government Operational, 2) the area better meets the criteria for University Transition.

If the Land Use and Zoning changes are approved, the next step in the development process is site plan review and permitting. The site plan stage of development evaluates a proposed development plan for consistency with City or County Code requirements for stormwater treatment and attenuation, environmental protection, traffic impacts, concurrency, school impacts, buffers, open space requirements, and all other applicable development standards.

B. APPLICANT'S REASON FOR THE REQUESTED CHANGE

The applicant, Tallahassee-Leon County Planning Department, seeks this land use change to ensure consistency with the Comprehensive Plan, and consistency of the parcel with the surrounding future land use designation and zoning district.

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 **ADOPT** 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 **APPROVE** the proposed rezoning.

D. STAFF ANALYSIS

Staff finds 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.

Staff finds 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.

E. CONSISTENCY WITH COMPREHENSIVE PLAN

The criteria required for consideration of a proposed Future Land Use Map change include consistency with the Tallahassee-Leon County Comprehensive Plan, conformance with the Tallahassee or Leon County Zoning Code, land use compatibility, changed conditions on the site and other matters deemed relevant and appropriate.

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

1. Policy 2.2.16 [L] states that the Government Operational category contains facilities which include those defined on the Land Use Development Matrix as Community Services, Light Infrastructure, Heavy Infrastructure and Post-Secondary, that provide for the operation of and provision of services of properties owned by local, state and federal government.

Local, state, and federal governments do not own or operate the property; therefore, the current land use is inconsistent with the Policy 2.2.16 [L].

2. Policy 2.2.17 [L] states that 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.

The subject site is within the area identified for the University Transition land use category.

3. Policy 2.2.17 [L] states that the University Transition 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.

The subject site is within an area that has experienced declining homeownership rates as renters become the primary residents. The subject site is located in a compact area near post-secondary educational institutions, which is consistent with the Policy 2.2.17 [L].

F. SUMMARY OF FINDINGS

Staff presents the following findings of fact:

History and Background

The subject site is approximately 0.54 acres in size and is currently vacant. The property was formally owned by the City of Tallahassee, but has been deeded to Student Housing Partners, LLC. The site currently contains a stormwater management facility. Low density residential is located to the east of the subject site. There is a grocery store and retail stores on the southwest of the site. To the west of the subject property is high density residential, and to the north is a vacant parcel. Each of the parcels surrounding the subject site has the University Transition FLU and University Transition zoning, which is the same land use and zoning requested for the subject site.

This area along Ocala Road is characterized by high intensity non-residential and mixed density residential developments.

FLUM History:

- The subject parcel has been Government Operation future land use category since the Comprehensive Plan was adopted. After the City of Tallahassee purchased the parcel in 1987, the subject site was classified as GO in the Comprehensive Plan in 1991.
- Since 2016, multiple FLUM amendments have been made in this area from Residential Preservation to University Transition, including Amendment PCM201601 (Fairmeadow), PCM201804 (Chapel Drive), TMA2019002 (Murat Subdivision).
- Parcels west and north of the subject site were part of the Comprehensive Plan Reform in the 2006-2 Cycle, Amendment 2006-2-M-010, was Mixed Use A and Mixed Use B.
- The surrounding areas of the subject site are classified as University Transition. The existing GO future land use category does not conform to the surrounding area, and the proposed change will ensure uniformity with the adjacent University Transition.

Zoning History:

- ***Previous Zoning:*** The subject property was zoned R-2 (Single-Family Detached Residential District) prior to the adoption of the City of Tallahassee Zoning, Site Plan, and Subdivision Regulations in 1992. The R-2 designation allowed residential developments with a maximum density of 4.84 dwelling units per acre.
- ***Existing Zoning (1992):*** Following the adoption of the Tallahassee-Leon County Comprehensive Plan, the property was zoned Mixed Use C (MUC). Based on performance zoning criteria, the MUC zoning district allowed a variety of residential and commercial uses.
- ***Site Specific Zoning (1997):*** The City implemented "Site Specific Zoning," and the subject site was rezoned to the RP-1 zoning district, which allowed single-family residential developments.

The site is located within the following locally designated areas:

- Urban Services Area
- The Multimodal Transportation District (MMTD)
- Historically Underutilized Business (HUB) Zone

Current and Proposed Future Land Use Categories

The subject area is currently designated Government Operational on the FLUM. The proposed amendment would change the FLUM designation of the area to University Transition. A summary of the current and proposed zoning categories is below, and a comparison of permitted uses is provided in **Section F**. The complete comprehensive plan policies for **Government Operational (2.2.16 [L])** and **University Transition (2.2.17 [L])** are included in Appendix #1.

Government Operational (Current)

The current Government Operational category is intended to contain facilities, which include those defined on the Land Use Development Matrix as Community Services, Light Infrastructure, Heavy Infrastructure, and Post-Secondary, that provide for the operation of and provision of services on property owned or operated by local, state, and federal government. The government facilities may include services and uses provided by private entities operating on property owned by the local, state, or federal government.

University Transition (Proposed)

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.

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. The category is not intended to be applied in a manner that would encourage or facilitate the premature conversion of existing viable single-family residential neighborhoods.

Determination for Future Land Use Map Amendment

1) Does the area meet the criteria for designation as the current land use designation of Government Operational (GO)?

No. Local, state, and federal governments do not own or operate the property; therefore, the land use is inconsistent with the comprehensive plan.

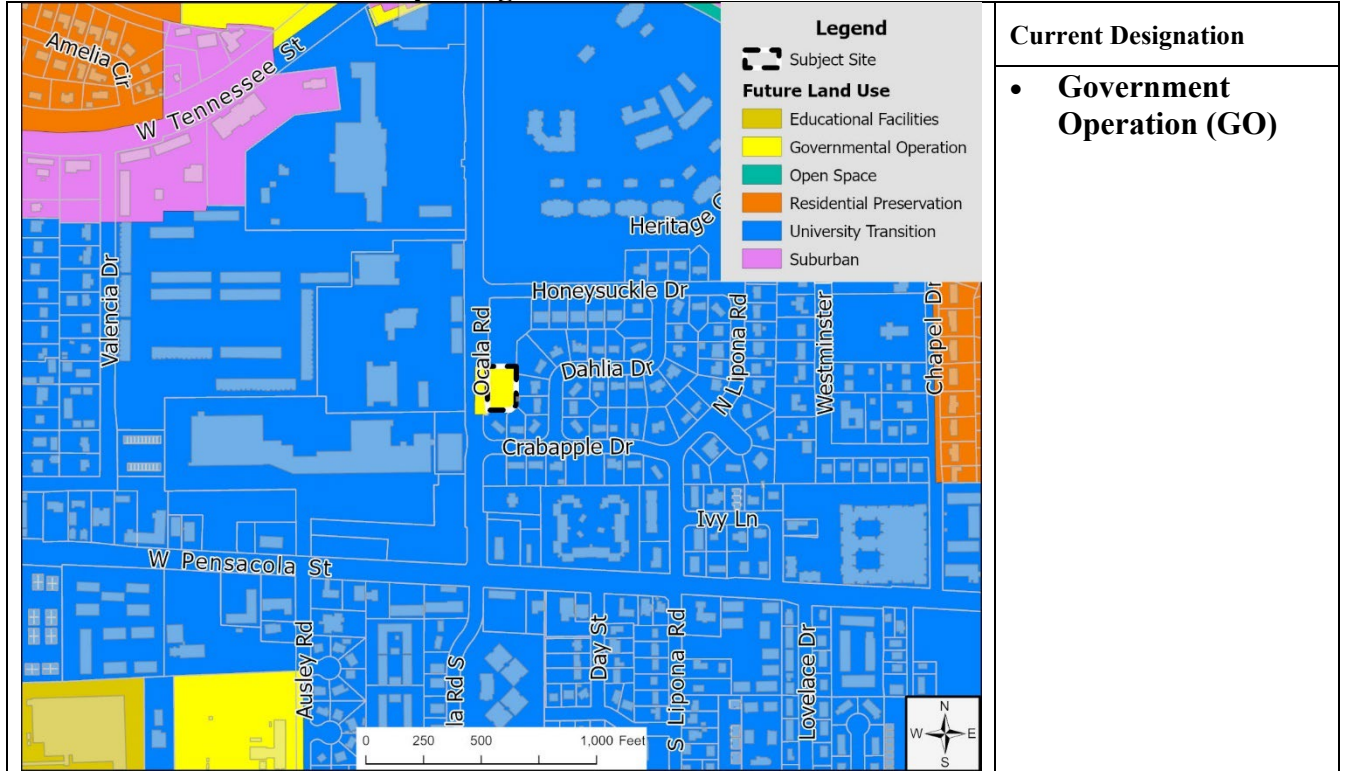
2) Does the area better meet the criteria for the proposed land use designation of University Transition (UT)?

Yes. The subject site more closely resembles the description of the University Transition land use category and zoning district. The subject site is 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. The proposed amendment

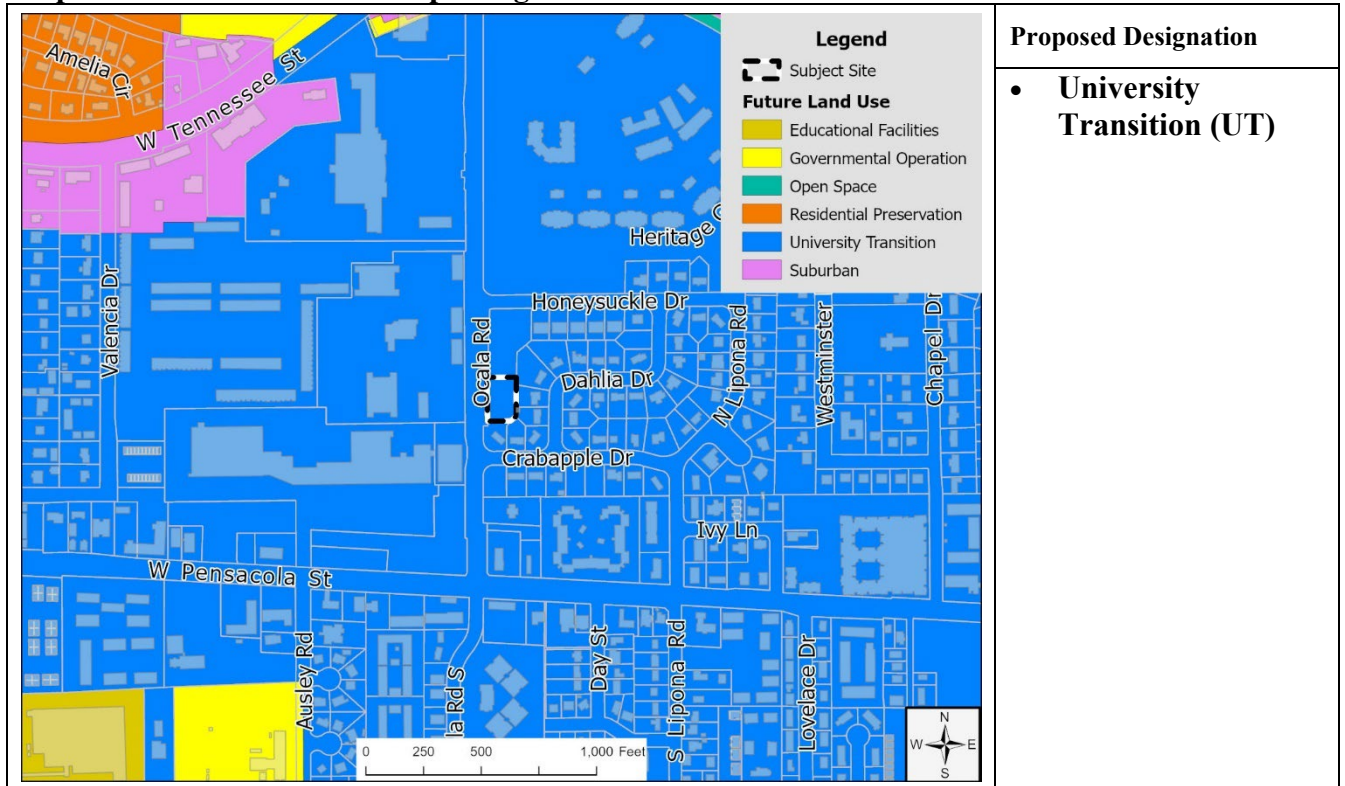
continues a trend in this area of former Residential Preservation areas transitioning to University Transition as homeownership rates decline and renters become the primary residents.

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



Zoning

A concurrent rezoning is requested for this site. The site is currently zoned Residential Preservation-1 (RP-1). The proposed rezoning would change the zoning designation to University Transition (UT) to implement the proposed underlying University Transition land use category. A summary of the current and proposed zoning categories is below, and a comparison of permitted uses is provided in **Section F**. The Land Development Code sections for **Residential Preservation – 1 (Sec. 10-170)** and **University Transition (Sec. 10-242)** zoning are included in Appendix #2.

Residential Preservation – 1 (RP-1) (Current)

The current zoning for the subject site, Residential Preservation – 1, 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 3.6 dwelling units per acre.

University Transition (UT) (Proposed)

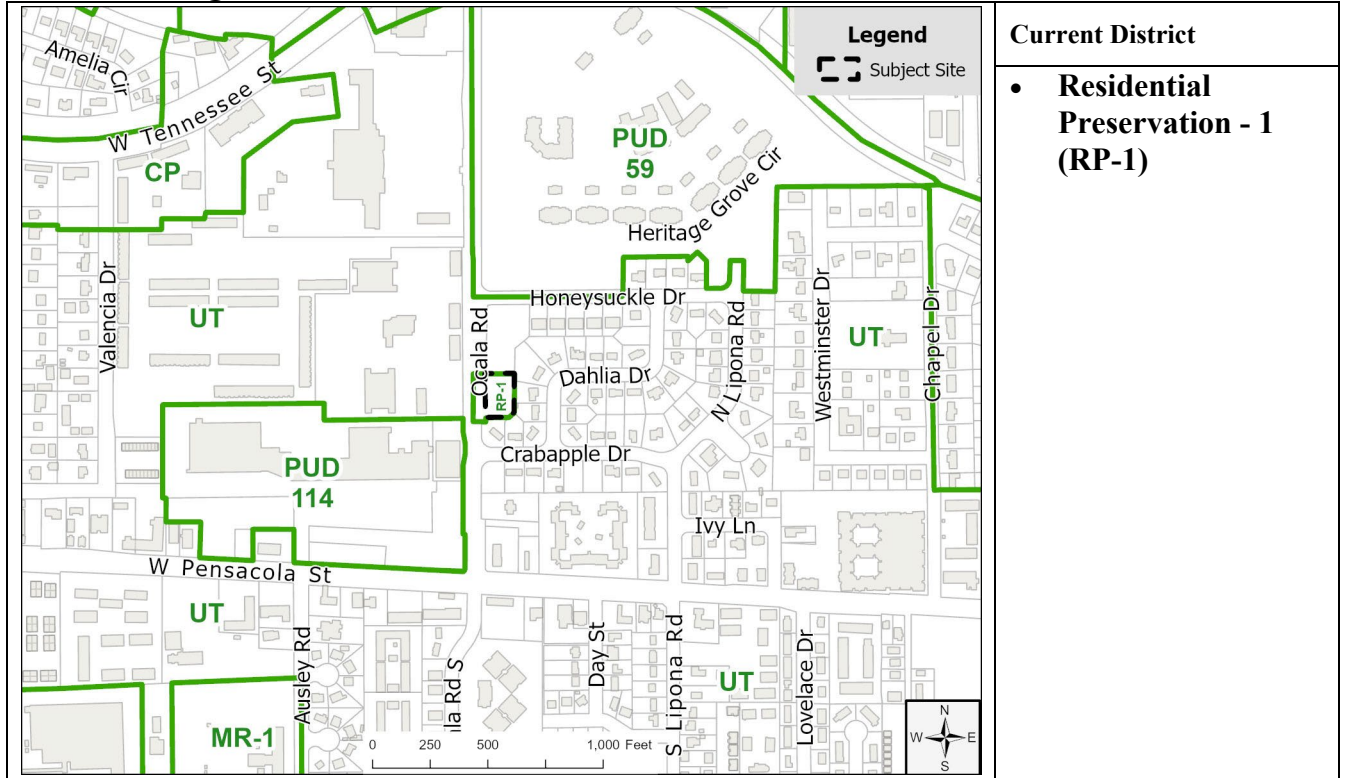
The proposed zoning for the subject site, University Transition, is intended to be a compact district that provides higher density residential opportunities and student oriented services near the campuses; protect existing residential neighborhoods located away from the campuses from student housing encroachment; and transition industrial and lower density residential uses to vibrant urban areas. UT zoning provides for higher density residential development of up to 50 dwelling units per acre, as well as smaller scale retail and commercial that provides essential services to immediate residents and ancillary needs of universities.

Determination for Concurrent Rezoning

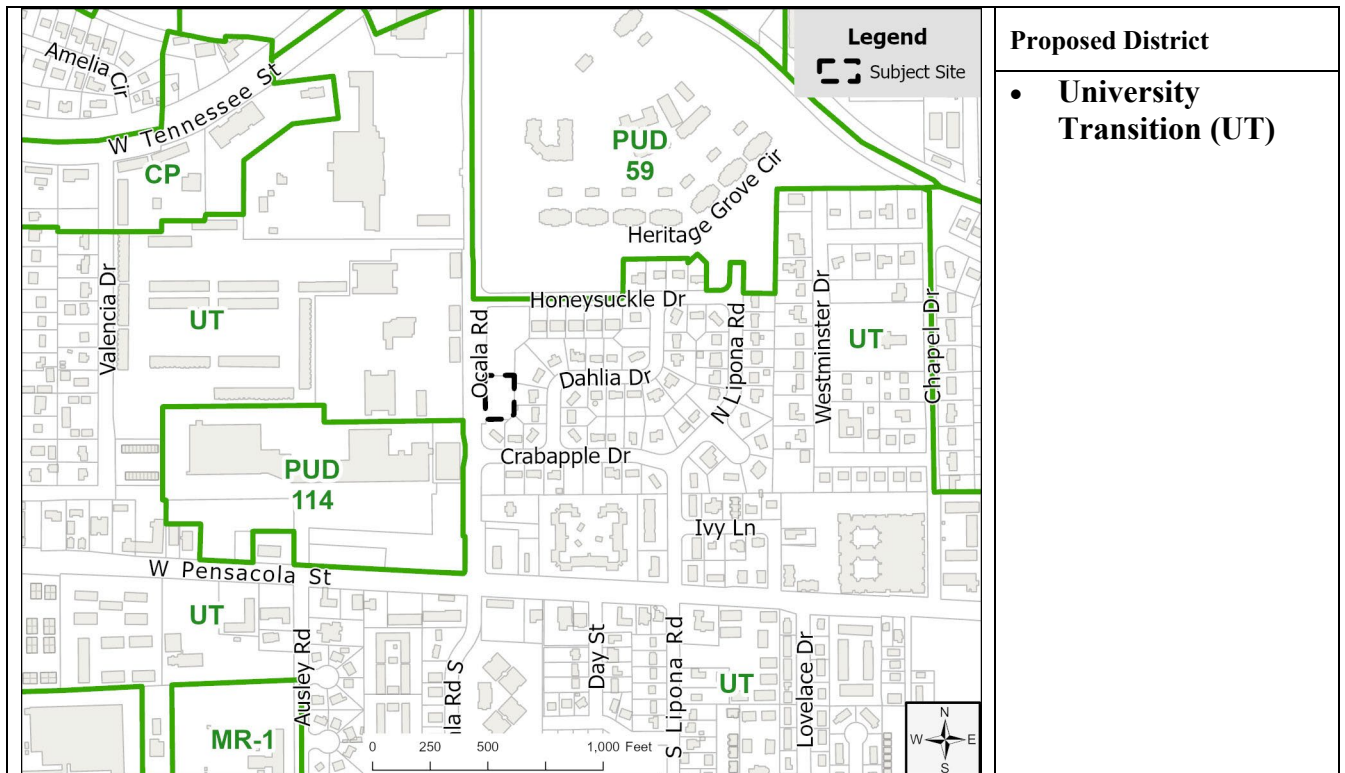
Provided the requested Future Land Use Map amendment is approved, the proposed University Transition zoning district implements the University Transition land use category and conforms to the land development requirements of the UT zoning district. The subject site is located in the complementary area for serving post-secondary educational institutions, allows student housing and compatible uses and is consistent with existing surrounding uses.

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

Current Zoning



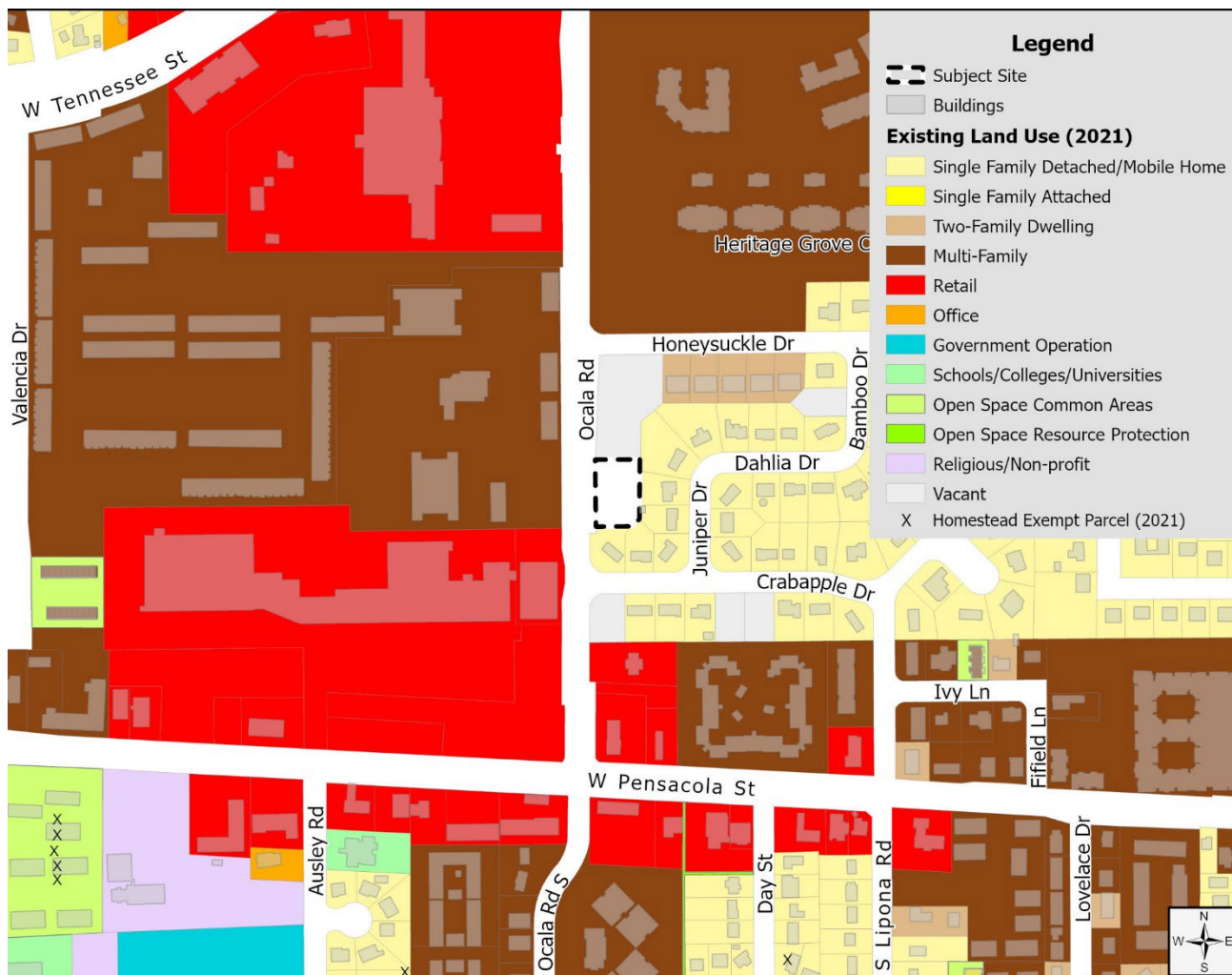
Proposed Zoning



Compatibility with Adjacent and Surrounding Uses

The subject site is approximately 0.54 acres in size and is currently occupied by a stormwater management facility. Low density residential is located to the east of the subject site. There is a grocery store and retail stores on the southwest of the site. To the west of the subject property is high density residential, and to the north is a vacant parcel. The subject site is located on a major collector roadway with student housing, employment, shopping, and recreational opportunities. Each of the parcels surrounding the subject site has the University Transition FLU and University Transition zoning, which is the same land use and zoning requested for the subject site.

Existing Land Use Map



Infrastructure Analysis

Water/Sewer

The City of Tallahassee owns and maintains the water and sewer system serving the subject site.

Schools

The Subject Area is zoned for **Riley** Elementary School, **Nims** Middle School, and **Godby** High School.

All attendance zones in which the property is located have the capacity for this project. Currently, Riley Elementary has a capacity of 101, with post development capacity of 98. Nims Middle School has a capacity of 485, with post development capacity of 484. Godby High School has a capacity of 477, with post development capacity of 476.

Roadway Network

The subject site is located along Ocala Road, which is classified as a major collector and maintained by the City of Tallahassee. Ocala Road is a four-lane roadway, with two travel lanes in each direction and a raised median.

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.

There is a proposed development to the north of the subject parcel which incorporates the subject site as a stormwater management facility. The proposed development may require capacity improvements to the transportation network to accommodate added traffic demand and access on Ocala Road. The actual traffic impacts and concurrency will be calculated at during site plan review.

Pedestrian and Bicycle Network

The subject site is accessible via sidewalk and on-street bike lane on Ocala Road. The site is along the Collegiate Tour bike route, part of the Leon County Bike Route Network that provides options connecting the subject site to Florida A&M University, Florida State University, Tallahassee Community College, and the St. Marks Trail. *Transit Network*

The Heritage and Night Nole Routes of the FSU Seminole Express Routes serve the site directly, with stop 2188 at Ocala Heritage Grove. The site is 3 minutes' walk from stop 197, 195 and 2060 served by the StarMetro Tall Timbers (T) Route and 3 Night Route.

Environmental Analysis

The subject site is located in the Urban Services Area and in the Multimodal Transportation District on a property that is currently developed with a stormwater management facility. The subject site has approximately 0.18 acres constrained by the facility which is about 33% of the parcel. There are no significant environmental features identified on the subject site.

The site is not in the flood zone.

G. COMPARISON OF EXISTING AND PROPOSED ALLOWED USES

The Future Land Use Map provides a general pattern for the location, distribution, and character of land uses. The zoning category implements the underlying land use category and further regulates allowed and prohibited uses, building densities and intensity of uses, and site design specifics such as setbacks, parking requirements, infrastructure, and other land development issues.

| Permitted Uses- Future Land Use | Current GO | Proposed UT |
|---|-------------------|--------------------|
| Residential | | 50 units/acre |
| Light Infrastructure, Heavy Infrastructure | X | |
| Community and Recreational Facilities | | X |
| Facilities operating in publicly owned property | X | X |
| Cultural Activities | | X |
| Retail Commercial Goods and Services | | X |
| Mixed-Use Development | | X |
| Office | | X |

| Permitted Uses- Zoning (See Zoning charts in Appendix 2 for detailed uses) | Current RP-1 | Proposed UT |
|---|---------------------|--------------------|
| Allowed Maximum Residential Density | 3.6 units/ acre | 50 units/acre |
| Community Services, Passive and Active Recreation, Light Infrastructure | X | X |
| Community and Recreational Facilities, Educational Facilities, Day care | | X |
| Cultural Activities, art studio, museum | | |
| Retail Commercial Goods and Services | | X |
| Restaurants | | X |
| Office, Medical | | X |
| Structured Parking | | X |

H. PUBLIC OUTREACH AND NOTIFICATION

An initial mailing was sent to **460** property owners within 1,000 feet of Subject Site.

| | Public Outreach | Date Completed |
|----------|--|--|
| X | Applications posted to Planning Website | 10/12/2022 |
| X | Notices Mailed to Property Owners, Renters, and Homeowners Associations within 1000 feet | 11/16/2022 |
| X | Signs providing details of proposed land use posted on subject site | 11/29/2022 |
| X | Public Open House | 12/08/2022 |
| X | Staff Reports Available Online | 12/16/2022 |
| X | Email Subscription Notice sent to all users of service | 08/02/2022 08/31/2022 09/14/2022 11/15/2022 01/04/2023 01/31/2023 |
| X | Legal Ads posted | 12/30/2022 01/27/2023 |

Public Open House – The Public Open House was held on December 8, 2022, at the Renaissance Building. There were approximately 16 people in attendance. Staff provided overview of the application received and the amendment (and concurrent rezoning) being requested. There were no questions or concerns on this 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 Meetings | | Date Completed |
|----------------|--|----------------|
| X | Local Planning Agency Workshop | 01/10/2023 |
| | Local Planning Agency Public Hearing | |
| | Joint City-County Commission Workshop | |
| | Transmittal Public Hearing [If Applicable] | |
| | Adoption Public Hearing | |

Local Planning Agency Workshop – A workshop was held on January 10, 2023 to discuss the proposed amendment. Staff provided an overview of the proposed amendment and details of the preliminary analyses for the amendment. There were no questions from the LPA that resulted in updates to this report.

Local Planning Agency Public Hearing – The public hearing was held on February 7, 2023, to vote on the proposed 2023 Cycle Amendments. The LPA found the proposed future land use map amendment consistent with the Tallahassee-Leon County Comprehensive Plan, based on the findings and other information contained in this staff report, and recommended ADOPTION of the proposed amendment. They also found 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 recommended APPROVAL of the proposed rezoning. There was no public speaker on this amendment.

J. APPENDICES

- Appendix #1: Comprehensive Plan Policies for Government Operational (2.2.16 [L]) and University Transition (2.2.17 [L]) Land Use Categories
- Appendix #2: Residential Preservation – 1 (Sec. 10-170) and University Transition (Sec. 10-242) Zoning Codes
- Appendix #3: Photo of signs providing details of proposed land use and zoning changes posted on subject site

APPENDIX 1

Comprehensive Plan policies

I. Land Use

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.

I. Land Use

Policy 2.2.16: [L]

GOVERNMENT OPERATIONAL (EFF. 8/17/92; REV. EFF. 7/26/06; RENUMBERED 3/14/07; REV. EFF. 12/24/10)

Contains facilities, which include those defined on the Land Use Development Matrix as Community Services, Light Infrastructure, Heavy Infrastructure, and Post-Secondary, that provide for the operation of and provision of services on property owned or operated by local, state and federal government. The government facilities may include services and uses provided by private entities operating on property owned by the local, state, or federal government. These facilities shall include, but are not limited to:

- | | |
|--------------------------------|----------------------------------|
| Airports* | Offices |
| Correctional Facilities | Outdoor Storage Facilities |
| Courts | Police/Fire Stations |
| Electric Generating Facilities | Sanitary Sewer Percolation Ponds |
| Electric Sub-Stations | Sanitary Sewer Pump Stations |
| Health Clinics | Sanitary Sewer Sprayfields |
| Libraries | Vehicle Maintenance Facilities |
| Incinerators | Waste to Energy |
| Materials Recovery Facilities | Water Tanks |
| Museums | Water Treatment Plants |
| Postal Facilities | Water Wells |

*Includes services and uses provided by private entities that are commonly located at commercial service airports.

APPENDIX 2

Land Development Code sections

Sec. 10-170. Residential preservation district.

(a) *Purpose and intent.*

- (1) The residential preservation district is characterized by existing homogeneous residential areas within the community which are predominantly accessible predominantly by local streets. The primary function of the residential preservation district is to protect existing stable and viable residential areas from incompatible land uses and density intrusions. Commercial, retail, office and industrial activities are prohibited in the residential preservation district (certain nonresidential 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 in the residential preservation district within a range of zero to six units per acre. Compatibility with surrounding residential type and density shall be a major factor in the authorization of development approval and in the determination of the permissible density. 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 nonvested development in residential preservation area shall be consistent with the underlying land use category: no more than one unit per ten acres in the rural category; no more than one dwelling unit per acre (clustered) or one dwelling unit per three acres (not clustered) in the urban fringe category. The residential preservation land use category is divided into five 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 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 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 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 3.6 dwelling units per acre in platted subdivisions, one dwelling unit per acre (net) for clustered developments on unplatted lots, or one unit per three 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 3.6 dwelling units per acre in platted subdivisions, or one dwelling unit per ten 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).

(Code 1984, ch. 27, § 10.3(J); Ord. No. 95-O-0025AA, 9-13-1995; Ord. No. 96-O-0033AA, § 7, 12-11-1996; Ord. No. 97-O-0027AA, §§ 6—12, 7-8-1997; Ord. No. 02-O-88AA, § 2, 10-23-2002)

Sec. 10-242. UT University Transition District.

| | PERMITTED USES | |
|--|---|---|
| 1. District Intent | 2. Principal Uses | 3. Accessory Uses |
| University Transition is intended to: <ul style="list-style-type: none"> •Be a compact land use category that provides higher density residential opportunities and student oriented services near the campuses; •Protect existing residential neighborhoods located away from the campuses from student housing encroachment; and •Transition industrial and lower density residential uses to vibrant urban areas. 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 | 1. Advertising agencies. 2. Antique shops 3. Beauty & barber shops. 4. Book & stationary stores. 5. Banks, credit unions, financial institutions without drive through facilities. 6. Banks, credit unions, financial institutions with drive-through facilities (only allowed on parcels fronting West Pensacola St. between Cactus Drive and Lipona Road). 7. Camera & photographic supply stores. 8. Civic & social associations. 9. Colleges & universities - educational facilities, administrative offices, athletic & intramural fields and stadiums. 10. Commercial art & graphic design. 11. Community facilities related to | 34. Personal services (barber, spa, etc.) 35. Photocopying & duplicating services. 36. Photographic studios, portrait. 37. Physical fitness, gyms. 38. Public community center/meeting building (non-commercial use only). 39. Radio and Television broadcasting. 40. Rental and sales of home movies & games. 41. Repair services, non-automotive. 42. Residential - any type. 43. Restaurants and drinking establishments without drive through facilities 44. Restaurants with drive-through facilities (Only allowed on parcels fronting West Pensacola St. between Cactus Drive and Lipona |
| | | 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 Land Use Administrator. 2) Light infrastructure and/or utility services and facilities necessary to serve permitted uses, as determined by the Land Use Administrator. 4. <i>Special Exception Uses</i> <ul style="list-style-type: none"> 1. Automotive rentals, parking, repairs, & service. 2. Commercial sports. 3. Taxicab operations. 4. Off-street parking facilities (applicable to properties in the |

| | | | |
|--|--|---|--|
| <p>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.</p> <p>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&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 Downtown Overlay , a 25% density bonus is available subject to the provisions of Sec. 10-280.7 of this Code.</p> <p>Development Standards for this zoning district are established within Division 4 applicable to the MMTD.</p> | <p>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.</p> <p>12. Computer & data processing services.</p> <p>13. Dance studio, schools, halls.</p> <p>14. Day care centers.</p> <p>15. Employment agencies.</p> <p>16. Gift, novelty, souvenir shops.</p> <p>17. Hobby, toy, game stores.</p> <p>18. Hotels, motels, bed & breakfasts.</p> <p>19. Indoor amusements (bowling, billiards, arcades).</p> <p>20. Laundromats, laundry, & dry cleaning services without drive through facilities.</p> <p>21. Laundromats, laundry, & dry cleaning services with drive-through facilities (only allowed on parcels fronting West Pensacola St. between Cactus Drive and Lipona Road).</p> <p>22. Live-work units.</p> <p>23. Mailing and postal services.</p> <p>24. Medical & dental offices, clinics, laboratories.</p> <p>25. Mortgage brokers.</p> <p>26. Movie theaters and amphitheaters.</p> <p>27. Museums & art galleries.</p> <p>28. Musical instrument stores.</p> <p>29. News dealers and newsstands.</p> <p>30. Non-medical offices & services, including business, insurance, real estate, and governmental.</p> <p>31. Non-store retail.</p> <p>32. Optical goods stores.</p> <p>33. Passive and active recreation.</p> | <p>Road).</p> <p>45. Retail establishments - bakeries, computer, clothing & accessories, video, records/ compact discs, electronics, drug store without drive-through facilities, drug store with drive-through facilities (only allowed on parcels fronting West Pensacola St. between Cactus Drive and Lipona Road), florist, food & grocery, furniture, home appliances, home/garden supply, hardware, jewelry, needlework/knitting, newsstands, books, greeting cards, package liquor, picture framing, trophy stores, shoes, luggage, leather goods, used goods.</p> <p>46. Security & commodity brokers.</p> <p>47. Sewing & needlework goods.</p> <p>48. Shoe repair, shoe shine parlors.</p> <p>49. Sporting goods and bicycle shops.</p> <p>50. Social, fraternal, recreational clubs/assemblies.</p> <p>51. Structured parking, with active uses located along a minimum of 75 percent of all walls adjacent to public streets and pedestrian areas.</p> <p>52. Studios: photography, music, art, drama, voice.</p> <p>53. Tailoring.</p> <p>54. Travel agencies.</p> <p>55. Veterinary services.</p> <p>56. Vocational schools.</p> <p>57. Watch, clock, jewelry repair.</p> <p>58. Existing drive-through uses and existing motor vehicle fuel sales which were legally established and in existence on 11-20-2007.</p> <p>59. Other uses, which in the opinion of the Land Use Administrator, are of a similar or compatible nature to the uses and intent described in this district.</p> | <p>Downtown Overlay). (Section 10-422 applies)</p> |
|--|--|---|--|

(Code 1984, ch. 27, §§ 10.6.Z, 10.6.AA, 10.6.BB; Ord. No. 00-O-54, § 3, 9-27-2000; Ord. No. 01-O-28AA, § 15, 10-24-2001; Ord. No. 07-O-39, § 3, 11-20-2007; Ord. No. 10-O-14AA, § 6, 2-23-2011; Ord. No. 13-O-03, § 13, 8-28-2013; Ord. No. 14-O-46AA, § 1, 1-28-2015; Ord. No. 16-O-05, § 2(Exh. A), 5-18-2016)

APPENDIX 3

Photos of public notice signage



Citizen Comments
Amendment # TMA2023 007
Westwood Plaza

From: jacobscottleoni@gmail.com
To: [Planning Inquiries](#)
Cc: [White, Artie](#); [Mohrman, Melinda](#)
Subject: Citizen comment on proposed amendments to the Tallahaasee-Leon County Comprehensive Plan (CP 2023 Cycle)
Date: Wednesday, February 8, 2023 2:45:06 PM

Citizen comment on proposed amendments to the Tallahaasee-Leon County Comprehensive Plan (CP 2023 Cycle)

1718 Mahan Dr (TMA2023-001):

5411 Capital Circle SW (TMA2023-003):

3534 Thomasville Rd (TMA2023-004):

Lambert Heights and Merrivale Rezoning (TMA2023-005):

I am in strong support of this rezoning. I own multiple properties in the neighborhood, and with a UT zoning, my values will continue to rise. This will also benefit the City since it will raise assessment values.

Tharpe St at Old Bainbridge Rd (TMA2023-006):

Westwood Plaza (TMA2023-007):

I strongly support this because a new Marriott Hotel will be built if it is passed. There is no hotel product on the west side of campus or that close to the airport.

Southside Action Plan (TTA2023-009):

Jacob Scott Leoni
3951 West Millers Bridge Road
Tallahassee FL 32312
jacobscottleoni@gmail.com

From: mallorycumbie@gmail.com
To: [Planning Inquiries](#)
Cc: [White, Artie](#); [Mohrman, Melinda](#)
Subject: Citizen comment on proposed amendments to the Tallahaasee-Leon County Comprehensive Plan (CP 2023 Cycle)
Date: Wednesday, February 8, 2023 3:02:50 PM

Citizen comment on proposed amendments to the Tallahaasee-Leon County Comprehensive Plan (CP 2023 Cycle)

1718 Mahan Dr (TMA2023-001):

5411 Capital Circle SW (TMA2023-003):

3534 Thomasville Rd (TMA2023-004):

Lambert Heights and Merrivale Rezoning (TMA2023-005):

I strongly support this amendment. This area of town deserves updated residency options for university students. Allowing this zone to increase its allowed occupancy for students will bring more business to the local businesses in the area, allow for a revitalized area in extremely close proximity to FSU, and improve the community and representation of our city.

Tharpe St at Old Bainbridge Rd (TMA2023-006):

Westwood Plaza (TMA2023-007):

I strongly support this amendment. This would do amazing things for a section of town that needs revitalization.

Southside Action Plan (TTA2023-009):

Mallory Cumbie
1600 Chadwick Way
Tallahassee FL 32312
mallorycumbie@gmail.com

From: jennifer@shsweb.us
To: [Planning Inquiries](#)
Cc: [White, Artie](#); [Mohrman, Melinda](#)
Subject: Citizen comment on proposed amendments to the Tallahaasee-Leon County Comprehensive Plan (CP 2023 Cycle)
Date: Thursday, February 9, 2023 4:11:13 PM

Citizen comment on proposed amendments to the Tallahaasee-Leon County Comprehensive Plan (CP 2023 Cycle)

1718 Mahan Dr (TMA2023-001):

5411 Capital Circle SW (TMA2023-003):

3534 Thomasville Rd (TMA2023-004):

Lambert Heights and Merrivale Rezoning (TMA2023-005):

To Whom It May Concern: I am a business owner in the area and own multiple homes in the surrounding area. I support this plan amendment. Thank you, Jennifer Pearce JNP Holdings, LLC and SHS Management, LLC

Tharpe St at Old Bainbridge Rd (TMA2023-006):

Westwood Plaza (TMA2023-007):

To Whom It May Concern: I am a business owner in the area and own multiple homes in the surrounding area. I support this plan amendment. Thank you, Jennifer Pearce JNP Holdings, LLC and SHS Management, LLC

Southside Action Plan (TTA2023-009):

Jennifer Pearce
2020 West Pensacola Street, Suite 285
Tallahassee FL 32304
jennifer@shsweb.us

From: sleoni@stevenleoni.com
To: [Planning Inquiries](#)
Cc: [White, Artie](#); [Mohrman, Melinda](#)
Subject: Citizen comment on proposed amendments to the Tallahaasee-Leon County Comprehensive Plan (CP 2023 Cycle)
Date: Thursday, February 9, 2023 6:45:17 AM

Citizen comment on proposed amendments to the Tallahaasee-Leon County Comprehensive Plan (CP 2023 Cycle)

1718 Mahan Dr (TMA2023-001):

5411 Capital Circle SW (TMA2023-003):

3534 Thomasville Rd (TMA2023-004):

Lambert Heights and Merrivale Rezoning (TMA2023-005):

Lambert Heights is a small pocket of RP surrounded by FSU and UT zoning. More than 99% of the properties are rental units serving students. The neighborhood is bordered by FSU to the North, East, and West. The Southern Border of the neighborhood is on West Pensacola Street. There is no property that deserves UT like this neighborhood. Please approve this amendment as there is no need to preserve home ownership whereby current owners have to pay unnecessary rooming house fees to the City in a 99% student rental market.

Tharpe St at Old Bainbridge Rd (TMA2023-006):

Westwood Plaza (TMA2023-007):

I own many properties surrounding this property. This one parcel was not included in the recent rezoning, in error, many years ago. This amendment allows this one parcel to be properly zoned as UT like everything else around it. I support this rezoning and ask that the commission approve it.

Southside Action Plan (TTA2023-009):

Steven Leoni
2020 W. Pensacola Street, Suite 285
Tallahassee FL 32304
sleoni@stevenleoni.com

**Board of County Commissioners
Leon County, Florida**

**Workshop on Policies and
Process for Land Use Changes
and Land Development**

**Tuesday,
October 25, 2022
2:00 p.m.**

**Leon County Courthouse
County Commission Chambers, 5th Floor
301 S. Monroe St. Tallahassee, FL 32301**

The media and the public can access the meeting in real time on Comcast channel 16, the Leon County Florida channel on Roku, the County's [Facebook](#) page, [YouTube](#) channel, [Twitter](#) and County [web site](#).

Leon County Board of County Commissioners

Notes for Workshop

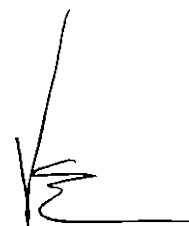
Board of County Commissioners Workshop

Workshop Item

October 25, 2022

To: Honorable Chairman and Members of the Board

From: Vincent S. Long, County Administrator



Title: Workshop on the Policies and Process for Land Use Changes and Land Development

| | |
|-------------------------------------|---|
| Review and Approval: | Vincent S. Long, County Administrator |
| Department/ Division Review: | Alan Rosenzweig, Deputy County Administrator Ken Morris, Assistant County Administrator Benjamin H. Pingree, Director, Planning, Land Management, and Community Enhancement (PLACE) Artie White, Director, Planning Department Barry Wilcox, Director, Development Support and Environmental Management |
| Lead Staff/ Project Team: | Mindy Mohrman, Administrator of Comprehensive Planning Ryan Culpepper, Development Support and Environmental Management Anastasia Richmond, Development Support and Environmental Management |

Statement of Issue:

This workshop item provides a comprehensive overview of policies that regulate land development, the different phases in the land development process, an overview of the extensive public engagement actions conducted throughout the land development process, and a recommendation to increase the public notification area for large-scale Comprehensive Plan map amendments in rural areas of Leon County from 1,000 feet to 1,500 feet with a minimum threshold of 30 property owners being notified.

Fiscal Impact:

This item has no fiscal impact.

Staff Recommendation:

Provided on the following page.

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Staff Recommendation:

- Option #1: Conduct the workshop on policies and process for land use changes and land development.
- Option #2: Continue the public engagement actions described in this workshop item and expand the notification radius for large-scale Comprehensive Plan map amendments in rural areas of unincorporated Leon County from 1,000 feet to 1,500 feet with a minimum threshold of 30 property owners being notified.

Report and Discussion

Background:

At the June 14, 2022 meeting, the Board directed staff to schedule a workshop on the policies and process by which a property owner can change the uses allowed on their property and develop their property. On October 11, 2022, the Board approved scheduling a County only workshop on the policies and process for land use changes and land development for October 25, 2022.

As discussed in detail in this workshop item, the land development process is governed by the Comprehensive Plan and the County's Land Development Code (LDC) and includes extensive public information and public input at various phases. Numerous tools and processes are leveraged to engage the public in the various land development process phases and reflect best management practices compared to peer communities. The tools and processes utilized by Leon County government include public information and engagement through direct mailed notices, newspaper advertisements, information provided online, email notifications, the use of Community and Media Relations (CMR) public engagement tools including the Nextdoor app, public meetings, and formal public hearings. Currently, large-scale map amendments and large-scale developments (requiring Type C and Type D review) have a 1,000-foot notification radius.

Based on the 1,000 foot notification radius, a greater number of residents receive notices in higher density areas than lower density rural areas where properties are larger, and residents are located farther from each other. To address the lower density and lower number of residents being notified in the rural areas, this item recommends expanding the notification radius for large-scale Comprehensive Plan map amendments in the rural area from 1,000 feet to 1,500 feet with a minimum threshold of 30 property owners directly noticed by mail (Option #2). Including a minimum number of property owners being notified, ensures at least 30 property owners being notified even in very low-density areas of the County.

In addition, as part of the consultant's work on the *Land Use and Mobility Elements Update*, the consultant will be tasked with further analyzing notice and public engagement actions and make any additional recommendations ensuring best management practices continued to be implemented locally.

The balance of the analysis section provides the following:

- Section 1:** An overview of the Comprehensive Plan and Land Development Code, what their purposes are, and their relationship to each other;
- Section 2:** An overview of the development process and what is required at each phase of the process;
- Section 3:** The Comprehensive Plan amendment process;
- Section 4:** Recent examples that illustrate both the Comprehensive Plan amendment process and the process property owners must follow to develop their property;

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- Section 5:** An overview of the notification and public engagement components of proposed Comprehensive Plan amendments (notifications for large-scale Comprehensive Plan map amendments is currently 1,000 feet) and a comparison to other communities;
- Section 6:** Considerations of expanding the notification area for large-scale Comprehensive Plan map amendments; and
- Section 7:** Highlights of relevant efforts that are upcoming, including the 2023 Comprehensive Plan amendment cycle and updates to the Land Use and Mobility Elements of the Comprehensive Plan.
- Section 8:** A conclusion and next steps

Analysis:

Local governments regulate land development for a variety of reasons (such as to protect sensitive environmental areas, ensure adequate infrastructure, promote compatibility, etc.) and have regulations at various phases in the development process. Higher level planning, such as planning at the Comprehensive Plan level, is intended to help coordinate land use with infrastructure and plan for long term public investments. This level of planning also ensures adequate amounts of land are designated for broad uses to plan for long-term population growth and for the various uses that support the needs of a growing community (e.g., employment, education, entertainment, etc.). Planning at the shorter-term, such as the zoning of property, is intended to promote compatibility of uses by identifying permitted, restricted, and prohibited uses in a given location.

As defined in the Comprehensive Plan, compatibility is “a condition in which land uses or conditions can coexist in relative proximity to each other in a stable fashion over time such that no use or condition is unduly negatively impacted directly or indirectly by another use or condition.” Effectively, this means that planning should manage growth and development in an orderly way that anticipates future increases in population with the necessary public infrastructure and private development needed by the community while preventing or mitigating impacts to current residents and property owners. Consistent with this planning, the application of land development regulations at the site plan level is intended to address and mitigate impacts of development, such as ensuring development manages stormwater without causing flooding and evaluating impacts to the transportation system and mitigating those impacts.

The sections below identify the key documents that plan for the future and regulate the development process (i.e., the Comprehensive Plan and the Land Development Code). The following sections discuss each phase of the development process, how changes are made to the Comprehensive Plan, and how public notice and engagement occurs.

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Section 1: Key Documents that Shape Land Development

Overview of the Comprehensive Plan

A Comprehensive Plan is a legal document that guides and manages future development to encourage the most appropriate use of land, water, and resources at the County or City level as approved by County Commissions or City Commissions. In Leon County, the joint City/County Comprehensive Plan serves as a blueprint for future commercial and residential land uses, housing, and conservation, as well as cultural and recreational amenities. An important component of the Comprehensive Plan is identifying the new infrastructure and growth demands needed to support the future physical and economic development of the community. Strategic investments made now in infrastructure, housing, recreational amenities, and education will create communities where families will want to live, where companies will want to do business, where jobs will be available, and where people will come to work and play. Florida Statutes mandate the adoption of a Comprehensive Plan. The requirements for local government Comprehensive Plans are outlined in Section 163.3177, Florida Statutes. Attachment #1 provides a description of requirements for local government Comprehensive Plans.

In accordance with the City/County Contract executed in July 2003 and the subsequent Interlocal Agreements between the County and the City, the Tallahassee-Leon County Planning Department (Planning Department) administers and coordinates implementation of the Comprehensive Plan with various other departments and agencies, such as Public Works, Housing and Human Services, the Capital Region Transportation Planning Agency, etc. Land development regulations included in the Leon County Land Development Code (LDC), described below, are informed by the goals, objectives, and policies contained in the Comprehensive Plan and must be consistent with the adopted Comprehensive Plan. Leon County Development Support and Environmental Management administers the LDC.

The Tallahassee-Leon County 2030 Comprehensive Plan

Leon County and the City of Tallahassee developed their first joint Comprehensive Plan in 1981. As a result of growth management legislation at the State level, the Tallahassee-Leon County Comprehensive Plan was rewritten and adopted in 1990. The Comprehensive Plan has been amended each year since its adoption in 1990 with amendments ranging from small scale map amendments to the addition of new plan elements. A voluminous document detailed in this item; the full Tallahassee-Leon County Comprehensive Plan is available online at <https://www.talgov.com/place/pln-cp>.

The Tallahassee-Leon County Comprehensive Plan is currently comprised of a Vision Statement, a Glossary, and the following twelve elements:

- Land Use Element
- Capital Improvements Element
- Mobility Element
- Utilities Element
- Conservation Element
- Parks and Recreation Element
- Housing Element

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- Intergovernmental Coordination Element
- Economic Development Element
- Historic Preservation Element
- Public School Facilities Element
- Property Rights Element

Each element contains various planning related goals for the community. The goals are then divided into different objectives. The objectives are in turn divided into different policies. Policies represent the specific strategies to take to accomplish the objectives. Accomplishing each of the objectives should result in the overall goal being accomplished. Accomplishing each of these goals should result in the overall intent of the element being accomplished. Each component of the Comprehensive Plan (Elements, Goals, Objectives, and Policies) must be adhered to by any new land development, large or small, that is approved. How this occurs is detailed further below.

Comprehensive Plans are required to designate all properties Countywide with a future land use category. In the Land Use Element, each future land use category must be defined in terms of uses permitted and must include standards to be followed in the control and distribution of population densities and building and structure intensities. The proposed distribution, location, and extent of the various categories of land use are required to be shown on a land use map or map series. This map is called the Future Land Use Map, often referred to as the FLUM. The FLUM shows the location where the future land use categories are applied. Attachment #2 includes a description of each of these categories for the Tallahassee-Leon County Comprehensive Plan and FLUM showing the location of the land use categories.

The FLUM in the Tallahassee-Leon County Comprehensive Plan also shows the Urban Services Area. The Urban Services Area (USA) is a key component of the community's growth management strategy detailed in the Land Use Element of the Comprehensive Plan. As described in Objective 1.1 of the Land Use Element, the purpose of the USA is to direct development to those areas that have in place, or have agreements to provide, the land and water resources (sewer, water, stormwater, roads, and other urban services), and the service capacity to accommodate growth in an environmentally responsible manner. Generally, properties inside the USA are intended for a wide variety of residential, commercial, recreational, and institutional uses in an urban or suburban context. Properties outside of the USA are generally intended for agriculture, natural resource, and/or very low-density residential uses in an exurban or rural context.

The USA aids in identifying the new infrastructure and growth demands needed to support the future physical and economic development of the community. The purpose of the Urban Services Area is to direct development to those areas which have in place, or have agreements to provide, the land and water resources, fiscal abilities, and the service capacity to accommodate growth in an environmentally acceptable manner.

As noted previously, the Tallahassee-Leon County Comprehensive Plan sets parameters for more detailed regulations found in the Leon County Land Development Code (LDC) as well as the City of Tallahassee's LDC, which includes the zoning districts. The LDC provides very specific regulations for land use, zoning, and site design including infrastructure, utilities, setbacks,

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parking, signage, stormwater management, environmental management, and more. The regulations contained in the LDC are informed by the goals, objectives, and policies in the Comprehensive Plan, and must be consistent with the Comprehensive Plan. Leon County's LDC (detailed below) as well as the City's LDC are consistent with the Tallahassee-Leon County Comprehensive Plan.

Overview of the Leon County Land Development Code (LDC)

The Land Development Code (LDC) is a legally binding regulatory law that contains numerous articles of code that provide specificity regarding permitted uses, density/intensity allowances, design standards and other site-specific requirements for the development of land. Far more detailed than the Comprehensive Plan, the Leon County LDC is available online at https://library.municode.com/fl/leon_county/codes/code_of_ordinances?nodeId=PTIICOOR_CH_10LADECO.

These articles of code are consistent with and implement the intent and policies of the Comprehensive Plan, such as when sidewalks are required and, if so, how wide, or when new development is required to connect to existing streets or development in order to maximize the efficiency of a grid street network. In addition, the LDC provides the framework for the review of proposed new development or proposed expansion of existing sites.

The LDC provides a list of specific uses permissible in each zoning district. In addition, each zoning district provides specific development standards such as, but not limited to, setbacks, height limits, natural or open space requirements, limits on accessory structures, housing types and non-residential intensity limitations. The LDC also contains additional requirements beyond the zoning district standards. These additional standards or requirements include but are not limited to, onsite signage, interconnectivity, site layout, sidewalks, concurrency, buffers, infrastructure standards, and environmental constraints. These standards represent a sample of the requirements that an application for development is reviewed for compliance with. Different zoning districts may have different standards in order to reflect the fact that areas of the community are expected to develop in sometimes unique ways, or to preserve existing features of an area.

The review process for the development of property beyond the construction of one single-family home is dependent upon the zoning district and the scope of development activities. New or expansion of development is subject to administrative review, at minimum, or may require final disposition by the Board. Generally, as the density or intensity of a development increases, so does the level of review. However, certain specific uses have been identified in the LDC as special or restricted uses and, in those cases, require final review by the Board regardless of the scope of development or zoning district.

Oftentimes development requirements are the result of extensive community input or to address ongoing issues. For example, development in the Bradfordville area requires additional design and stormwater standards to address community concerns with increased development activity in the Bradfordville area. This resulted in the Bradfordville Sector Plan which is outlined in the LDC. Non-residential development within the Bradfordville Sector Plan is subject to the Bradfordville Site and Building Design Standards Guidelines Manual (The Manual). The Sector Plan establishes general site planning design guidelines while The Manual provides specific guidance on building

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placement and orientation; onsite parking location; landscaping; drainage and stormwater management; creation of outdoor spaces; fencing and screening material; and on-site design (height and size). Another example is the Bradford Brook Chain-of-Lakes special development zones. The LDC designation of special development zones adjacent to the Bradford Brook Chain-of-Lakes, including Lakes Cascade, Hiawatha, Bradford and Grassy, contain minimum design and development standards to protect the chain of lakes. In a similar manner, the Sign Code regulates the type and size of signs in a manner to balance use compatibility with business needs allowing only monument signs for non-residential uses adjacent to residential properties.

Retroactivity of LDC Regulations

New development is subject to the LDC provisions at the time of application submittal. As a result, these new developments include infrastructure or amenities that older, existing developments were not required to provide at the time they were developed. New code provisions are not applicable retroactively, so unless an existing development is redeveloped, the existing development may not contain components such as sidewalks, stormwater facilities and interconnectivity.

LDC Applicability to New Development

All new developments going through a site and development plan within the USA are required to construct sidewalks on the adjacent roadways if no sidewalks exist. If water and/or sewer is available pursuant to the City/County Water and Sewer Agreement the development must connect to central services. These requirements help to ensure the provision of urban infrastructure within the USA. Also required within the USA, all non-residential and multifamily development shall be designed to provide vehicular and pedestrian cross access to adjacent commercial, office, multifamily, recreation, and community facility uses to reduce the necessity of using the public street system in order to move between adjacent and complementary land uses. Interconnectivity between residential developments is required to provide more efficient mobility options between developments and to help distribute traffic more effectively.

In Summary, the Leon County LDC includes extensive regulations that are consistent with the Comprehensive Plan and direct all aspects of how specific sites are developed through the phases described in the following section.

Section 2: Phases of the Land Development Process

The Comprehensive Plan and Land Development Code, defined above, provide the framework through which land development, large or small, can occur. Once these regulations are understood, there are many pathways through which a citizen, property owner, and/or business owner may approach the process of development of their property or business. Various Leon County government organizations can provide technical assistance in a number of ways.

The various phases of the land development process are described in detail below, including how consistency of a proposed development with the Comprehensive Plan and LDC is determined, or, if it is not consistent, when and if an amendment to the Comprehensive Plan and concurrent rezoning is proposed. While the phases are presented in order from initial idea through

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construction and inspection, the entry point in the land development process for property owners, homebuilders, or developers depends on a variety of factors including the type of development, the current situation of the property proposed for development, and any previous steps that have been taken. For example, a property owner building a home on their property zoned R-2 Single Family Detached District would likely go straight to the permitting phase. However, a developer wanting to redevelop a property with a different use than currently exists on the property (such as going from a residential-only zoning district like R-2 to a commercial zoning district like C-1 Neighborhood Commercial) would likely require a Comprehensive Plan amendment and/or a rezoning of the property. These processes are detailed below.

Because parcels across the community each have land use designations and zoning designations in addition to features unique to each individual site (e.g., shape and size of the property, topography, roadway access, environmental features, etc.) there is no one size fits all approach to land development. Numerous resources are available, and staff assists community members with the specific steps needed to be taken in the development process based on the designations and conditions for a specific site. For example, staff will look at a specific site and help the property owner know if they need a Comprehensive Plan amendment and/or rezoning or if they can go straight to the site plan phase of development as described below.

While each property is unique and not every phase is applicable to every development project, the overall development process can be described in broad phases. The phases described below illustrate how land development must be consistent with the Comprehensive Plan and must meet the requirements and processes of the LDC. Attachment #3 illustrates these broad phases and the role of the Planning Department in the different phases.

In general, the Tallahassee-Leon County Planning Department is responsible for longer-term planning via the Comprehensive Plan and shorter-term planning via zoning. The Development Support and Environmental Management (DSEM) Department is responsible for the implementation of these plans via the application and enforcement of land development regulations included in the Land Development Code. The Planning Department and DSEM work closely to ensure development happens in a manner consistent with the Comprehensive Plan and Land Development Code described in the previous section. While the Planning Department or DSEM will be the lead department in the various phases of the land development process described below, coordination and communication across departments occur in each phase below.

Land Development Process: *Idea/Concept Phase*

Lead Department: Planning

Land development begins with someone having property and an idea of what to do with that property. When someone has only one of these two key pieces, technical assistance is available to address the missing piece:

- a. In some cases, a property owner would like to develop their existing property but may seek assistance understanding how the property can be used. DesignWorks is an urban design studio housed within the Tallahassee-Leon County Planning Department that provides site assistance for proposed public and private development projects. At no

additional cost to the community, DesignWorks achieves high quality development and enhanced urban design consistent with the community vision in the Comprehensive Plan. Through the DesignWorks process, staff from the Planning Department (and often including staff from other departments as needed) will meet with a property owner to discuss options and provide sketches of how a use may work on a given site. They also provide information related to how the other phases of development, described below, would apply to the subject property. Meeting with the DesignWorks staff early on also provides the benefit of identifying potential issues that may arise in future phases of the development process and working through options to address these potential issues up front, saving time during the rest of the process. The concepts and sketches from DesignWorks can also be a useful starting point for the property owner to then contract with private planners, engineers, architects, landscape architects, and/or urban designers. The DesignWorks process is regularly utilized for residential developments. Two recent examples include the properties that D.R. Horton purchased and were included in Comprehensive Plan amendments and rezonings during the 2022 Comprehensive Plan amendment cycle and the Camellia Oaks residential development that did not require a comprehensive plan amendment. DesignWorks consultations can also be used for non-residential development or redevelopment. One example of a design consultation for non-residential development is the redevelopment of the Florida Homebuilders Association Building at the southeast corner of Monroe Street and Park Avenue that now houses the Jim Moran institute and the restaurant Il Lusso.

- b. In other cases, a business owner has a concept or wants to expand an existing business but requires property on which to build. In this scenario, the Office of Economic Vitality (OEV) supports business growth and development through site selection and expansion. A business development manager at OEV will provide direct assistance to the business owner. Additionally, interested parties can use readily available resources from OEV by utilizing the “Find Properties” option on the OEV website (<https://oevforbusiness.giswebtechguru.com/>). As potential sites are identified, the due diligence process would include conversations with Planning Department staff to consider the land use designation of the property in the Comprehensive Plan (explained in more detail in the Comprehensive Plan Phase below) and the zoning of the property (explained in more detail in the Zoning Phase below) and with staff from the Development Support and Environmental Management Department (or the City’s Growth Management Department for property inside City limits) to discuss site constraints and other land development considerations that could arise in the site planning process (explained in the Site Plan Phase below).
- c. Property owners may also work directly with the private sector to develop a concept or identify property for their idea. While the assistance provided by OEV and DesignWorks support the work of the private sector and does not replace the need for consulting planners, engineers, architects, landscape architects, and urban designers, the utilization of OEV and DesignWorks is optional.

Whether someone uses the services available from OEV or the Planning Department, once they have property and an idea, they move to the Comprehensive Plan Phase in the process to determine if the idea is consistent with the Comprehensive Plan.

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Land Development Process: Consistency with the Comprehensive Plan Phase
Lead Department: Planning

This phase evaluates the desired use of the property for consistency with the Comprehensive Plan. A property owner or developer may come to this phase in a variety of ways:

- As part of the due diligence in the Idea/Concept Phase described above, the proposed use of the property would be considered for consistency with the Comprehensive Plan.
- The rezoning process described in the Zoning Phase below includes an evaluation of consistency with the Comprehensive Plan.
- If an applicant meets with staff in the Development Support and Environmental Management Department as part of the site planning process (Site Plan Phase below), it would be revealed early in the process that either the idea is consistent, or a Comprehensive Plan amendment and rezoning are needed for the idea for the property to move forward in the site plan process.
- The site plan review process described in a phase below includes a review for consistency with the Comprehensive Plan.

As described previously, the Land Use Element of the Comprehensive Plan provides land use categories that describe appropriate land uses throughout the community. As described previously, the Future Land Use Map (FLUM) shows the distribution, location, and extent of the various categories of land use categories. When a property is proposed for development or redevelopment, the proposed use must be consistent with the designated land use on the FLUM as well as other goals, objectives, and policies in the Comprehensive Plan.

A review for consistency with the Comprehensive Plan may result in one of the following outcomes:

- a. Proceed: If the proposed land use is allowed by the current category, the owner may move forward to the next phase in the process.
- b. Refine Concept: If the proposed land use is not allowed by the current category, the owner may refine their proposed use or find another property where the use is allowed, or,
- c. Amend the Comprehensive Plan: The owner may choose to apply for an amendment to the Comprehensive Plan. In this case, Planning Department staff review the proposed amendment and provide preliminary feedback to the applicant on whether the proposal is consistent with the Comprehensive Plan. If the applicant chooses to continue with the application, Planning Department staff will administer the amendment process as part of the annual Comprehensive Plan amendment cycle. The Comprehensive Plan amendment process is detailed in the following section.

As described in the Zoning Phase below, land uses in the Comprehensive Plan are implemented through zoning. When an applicant requests a Comprehensive Plan amendment to change the future land use designation of their property, they will often request that their property be rezoned

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concurrently with the land use change addressing the Comprehensive Plan Phase and Zoning Phase of the land development process at the same time.

Land Development Process: Zoning Phase

Lead Department: Planning

The Future Land Use Map provides a general pattern for the location, distribution, and character of land uses. Zoning implements the underlying land use category and further regulates allowed and prohibited uses, building densities and intensity of uses, and site design specifics such as setbacks, parking requirements, infrastructure, and other land development issues. The zoning must be consistent with the underlying land use category.

A property owner or developer may come to this phase in a variety of ways:

- As part of the due diligence in Idea/Concept Phase described above, the proposed use of the property would be considered for consistency with the Comprehensive Plan and with the current zoning. This due diligence may reveal that a rezoning of the property is needed before the idea for the property can move forward.
- A property owner is applying for a Comprehensive Plan amendment and desires for the rezoning to be completed concurrently with the Comprehensive Plan amendment.
- If an applicant meets with staff in the Development Support and Environmental Management Department as part of the site planning process (Site Plan Phase below), it would be revealed early in the process that either the zoning is consistent with the proposed concept or a rezoning is needed for the idea for the property to move forward.

Some land use categories are implemented by one or two zoning districts (e.g., the Rural land use can be implemented by either the Rural zoning district or the open space zoning district) while other land use categories are implemented by number zoning districts (e.g. Urban Residential-2 can be implemented by Residential Acre, R-2 Single Family Residential, R-3 Single Family Detached, Attached Two-Family Residential, R-4 Urban Residential, R-5 Manufactured Home and Single Family Detached, MH Manufactured Home Park, MR Medium Density Residential District, MR-1 Medium Density Residential, or Open Space) with each zoning district falling within the parameters set by the land use category. Attachment #4 provides a list of the land use categories and the implementing zoning categories for each.

The review of a property's zoning may indicate one of the following:

- a. Proceed: If the proposed use is allowed by the current zoning, the owner may move forward to the next phase in the process (Site Plan Phase).
- b. Refine Concept: If the proposed use is not allowed by the current zoning, the owner may refine their proposed use or find another property where the use is allowed, or
- c. Rezoning: The owner may choose to apply for a rezoning of the property. In that case, the proposed zoning must be consistent with the underlying land use on the FLUM, as well as other criteria set forth in the LDC. If not, the owner can proceed as described above in the Comprehensive Plan Phase and apply for an amendment to the Future Land Use Map and

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a concurrent rezoning. As previously described, Planning Department staff will administer the amendment and concurrent rezoning process as part of the annual Comprehensive Plan amendment cycle.

If the applicant requests a change to the zoning on their property, they will follow the rezoning process:

Rezoning Process

The Planning Department is responsible for processing all rezoning applications. Rezonings are accepted on an ongoing basis and are processed throughout the year as applications are submitted. Proposed rezonings are reviewed for consistency with the Comprehensive Plan and Land Development Code and recommended for approval or denial by the Planning Commission, which typically meets on the first Tuesday of the month. Any and all amendments to the Official Zoning Atlas are required by law to be consistent with the Comprehensive Plan and to conform with the Leon County LDC. Upon review and recommendation by the Planning Commission, rezonings are presented at a public hearing for the Board for properties in unincorporated Leon County, or the City Commission for properties inside City limits.

Once a site has the necessary land use (Comprehensive Plan Phase) and zoning (Zoning Phase), the applicant can move forward with the site plan/subdivision process which results in a detailed development plan for a site.

Land Development Process: *Site Plan Phase*

Lead Department: DSEM

The Leon County Land Development Code (LDC) is informed by the goals, objectives, and policies in the Tallahassee-Leon County Comprehensive Plan and must be consistent with the Comprehensive Plan. As detailed in Section 1, the LDC sets detailed parameters for adherence to in the site plan phase. These parameters range from important measures from setbacks to stormwater treatment; from parking to signage.

Within the unincorporated County the development process begins with a Permitted Use Verification (PUV) Certificate. The PUV indicates if a proposed use is generally consistent with the Leon County Code of Laws, the additional site and development plan review, and permitting review necessary to develop the proposed use. The PUV includes important information to the applicant on the lot history, site development standards including, setbacks, general layout and design standards, sidewalk standards, buffering requirements, required parking and loading information, lighting requirements, and signage information.

Generally, PUV's are issued within 10-15 business days of receiving payment of the application. In addition to providing the applicant with the code requirements for the proposed projects, an optional free pre-submittal meeting is encouraged in the PUV to assist the applicant prior to a formal review. The optional pre-submittal meeting includes a review from all agencies that will be reviewing the applicant's site and development plan and is intended to reduce any deficiencies in applications.

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Applications are considered complete if the accompanying Environmental Permit application is complete and paid by this time, and the site plan application is paid by this time. Staff then prepares a notice to mail to surrounding property owners and home/property owner associations in addition to a notice to post in the Tallahassee Democrat. Staff also informs review partners of the application and the deadline (10 days from receipt) in addition to the level of review. The following table summarizes the review types:

| Review Type | Approval Body | Required Public Meeting | Public Notice |
|--------------------|--|--|--|
| Type "A" | Reviewed and approved administratively | Application Review Meeting (ARM) | Property owners within 600 ft and HOAs/POAs within one mile |
| Type "B" | Reviewed and approved by the Development Review Committee | ARM & Development Review Committee (DRC) Meeting | Property owners within 800 ft and HOAs/POAs within one mile |
| Type "C" | Reviewed and approved by the Board | ARM, DRC and Board of County Commissioners (BOCC). | Property owners within 1,000 ft. and HOAs/POAs within one mile |
| Type "D" | Consistency review by Planning Commission and reviewed and approved by the Board | ARM, DRC, Planning Commission (PC) and Board of County Commissioners (BOCC). | Property owners within 1,000 ft. and HOAs/POAs within one mile |

The Type "A" site plan is approved administratively meaning staff objectively applies the standards in the LDC. If the application meets the standards it is approved; if not, it is denied.

The Type "B", "C", and "D" site plan approval process are a quasi-judicial decision meaning it is localized in its application, affecting a particular group of citizens more acutely than the public at large. The approval body applies the standards that are in the LDC to approve or deny an application. Legislative land use and zoning decisions have widespread impact and can impact all citizens.

Quasi-judicial proceedings must follow basic standards of due process, including:

- Proper notice of the hearing
- Providing everyone with an interest in the proceedings an opportunity to be heard and to hear what others have to say
- Full disclosure to all evidence being considered by the decision-making body (i.e., no ex parte communications)
- An impartial decision-maker free from bias and conflicts of interest

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All quasi-judicial decisions must also follow the essential requirements of the law, meaning the application of the correct criteria, and it must be based on competent substantial evidence placed on the record. Political pressure and vocal opposition not otherwise supported by the evidence will not meet the burden of competent substantial evidence.

For all the public meeting types, the meeting can be continued to a date certain for an applicant to provide additional information required by a reviewing entity. Reviewing entities can also recommend approval with conditions for any type site plan if such condition is to allow time for compliance with certain application deficiencies or to mitigate impacts from requested deviations from Code. However, any condition must have a nexus to the public purpose being sought by the condition and must be roughly proportional to the negative impacts of the application so as to not be confiscatory.

Each review level requires public notification of the receipt of an application and the date upon which a public meeting will occur. The LDC requires that notification of a public meeting be consistent with State Statutes [F.S. 125.66(4)(b)(2-3)]. In addition, the LDC takes a step further and requires that property owners and homeowner's associations (HOAs/POAs) within a certain range be notified by direct mail and notification also be placed onsite. This direct mail notification range is dependent upon the level of review and ranges from 600 feet for Type "A" to 1,000 feet for Type "D" applications. HOAs are notified up to one mile from the project site for all review levels.

DSEM holds both the ARM and the DRC meetings in a hybrid fashion, both in person and online via Zoom. The public is welcome to participate in either fashion.

The Site Plan/Subdivision phase of development is the detailed phase that includes processes that verifies compliance with Land Development Code, including:

- Natural Features Inventory
- Stormwater Management
- Flood Protection
- Tree Protection and Removal
- Erosion Control
- Landscaping
- Concurrency (adequate public facilities to support new development – includes school capacity and traffic analysis)

The Site Plan must satisfy the LDC requirements and approval processes before permitting can begin as described in the following phase.

Land Development Process: Permitting, Construction, and Inspection Phase
Lead Department: DSEM

An Environmental Management Permit (EMP) is a required permit associated with new development and typically reviewed concurrently with the site and development plan. The EMP

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ensures that the proposed development is in compliance with the Environmental Management Act which is implemented through the Comprehensive Plan and the LDC. In general, the EMP ensures that the proposed development activity has addressed stormwater and water quality along with protection of environmentally sensitive areas. Once an EMP has been issued and the applicant has completed a pre-construction conference with Environmental Services staff, the applicant may begin construction.

Construction of a site will include regular inspections to ensure continued compliance with the EMP along with ensuring best management practices for managing soil erosion during construction is being maintained. Infrastructure, including stormwater management facilities, are constructed first. Once completed, the development will require submittal of as-built plans to demonstrate that the site has been constructed in conformance with the approved site and development plan and EMP.

Subsequent to completion of the EMP process, the applicant may then submit for the associated building permits for the proposed buildings or other vertical structures. The applicant may apply for a building permit during the review of an EMP, however, a building permit cannot be released until the EMP has been approved.

Section 3: The Comprehensive Plan Amendment Process

As explained in the previous sections, the Comprehensive Plan is a key document that shapes land development and consistency with the Comprehensive Plan is built into the different land development phase, as described above. When a property is proposed for development or redevelopment, the proposed use must be consistent with the designated land use on the Future Land Use Map as well as other goals, objectives, and policies in the Comprehensive Plan. The Comprehensive Plan Phase of the Land Development Process described in the previous section identified the potential options for a development at this step:

- a. If the proposed land use is allowed by the current category, the owner may move forward to the next step in the process.
- b. If the proposed land use is not allowed by the current category, the owner may refine their proposed use or find another property where the use is allowed, or,
- c. The owner may choose to apply for an amendment to the Future Land Use Map of the Comprehensive Plan. In this case, Planning Department staff will review the proposed amendment and provide preliminary feedback to the applicant on whether or not the proposal is consistent with the Comprehensive Plan. If the applicant chooses to continue with the application, Planning Department staff will administer the amendment process as part of the annual Comprehensive Plan amendment cycle.

The process for the adoption of amendments to the Comprehensive Plan is directed by Section 163.3184 and Section 163.3187, Florida Statutes. Locally, Comprehensive Plan Amendments are generally aggregated into an annual cycle, though out-of-cycle amendments may be initiated by the Board or the City Commission. Aggregating the amendments into a single cycle provides for

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more efficient use of budget and staff time and makes it easier for the public to follow what is being proposed. These amendments to the Comprehensive Plan are either:

- Map amendments: Map amendments change the land use designation of property on the Future Land Use Map (FLUM).
- Text Amendments: Text amendments are changes to goals, objectives, or policies, and other maps, charts, or figures other than the Future Land Use Map, such as the Land Development Matrices, the Downtown Overlay Map, etc.

Map amendments that involve more than 50 acres of land are considered large-scale amendments and require both a transmittal public hearing (the amendment is submitted to the state land planning agency and other review agencies for a 30-day review) and an adoption public hearing (the amendments are submitted back to the state land planning agency and review agencies following adoption). Map amendments involving 50 acres or fewer only require an adoption public hearing before being submitted to the state land planning agency and review agencies (i.e., they do not require a transmittal public hearing). Similar to large-scale map amendments, text amendments require both a transmittal public hearing and an adoption public hearing.

In order to request a map amendment to change the designation of a property on the FLUM, applicants must be the owner of the subject property or a legally authorized agent of the owner, attend a pre-application conference with planning staff, and submit a completed application by the annual deadline. The pre-application is used to help the applicant understand the amendment process as well as provide an opportunity to identify potential concerns up front. If clear inconsistencies with the Comprehensive Plan are identified in the pre-application meeting, applicants will often change their request or withdraw their application.

The public notification and engagement process begins 6 month or more before votes are taken on approving the amendment. The Comprehensive Plan amendment applications are posted online for public review. Staff reports are subsequently posted at the same location. Citizens can provide comments on the amendments directly through the website or via email, fax, or letter. Direct notifications and emails are sent for the proposed amendments. The notifications include the overall schedule of meetings for the amendment cycle, the website is updated with a meeting schedule, and information on how to submit comments on amendments is provided in the notice and online. The notifications and website include the date of the public open house and the public hearings.

Amendments to the Comprehensive Plan require a public hearing before the Local Planning Agency, and depending on the type of amendment, either one or two public hearings (an adoption hearing or both a transmittal and an adoption hearing) before the Board and/or City Commission. If a map amendment is in unincorporated Leon County, it will be reviewed and approved or denied by the Board. If a map amendment is inside city limits, it will be reviewed and approved or denied by the City Commission. Text amendments to the Comprehensive Plan go before the Board and City Commission and require approval by both to be adopted.

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The steps in the Comprehensive Plan Amendment Process are:

1. Application Period – Pre-application meeting with applicants and application deadline. The application period generally runs from April through September each year.
2. Notifications – Direct mail notifications are sent to property owners, homeowner associations, and neighborhood associations within 1,000 feet of any of the proposed Comprehensive Plan amendments. The notifications include the overall schedule of meetings for the amendment cycle, the website is updated with a meeting schedule, and information on how to submit comments on amendments is provided in the notice and online. The notifications and website include the date of the public open house.
3. Public Open House – This open house, conducted by the Planning Department, occurs soon after the application deadline. The primary purpose of this meeting is to inform the public of the applications received and provide an opportunity for preliminary comments. The date of the public open house is included in the direct mail notifications, on the Comprehensive Plan amendment cycle website, and is sent out to the email subscription service described in Section 5 below.
4. Local Planning Agency Workshop – The intent of this workshop is to allow Local Planning Agency (LPA), which includes the same members as the Planning Commission, and Tallahassee-Leon County Planning Department (Planning Department) staff to have an in-depth discussion of each of the proposed Comprehensive Plan amendments. The workshop is open to the public; however, no public comments are taken.
5. Local Planning Agency Public Hearing – This is a statutorily required public hearing with the Local Planning Agency. At this hearing, the LPA receives Planning Department staff recommendations on each of the proposed amendments and moves their own recommendations for the Board and City Commission. Each interested citizen has up to three minutes to speak on a proposed amendment.
6. Joint City-County Commission Workshop – Similar to the LPA Workshop, the intent of this workshop is to allow the Board and City Commission and the Planning Department staff to have an in-depth discussion of each of the proposed Comprehensive Plan amendments. The workshop is open to the public; however, no public comments are taken.
7. Joint Transmittal Public Hearing – This is a statutorily mandated public hearing with the Board and City Commission. The Commissions receive staff analysis and LPA recommendations on each of the proposed amendments and votes on whether to transmit the proposed amendments to State agencies for review. Each interested citizen has up to three minutes to speak. Only large-scale map amendments and text amendments described previously require a transmittal public hearing. Small-scale map amendments only require an adoption public hearing as described in the next step below. Those amendments approved at the Transmittal Hearing are submitted to the State Land Planning Agency and other review agencies for a 30-day review.
8. Adoption Public Hearing – This is a statutorily mandated public hearing with the Board and City Commission. The Commissions vote on whether to adopt the proposed amendments. Each interested citizen has up to three minutes to speak.

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9. Rezoning Public Hearings – For approved map amendments that require rezoning, Public Hearings occur to consider the approval of a rezoning concurrent with the Comprehensive Plan amendment. Each interested citizen has up to three minutes to speak.

Typically, a change in land use designation is accompanied by a rezoning application, which is handled concurrently with the land use map amendment. Staff performs a review of each application and prepares a staff report that provides an analysis and determination of consistency with the Comprehensive Plan. This analysis includes a history and background of the site, compatibility with adjacent and surrounding land uses, availability of infrastructure and utilities, and impacts to local schools. To the extent that information is available, a brief roadway network and traffic analysis and environmental analysis are provided. Much more detailed traffic and environmental analyses are required by DSEM at the time the applicant applies for site plan review and permitting as described in the Site Plan Phase of the Land Development Process in Section 2 above.

The following section provides an example of how the phases of the Land Development Process in Section 2 above and the Comprehensive Plan amendment process described in this section apply to a recent project in Leon County.

Section 4: Recent Example of the Development Process

This section provides a recent example of the Dollar General at the intersection of Apalachee Parkway WW Kelley Road that went through the land development process using the phases described in the Sections above. Attachment #5 provides a more detailed review of this example.

Land Development Example - Idea/Concept Phase

In July of 2020, an applicant approached the Planning Department to discuss the possibility of a building a neighborhood retail store (Dollar General) on a 1.60-acre parcel located at the Southeast corner of Apalachee Parkway and WW Kelley Road. The idea would require a Comprehensive Plan amendment and a rezoning.

Land Development Example - Comprehensive Plan and Rezoning Phases

The Comprehensive Plan phase and rezoning phase of this project occurred concurrently during the 2021 Comprehensive Plan amendment cycle. The FLUM designation on the property was Rural, with Rural zoning and was inside the Urban Services Area. The applicant requested Suburban land use with C-2 zoning, which was consistent with adjacent properties.

Planning Department staff coordinated with DSEM and processed a Comprehensive Plan amendment and a concurrent rezoning. The Comprehensive Plan amendment and rezoning process included direct mailed notices to surrounding property owners and the nearby Homeowners Association, as well as a public open house, information provided online and via email, a public hearing with the LPA, and public hearing with the Board. The Board approved the Comprehensive Plan amendment and concurrent rezoning on April 13, 2021.

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Land Development Example - Site Plan Review Phase

Upon approval of the Comprehensive Plan amendment and rezoning, a Permitted Use Verification (PUV) and site plan was prepared by the applicant and submitted to DSEM to process. This process also included notice and public input as described in Attachment #5. The applicant received approval of the site plan and environmental management permit.

Land Development Example - Permitting, Construction, and Inspection Phase

With final approval of the site and development plan and corresponding EMP, the project was completed with the Dollar General being constructed to code at the intersection of Apalachee Parkway and WW Kelley Road.

Section 5: Notification and Public Engagement in the Land Development Process (Including Large Scale Map Amendments)

As requested by the Board at its May 10, 2022 regular meeting, this item provides information on the current notice requirement area for large-scale map amendments to the Tallahassee-Leon County Comprehensive Plan and large scale developments, and an evaluation of the expansion of the notice requirement area. As detailed below, Leon County far exceeds the requirements of State Statutes, exceeds the notice area of peer communities, and has a robust public engagement process that is reflective of best management practices.

There are a variety of steps in the land development process that engage the public utilized routinely by Leon County. This public engagement includes a combination of citizen advisory boards, direct notice mailings, newspaper advertisements, the use of website and social media, public meetings, and formal public hearings. Importantly, the analysis leads to a recommendation in Section 6 to further expand notification for large scale map amendments in the rural area. Should this be added upon, Leon County will have the most extensive public engagement of any peer community.

Citizen Advisory Boards

Different steps in the land development process utilize various citizen advisory boards with public access, meeting minutes, etc. The primary citizen advisory boards utilized are:

Local Planning Agency: As required by State Statutes, the Local Planning Agency (LPA) monitors and oversees the effectiveness and status of the Comprehensive Plan and makes recommendations to the Board and City Commission. Amendments to the Comprehensive Plan are reviewed by the LPA, who then makes recommendations to approve or deny the amendment to the County and City Commissions. All meetings are publicly noticed and include time for public comment. There are 7 LPA members. Three are appointed by the Board, 3 are appointed by the City Commission, and one is selected by the School Board and appointed by both the Board and City Commission. The LPA members also serve as the Planning Commission.

Planning Commission: The Planning Commission is the entity responsible for all general and major revisions to the zoning regulations and zoning maps, applications for rezoning, Type D site and development plan proposals, and review of land development code revisions. The Planning Commission is also the duly designated Local Planning Agency (LPA); therefore, the members of

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the LPA serve as the Planning Commission. As with the LPA, all meetings are publicly noticed and open for public comment. Dating back to a 1967 Interlocal Agreement, the Planning Commission serves both Leon County and the City of Tallahassee (instead of each jurisdiction having their own Planning Commission). According to the bylaws of the Planning Commission, the Planning Commission shall be responsible for comprehensive area-wide planning which shall include, but shall not be limited to, all of the following:

- 1) Recommending or reviewing proposed regulatory and administrative measures which will aid in achieving coordination of all related plans of the departments or subdivisions of the governments concerned with and subject to intergovernmental coordination requirements. To the extent applicable in each study, preparation of the foregoing shall be related to metropolitan and area wide needs, but additional studies related primarily one unit of general local government may be undertaken when requested and when, in the view of the planning commission, such studies have a relationship to the harmonious development of the county as a whole.
- 2) Studies of zoning regulatory and administrative measures needed to achieve coordination and development in accordance with the comprehensive plan. All general and major revisions to the zoning regulations and the zoning maps shall be accomplished only after review by the planning commission for conformance with the comprehensive plan. All applications for rezoning or text amendments to any land development code, shall be filed with the governmental unit having jurisdiction, which application shall be forwarded to the planning commission for investigation and hearing. The planning commission shall submit its report and recommendation to the appropriate governing body. The planning commission may initiate applications for rezoning, or text amendments to the comprehensive plan for the purpose of evaluating changes in the zoning map, and may initiate proposals for revisions to the land development code.
- 3) Review of all Type D site and development plan proposals as described in Section 10-1480.
- 4) Review of proposed development codes and regulations and amendments and make recommendations to the governing bodies as to the consistency of the proposals with the adopted comprehensive plan.
- 5) Study and propose regulatory and administrative measures which aid in the coordination of planning and development by all agencies of local government and by agencies of state government concerned with planning in the Tallahassee Metropolitan Area.
- 6) Review and comment on plans for joint development projects which relate to the comprehensive Plan or other physical plans as described herein or which affect the programming of capital improvements by the local governmental units.
- 7) Perform such other reviews and approvals as may be authorized by the Leon County Code of Laws or the City Zoning, Site Plan and Subdivision Regulations.

The Planning Commission also acts on recommended orders entered by Administrative Law Judges who have conducted formal hearings on certain matters coming before the Commission that involve the application of a general rule or policy.

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Advisory Committee on Quality Growth: The Advisory Committee on Quality Growth (ACQG) is a focus group established by Resolution 19-07 adopted on May 14, 2019 as a part of the overall Department of Development Support and Environmental Management Upgrade to better facilitate both the highest quality service to customers and the highest quality development for the community. The ACQG is comprised of 16 citizen members representing development industry professionals and community stakeholders. The role of the ACQG is to provide proactive feedback on proposed revisions to the LDC and other DSEM service enhancements.

Other Citizen Advisory Boards: In addition to the Local Planning Agency, Planning Commission, and Advisory Committee on Quality Growth, others citizen advisory boards may be included in various land development phases depending on the nature of the development activity. For example, Comprehensive Plan amendments that have considerations for waterbodies are presented to the Water Resources Committee for discussion and Comprehensive Plan Amendments that address non-motorized transportation (such as the 2021 amendment adopting the Bicycle and Pedestrian Master Plan by reference) are presented to the Joint City/County Bicycle Workgroup for discussion.

Direct Mailed Notices

This section provides an overview of current, locally-based requirements for direct mailed notices, an overview of Leon County's current process for direct mailed notices, and a comparison of local notice area requirements compared to peer communities. This section leads to a recommendation in Section 6 to further expand notice requirements in rural areas of Leon County. Leon County has a 1,000ft notification area for Comprehensive Plan amendments, rezonings, and large scale developments with Type C and Type D review. This far exceeds the minimum requirements of the state, which require no mailed direct notice to any adjacent property owners. This notification area also exceeds notifications in peer communities which generally range from 350 feet to 500 feet.

Direct notices contain information about Comprehensive Plan amendments, rezonings, site plans and subdivisions, such as the size and location of the project in order that nearby residents and property owners are kept informed and have the opportunity to provide input into proposed land uses changes near them at public meetings. The public meetings that are noticed include site plan meetings, Development Review committee (DRC) meetings, Planning Commission meetings and Leon County board of County Commissioner meetings.

The State of Florida requires no direct notice be sent to properties adjacent to a proposed Comprehensive Plan amendment or rezoning. Per Florida Statutes, direct mail notices are only required for county-initiated ordinances or resolutions that change the actual zoning map designation of a parcel and are parcels less than 10 contiguous acres. This notice is required to be sent to only those property owners whose land the County will be redesignated by enactment of the ordinance or resolution and whose address is known by reference to the latest ad valorem tax records and shall be sent 30 days prior to the date set for the public hearing. For such ordinances or resolutions that will affect 10 or more contiguous acres, Florida Statutes provides direct mailings as an alternative to newspaper publication. There are no statutory requirements that require direct mailings to those adjacent or outside the area impacted by the ordinance. There is no direct mailing

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requirement for applications initiated by the person owning the property to be affected by the zoning change.

Local regulations can exceed the minimum state regulations for direct notice. Therefore, Leon County has adopted several provisions for notices that exceed the statutory minimum notice requirements as a means to better inform the public on upcoming land use change applications. Sec. 10-6.205 of the LDC requires a mailing notification radius of 1,000 feet from the subject site for items requiring public hearings before the Planning Commission, Local Planning Agency, and Board of County Commissioners. This includes Comprehensive Plan map amendments and rezonings. Additional noticing required by the LDC includes notice in a newspaper of regular and general circulation. Changes to any notice requirements described in the Leon County LDC must be consistent with state statute and are subject to review and approval by the Planning Commission and the Board of County Commissioners. The LDC provisions call for significantly more public notice than is required by Florida Statutes.

On February 26, 2008, Leon County adopted the ordinance that increased the required direct notice radius to property owners from 500 feet to 1,000 feet for a proposed rezoning or Comprehensive Plan amendment. This increase in the notice radius was prompted by a dialog with the Council of Neighborhood Organizations (CONA). The intent of the radius increase was to increase public awareness of applications that involved proposed changes in land use, and to have the same notice radius as the City of Tallahassee to reduce citizen confusion and to provide consistency across jurisdictional boundaries. Increasing the notice area radius resulted in informing more people further away from the site of a proposed development as a means of increasing opportunities for these citizens of the development and opportunities for them to provide comments on the development activity to staff and the Board.

The State of Florida requires no direct notice be sent to properties adjacent to a proposed Comprehensive Plan amendment or rezoning; however, Leon County notifies property owners and Homeowner Associations and Neighborhood Associations within 1,000 feet of the site of Comprehensive Plan amendments or rezonings to inform residents of proposed development activity and offer opportunities to provide input to staff and/or the Board.

Land Use and Rezoning Notice Requirements

Per County policy described above, prior to the public open house on proposed Comprehensive Plan amendments each amendment cycle, typically scheduled for early December each year, mailing notifications are sent to surrounding property owners within 1,000 feet of the requested land use change. Mail notifications contain a map showing the property location and information about the current land use and zoning and the proposed change, and a schedule of public meetings where citizens may receive more information and make public comment. Comprehensive Plan amendment notices include the dates, times, and locations of the public open house, the workshop and public hearing with the local planning agency, and the workshop and public hearings with the Board. Public notices only provide general information about proposed land use change, such as the location, allowable uses, densities, and intensities. Notices do not contain proprietary information about the specific businesses. For example, notices would not indicate that a project is specifically for a proposed McDonalds; a proposed Publix or a proposed State Farm Insurance office. This information is often not available at the time of a Comprehensive Plan amendment or

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rezoning. Additionally, a property owner is allowed to develop with any use allowed by the land use zoning district and could not be held to developing a specific business. The direct notices also provide contact information including phone, email, and the relevant website so that recipients can easily obtain more information, ask questions, or submit comments. Similarly, notices for rezonings applications involving 30 or fewer contiguous parcels of land are sent to the affected property owners and surrounding property owners within 1,000 feet of the site of the rezoning. There are varying radii for the level of site and development plan reviews as well.

Site Plan Notice Requirements

A Type “A” Site and Development Plan review requires mailed notices to property owners, Homeowners’ Associations and businesses within 600 feet from the site notifying them of the date of the Application Review Meeting where final disposition of the application will be made. For Type “B” Site and Development Plan review, the notice radius increases to 800 feet from the site for both the Application Review Meeting and the Development Review Committee, where final disposition on the application is made. For Type “C” and “D” Site and Development Plan review, the radius is 1,000 feet from the site.

Comparison of Comprehensive Plan Amendment Notice Areas

Florida Statutes do not require direct notice for Comprehensive Plan amendments. Per Florida Statutes, direct mail notices are only required for county-initiated ordinances or resolutions that change the actual zoning map designation of a parcel and are parcels less than 10 contiguous acres. Direct notice is not required for privately initiated ordinances or resolutions that change the actual zoning map designation of a parcel. As such, there are no statutory requirements for direct notice of adjacent property owners for rezonings (whether stand alone or that occur concurrently with a Comprehensive Plan Amendment). As noted previously, Leon County notice requirements exceed those required by the state. A comparison of other counties and cities demonstrates that the notice requirements for Comprehensive Plan amendments generally exceed those in peer communities as well. The following tables shows the notice requirements in other peer communities.

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| County/City | Notice Area for Direct Mailings for Comprehensive Plan Amendments |
|-----------------------|--|
| State Requirements | No direct notice for privately initiated amendments. Notification only of the owners of the properties being changed for publicly initiated amendments. |
| Alachua County | 500' in urban areas or 1320' in rural areas |
| Brevard County | 500' |
| Collier County | 500' to 1000' depending on specific location |
| Duval County | 350' |
| Escambia County | 500' |
| Gainesville, City of | 400' |
| Jacksonville, City of | 350' |
| Lake County | 500' |
| Lakeland, City of | 500' |
| Leon County | 1000' |
| Orange County | 500' |
| Pasco County | 500' |
| Polk County | 500' with a 12-landowner notification minimum |
| Tallahassee, City of | 1000' |
| Winter Park, City of | 500' |

Legal Considerations for Noticing

According to the County Attorney's Office, noticing requirements have legal implications beyond garnering community input and outreach, most notably when it comes to legal standing to challenge a Board decision and procedural due process concerns. Expansion of noticing radii may have an impact on which parties have legal standing to challenge a decision of the Board. Determinations of standing are typically considered on a case-by-case basis depending on who is seeking to challenge the decision of the Board and the cause of action being brought. The general test to qualify for standing to challenge a development order (i.e. a rezoning or site and development plan) is whether the challenger will suffer a special injury that differs in kind, rather than degree, from others in the community. For challenges to development orders as inconsistent with the Comprehensive Plan, Section 163.3215, Florida Statutes, has broadened the test for standing to include "any person or local government that will suffer an adverse effect to an interest protected or furthered by the local government comprehensive plan, including interests related to health and safety, police and fire protection service systems, densities or intensities of development, transportation facilities, health care facilities, equipment or services and environmental or natural resources" and such adverse interest "may be shared in common with other members of the community at large but must exceed in degree to the general interest in community good shared by all persons."

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Being an abutting owner or an owner entitled to notice are factors courts consider in determining whether a person has met the requirements of these tests for standing. The fact that the County has included a property within its noticing radius informs the Court that the County identifies this property as one that could suffer a harm different in kind or degree to the general public. As such an expansion of the noticing radius could result in more challengers benefitting from this presumption of standing regardless of whether any actual harm exists.

Unlike quasi-judicial decisions like rezonings or site and development plan approvals, Comprehensive Plan amendments are not considered “development orders” as they are legislative policy-making decisions. Instead, Florida Statutes allows an “affected person” to administratively challenge a comprehensive plan amendment as not “in compliance” with the requirements of the Community Planning Act, Ch. 163, Part II, Florida Statutes. An “affected person” is determined by the Department of Administrative Hearings (DOAH) and is defined broadly in statute since some comprehensive plan amendments could impact the entirety of the community; however, the extent that a Comprehensive Plan amendment impacts only a finite number of properties, DOAH may similarly consider the local noticing requirements in determining whether a person has standing to bring an administrative challenge before it.

As such, careful consideration should be given to the noticing radii for direct mailings since such notice should be provided to only those properties that could suffer an actual harm different in kind and degree from the community at large. Other forms of notice are more appropriate for community outreach and transparency.

Moreover, there are procedural due process concerns with noticing. Quasi-judicial decisions are appealed to the Circuit Court which reviews the record of the lower tribunal to determine if (1) due process was provided, (2) the lower tribunal followed the essential requirements of the law, and (3) the decision was supported by competent, substantial evidence on the record. The notice requirements for quasi-judicial decisions are a major part of the due process element reviewed by the Court. Typically, if the County follows the state minimum notice requirements and any local notice requirements, the Court will likely find sufficient notice for the due process element. Straying from those requirements, and arguably from custom practice and procedures, may put the Board’s decision at risk for being overturned for lack of due process.

In summary, Leon County requires direct notice at various phases of the land development process. Specifically for Comprehensive Plan amendments and rezonings, the local requirements to directly notice all properties (along with homeowner associations) within 1,000-feet of a subject site greatly exceed the state requirements which require no direct notice of adjacent property owners. The increase in the notice area from 500 feet to 1,000 feet in 2008 led to informing more people further away from the site of a proposed development as a means of increasing opportunities for these citizens of the development and opportunities for them to provide comments on the development activity to staff and the Board. This increase also resulting in Leon County exceeding the notice requirements of our peer communities. Any consideration of increasing the notice area even further should consider potential legal implications of such an action, including the potential for confusion as to who could be granted legal standing to challenge a Board decision and procedural due process concerns.

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With these legal consideration in mind, Section 6 below provides an assessment of a potential expansion of the notification area for large-scale Comprehensive Plan map amendments in Leon County.

Newspaper Advertisements

As stated above, Sec. 10-6.205 of the LDC requires notice in a newspaper of regular and general circulation. Planning Department also posts public notices on its website, exceeding state requirements. Changes to any notice requirements described in the Leon County LDC must be consistent with state statute and are subject to review and approval by the Planning Commission and the Board of County Commissioners.

There have been recent changes to newspaper advertisement requirements after the passage of CS/HB 7049 in 2022. This bill allows for publishing notice of public hearings on a publicly accessible website, such as the Leon County Government website, or in a local newspaper that meets distribution requirements. The notice is required to include the name of the local government entity and the ordinance or resolution being proposed for adoption.

Leon County government and the Tallahassee-Leon County Planning Department publish public notices on their web pages in an easy to find location and these notices are published in the Tallahassee Democrat.

Internet Resources

As noted above, the Leon County government website and the Planning Department website publish public notices in an easy to find location. Additionally, the following other internet resources are utilized for development projects:

Email Subscriptions Services: Planning Department maintains an email subscription service that is utilized to send out meeting announcements, public notices, reminders of application deadlines, and other items of interest. Citizens can sign up for the Planning Department email subscription at a link located on the bottom of each page of the website, where many other subscription services are also offered. The Planning Department subscription allows people to decide to be notified of Planning Department Agendas and/or Planning Department notices. DSEM also sends out email notification to interested parties each week of all applications under review requiring Application Review Meetings and Development Review Committee meetings.

Expanded Social Media Utilization: Aligned with Board's Strategic Initiative to further enhance the use of social media neighborhood apps to notify citizens of development projects occurring in the neighborhoods (2022-40), DSEM works with Leon County Community and Media Relations to utilize social media as another advertising platform for important community notices. Community and Media Relations provides links to DSEM meetings on the Nextdoor app providing a broader audience information on upcoming meetings.

Public Meetings

The annual Comprehensive Plan cycle includes a public open house for each year's proposed amendments. The public open house is typically held prior to any LPA or Commission workshops and public hearings. Planning staff provides information on each amendment and allows time for

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citizens to ask questions and voice concerns. In addition to allowing for public engagement, these meetings provide an opportunity for planners to provide additional analysis or other information to include in staff reports in response to citizen comments or local concerns. If there are complex amendments or amendments of major public interest, more public meetings are added to the cycle schedule. Planning staff also schedules meetings with community interest groups, such as Neighborhood Associations, who may have special interest in one or more amendments.

Public Hearings

Public Hearings on Comprehensive Planning amendments and rezonings are statutorily required and, depending on the type of amendment, may require one or two public hearings. Public hearings provide an opportunity for public comment and for the public to hear discussions by their elected officials. For Comprehensive Plan amendments and concurrent rezonings, review and recommendation by the Local Planning Agency is required prior to Commission public hearings. For rezonings, review and recommendation by the Planning Commission is required prior to Commission public hearings. The LPA and Planning Commission provide review and make recommendation for approval or denial of the amendment at the required public hearing. This recommendation then goes before the Board and/or City Commission for approval or denial at formal public hearings.

As described above, numerous tools and processes are leveraged to engage the public in the various land development process phases. These tools and processes include public information and engagement through direct mailed notices, newspaper advertisements, information provided online, email notifications, the use of Community and Media Relations (CMR) tools, public meetings, and formal public hearings.

Section 6: Consideration of Expanded Notification Areas

At the May 10, 2022 meeting, the Board directed staff to evaluate expansion of the notification area for large-scale comprehensive plan amendments and large-scale developments. As explained in the previous section, Leon County notice requirements exceed those required by the State (which requires no notification of adjacent property owners). The comparison of other counties and cities demonstrates that the notice requirements for Comprehensive Plan amendments generally exceed those in peer communities as well.

One peer community with a larger notification area is Alachua County. Notification areas for Comprehensive Plan amendments in Alachua County are 500 feet for urban areas and 1,320 feet (1/4 mile) for rural areas. This reflects the greater number of notices in higher density areas and the lower number of notices in lower density rural areas where properties are larger, and residents are located farther from each other. It should be noted that these notification areas do not include the City of Gainesville since Alachua County and the City of Gainesville do not have a joint Comprehensive Plan like the Tallahassee-Leon County Comprehensive Plan. The notification area for Gainesville is 400 feet for Comprehensive Plan amendments located anywhere in the city. The Alachua County requirements also excludes the other incorporated cities in Alachua County: the cities of Alachua, Archer, Hawthorne, High Springs, La Crosse, Micanopy, Newberry, and Waldo.

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Since Leon County is similarly situated with a range from more dense, urban areas to less dense rural areas, a similar is recommended for large-scale Comprehensive Plan map amendments in rural areas. The County could maintain the current 1,000 feet notification radius for amendments in urban areas (double what is required in urban areas of Alachua County) and expand the notification to 1,500 feet in rural areas of unincorporated Leon County (those areas designated rural on the Future Land Use Map). Doing so would have the benefit of even further expanding public notification engagement.

In recent years, there have been several large-scale Comprehensive Plan map amendments involving rural land in the County. In 2022, the April Road amendment (LMA202201) changed the 173.24-acre site from Rural to Urban Residential, the Southwood Plantation Road amendment (LMA202203) changed 129.8 acres from rural to Suburban, and the Woodville Highway amendment (LMA202202) changed 154.09 acres from Planned Development (the 94.95-acre portion in the City limits) and Rural (the 59.5-acre portion in the County) to Suburban. Previously in 2018, the East Mahan Drive amendment (LMA 201804) changed 244.32 acres from Urban Fringe to Rural thereby lowering the density and intensity allowed on the property. The following table shows how many direct mail notifications were sent for these amendments and how many would have been sent with a 1,500-foot notification radius.

| Amendment | Size of Property (acres) | Number of Notices with 1000' notification radius | Number of Notices with 1500' notification radius | Increase in Notifications with proposed expansion |
|----------------------|---------------------------------|---|---|--|
| April Road | 173.24 | 277 | 324 | 47 |
| Woodville Highway | 154.09 | 39 | 69 | 30 |
| Southwood Plantation | 129.80 | 426 | 540 | 114 |
| East Mahan Drive | 244.32 | 67 | 102 | 35 |

Another peer community with an alternative approach to notifications is Polk County. The notification radius in Polk County is 500' with a minimum number 12 property owners being directly noticed. While Leon County already has a notification radius double the size of Polk County (and triple the size if expanded to 1,500 feet), consideration could be given to a minimum threshold. A minimum threshold of 30 property owners being directly noticed would equate to 0.01% of the total population of Leon County rounded up. This approach would ensure a minimum threshold of property owners being notified even in very low-density areas of the County.

Based on this assessment, staff recommends expanding the notification radius for large-scale map amendments to the Comprehensive Plan in rural areas of Leon County from 1,000 feet to 1,500 feet with a minimum threshold of 30 property owners being directly noticed by mail (Option #2).

It is recommended that this expanded notification area only apply to Comprehensive Plan amendments. Based on the legal considerations detailed in Section 5 above, it is recommended

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that the expanded notification area not apply to quasi-judicial hearings. The direct notification area for quasi-judicial hearings for large developments would remain at 1,000 feet.

Section 7: Relevant Upcoming Efforts

The land development process occurs continuously throughout the year with the Planning Department receiving and processing rezoning applications and DSEM receiving site plans and permit applications on an ongoing basis. Additionally, two relevant efforts that are upcoming include the annual Comprehensive Plan amendment cycle and the Land Use and Mobility Element Update.

2023 Comprehensive Plan Amendment Cycle

The next annual Comprehensive Plan amendment cycle is the 2023 cycle. The 2022 Cycle concluded on July 14, 2022 when the approved amendments from the 2022 Cycle took effect. The schedule for the 2023 Cycle and information about what type of amendments are proposed for the 2022 cycle is included below:

2023 Comprehensive Plan Amendment Cycle

The schedule of public meetings for the 2023 Cycle are as follows:

| | |
|---------------------------------------|------------------|
| Public Open House | December 8, 2022 |
| Local Planning Agency Workshop | January 3, 2023 |
| Local Planning Agency Public Hearing | February 7, 2023 |
| Joint City-County Workshop | March 7, 2023 |
| Joint City-County Transmittal Hearing | April 11, 2023 |
| Joint City-County Adoption Hearing | June 13, 2023 |

The deadline for submitting an application for the 2023 cycle was September 23, 2022. Amendments to the Future Land Use Map for this cycle only include six small-scale map amendments inside City limits. There are no large-scale map amendments proposed for the 2023 Cycle and no applications for map amendments in unincorporated Leon County were received.

Joint Workshop on Urban Infill

At the April 12, 2022 Joint Transmittal Hearing on the 2022 Cycle Comprehensive Plan Amendments, the Board and City Commission directed staff to schedule a joint workshop to address urban infill and expansions of the urban service area. This workshop will address the current policies and regulations related to infill development, current incentives for infill development, and challenges to infill. This joint workshop is scheduled for March 7, 2023 along with the joint workshop on 2023 Cycle Comprehensive Plan amendments. This date was approved by the Board and City Commission as part of their respective Commission Schedules for 2023.

Land Use and Mobility Elements Update

Following Board and City Commission direction, Planning Department staff will be utilizing the consulting services of Halff Associates to perform an evaluation and update to the Land Use

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Element and the Mobility Element of the Comprehensive Plan. The scope of services includes data analysis, community outreach and education, involvement from students from Florida A&M University and Florida State University, a compliance and consistency review, and workshops with the Local Planning Agency and County and City Commissions and associated adoption and transmittal documents. Public engagement is expected to begin in January 2023. This process will evaluate the Land Use Categories and the Future Land Use Map in the Land Use Element and update the planning horizon for the Comprehensive Plan. Importantly, and building upon the recommendations of this workshop, the consultant will be tasked with analyzing notice and public engagement actions to ensure best management practices of the highest level compared to peer communities. This will include for future amendments to the Future Land Use Map. This effort will also evaluate the current Urban Services Area (USA) and how amendments are made to the USA. The Board and City Commission will be involved at various steps throughout the process; and at the end of the consultant's review process, the amendments to the Land Use and Mobility Elements will come back to the Local Planning Agency, Board, and City Commission for adoption in late 2024.

Section 8: Conclusion and Next Steps

Comprehensive Plans are foundational policy documents that provide a long-term (20 to 30 years) vision for how growth will occur in a community. The Tallahassee Leon County Comprehensive Plan currently provides a vision for growth in the County and City to the year 2030, with that planning horizon being updated as part of the updates to the Land Use and Mobility Elements. The Tallahassee-Leon County Comprehensive Plan includes a number of strategies intended to focus growth in areas with infrastructure that can support development balanced with strategies for protecting and preserving our environmental, rural, and historic resources. The goals, objectives, and policies contained in the Comprehensive Plan inform the Leon County Land Development Code (LDC), which must be consistent with the adopted Comprehensive Plan.

The Comprehensive Plan and LDC direct how land development occurs in the community. The land development process includes several phases including the initial idea or development concept, consistency with the comprehensive plan, consistency with zoning and land development code, the application of land development regulations through the development of a site plan and the site plan review process, and permitting and construction consistent with code and an approved site plan.

This land development process sometimes results in requests to amend the Comprehensive Plan or apply a different zoning to a property. Map amendments to the Comprehensive Plan change the Land Use designation. These amendments must be consistent with the other goals, objectives, and policies in the Comprehensive Plan. Rezoning must also be consistent with the Comprehensive Plan and the LDC. Ultimately, the land use and zoning inform the allowed uses on the property. Site plans must be consistent with the land use and zoning of the property. Development in turn must be consistent with an approved site plan.

As described in this item, the development process includes public information and public input at various phases. Numerous tools and processes are leveraged to engage the public in the various

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land development process phases. These tools and processes include public information and engagement through direct mailed notices, newspaper advertisements, information provided online, email notifications, the use of Community and Media Relations (CMR) tools, public meetings, and formal public hearings.

Leon County requires direct notice at various phases of the land development process. Specifically for Comprehensive Plan amendments and rezonings, the local requirements to directly notice all properties (along with homeowner associations) within 1,000-feet of a subject site greatly exceed the state requirements which require no direct notice of adjacent property owners. This notification area of 1,000 feet was increased from 500 feet in 2008. This increase resulted in Leon County exceeding the notice requirements of our peer communities, which generally range from 350 feet to 500 feet.

Despite already exceeding minimum requirements and the requirements of peer communities, staff recommends expanding the notification radius for large-scale map amendments in rural areas of Leon County from 1,000 feet to 1,500 feet with a minimum threshold of 30 property owners being directly noticed by mail (Option #2). It is recommended that this expanded notification area only apply to Comprehensive Plan amendments, which are quasi-legislative decisions. Based on the legal considerations detailed in Section 5 above, it is recommended that the expanded notification area not apply to quasi-judicial hearings.

Next Steps

Action taken by the Board at this workshop will be included in a ratification item for approval at the following regular Board meeting. If the Board moves forward with expanding the notification area for large-scale Comprehensive Plan map amendments in rural areas of Leon County, this would be incorporated into the Comprehensive Plan amendment process and take effect for the next such amendment as detailed in the Comprehensive Plan Amendment Cycle section above. As noted previously, there are no large-scale map amendments nor any map amendments in unincorporated Leon County for the 2023 Cycle. As such, no amendments during the 2023 Cycle would use the expanded notification radius. If directed by the Board in Option #1 and #2 below, the change would take effect by June 2023.

Options:

1. Conduct the workshop on policies and process for land use changes and land development.
2. Continue the public engagement actions described in this workshop item and expand the notification radius for large-scale Comprehensive Plan map amendments in rural areas of unincorporated Leon County from 1,000 feet to 1,500 feet with a minimum threshold of 30 property owners being notified.
3. Board direction.

Recommendation:

Options #1 and #2

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Attachments:

1. Description of Requirements for Local Government Comprehensive Plans
2. Future Land Use Map and land use descriptions
3. The Land Development Process
4. Land Uses and Zoning Districts
5. Recent example of the land development process

State Requirements for Local Government Comprehensive Plans

In Florida, the requirements for local government comprehensive plans are outlined in Section 163.3177, Florida Statutes.

These requirements include the following (all of which are adhered to by the Tallahassee-Leon County Comprehensive Plan):

Surveys, Studies, and Data: All mandatory and optional elements of the comprehensive plan and plan amendments shall be based upon relevant and appropriate data and an analysis by the local government. Local governments are not required to collect original data. Surveys, studies, community goals and vision, and other data can be used to comply with this requirement.

Population Estimates: Local government comprehensive plans must be based on at least the minimum amount of land required to accommodate the medium projections as published by the Office of Economic and Demographic Research for at least a 10-year planning period. These estimates should account for both permanent and seasonal populations.

The current medium population estimates for Leon County are included in Table 1:

Table 1. Leon County Population Estimates and Projections

| 2010 Census | 2020 Census | 2025 Projection | 2030 Projection | 2035 Projection | 2040 Projection | 2045 Projection | 2045 Projection |
|------------------------|------------------------|----------------------------|----------------------------|----------------------------|----------------------------|----------------------------|----------------------------|
| 275,487 | 292,198 | 304,900 | 314,200 | 321,200 | 327,300 | 332,800 | 337,600 |

Coordination of Elements: The various elements of local government comprehensive plans must be consistent. Each map depicting future conditions must reflect the principles, guidelines, and standards within all elements and each such map must be contained within the comprehensive plan. This coordination of elements is generally referred to as “internal consistency.”

Capital Improvements Element: A Capital Improvements Element that outlines principles for construction, extension, or increase in capacity of public facilities (transportation, sanitary sewer, solid waste, drainage, potable water, educational, parks and recreational facilities), as well as a component that outlines principles for correcting existing public facility deficiencies, which are necessary to implement the comprehensive plan. The Capital Improvements Element must cover at least a 5-year period.

The Capital Improvements Element must also have 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.

Coordination with Other Jurisdictions: Local governments are required to coordinate their local comprehensive plan with the comprehensive plans of adjacent municipalities, the county they reside in, adjacent counties, or the region; with the appropriate water management district’s

regional water supply plans. Leon County and the City of Tallahassee have a joint comprehensive plan, enhancing the coordination between the County and the municipality. Transportation is coordinated with local governments adjacent to Leon County through the adoption of the Regional Mobility Plan into the Mobility Element. Specific policies are also coordinated with adjacent local governments. For example, policies related to the Primary Springs Protection Zone were coordinated with Wakulla County. As amendments to the Tallahassee-Leon County Comprehensive Plan are proposed and adopted, they are submitted to the Apalachee Regional Planning Council and the Northwest Florida Water Management District for review in addition to the review by the State.

Planning Periods: Local government comprehensive plans must have at least two planning periods: one covering at least the first 5-year period occurring after the plan's adoption and one covering at least a 10-year period. The long-term planning period for the Tallahassee-Leon County Comprehensive Plan is 2030. The planning period may be updated with the Land Use Element Update to extend to 2050 based on current population projections and to be consistent with the update to the Regional Mobility Plan.

Required Elements: Local government comprehensive plans in Florida must contain at least the following Elements:

- Land Use Element
- Capital Improvements Element
- Transportation Element [Mobility Element]
- A general sanitary sewer, solid waste, drainage, potable water, and natural groundwater aquifer recharge Element [Utilities Element]
- Conservation Element
- Recreation and Open Space Element [Parks and Recreation Element]
- Housing Element
- Intergovernmental Coordination Element
- Property Rights Element

Coastal communities must also have a Coastal Management Element; however, this does not apply to Leon County.

In addition to the required elements, the Tallahassee-Leon County Comprehensive Plan also includes:

- Economic Development Element
- Historic Preservation Element
- Public School Facilities Element

Compliance and Consistency

Compliance: Local government comprehensive plans must comply with Florida Statutes. In Florida, the definition of “comprehensive plan” is “a plan that meets the requirements of ss. 163.3177 and 163.3178.” Every seven years, local governments are required to perform an

Evaluation and Appraisal Review (EAR) to determine if plan amendments are necessary to reflect changes in state requirements.

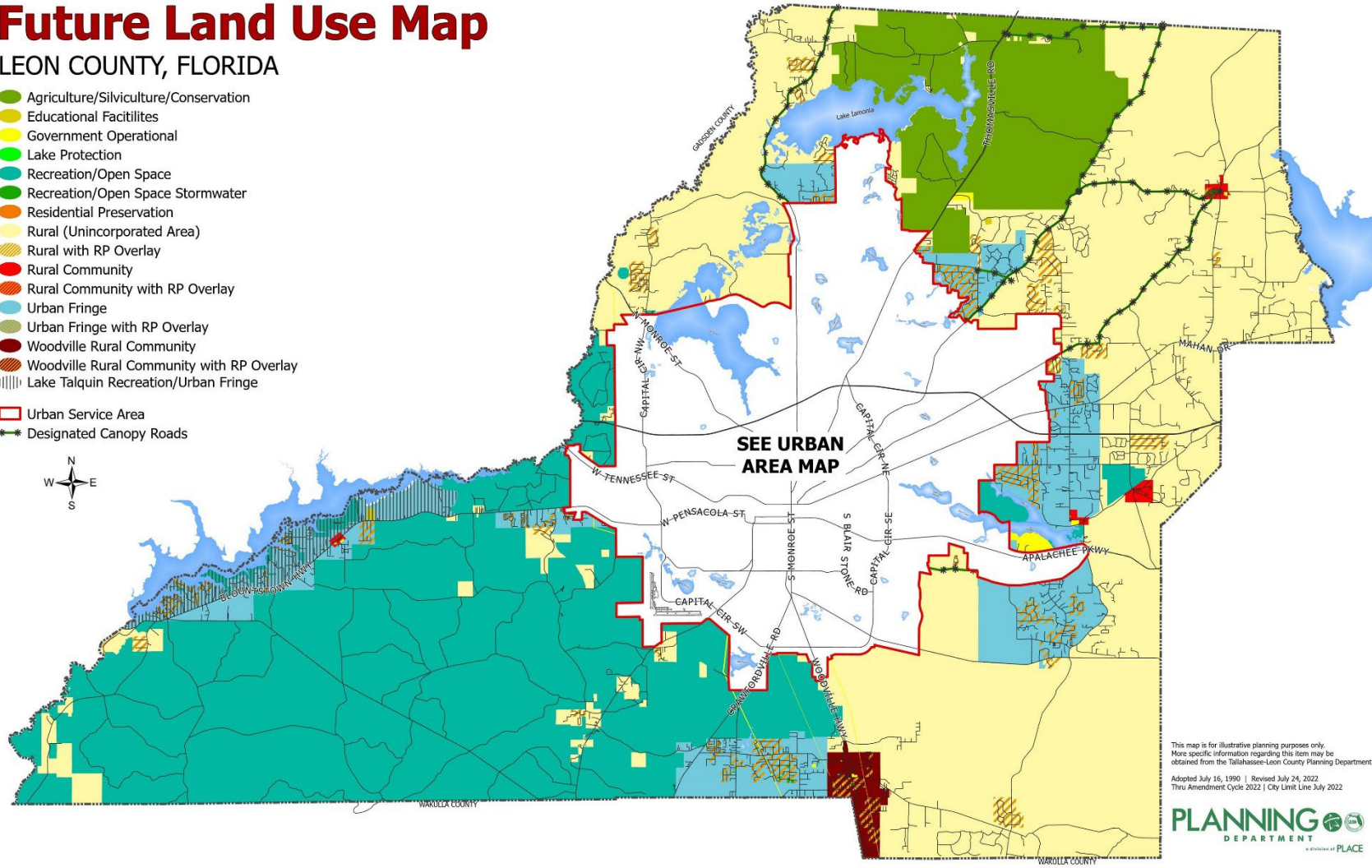
Consistency: Local land development regulations and development orders are required to be consistent with a local government comprehensive plan. Amendments to the County's and the City's land development regulations, as well as annexations, are reviewed for consistency with the Tallahassee-Leon County Comprehensive Plan.

Additionally regional and state entities often request consistency reviews when developing plans. For example, the Florida Fish and Wildlife Conservation requested a consistency review for their Draft L. Kirk Edwards Wildlife and Environmental Area Management Plan and the Florida Department of Environmental Protection requested a consistency review for their Draft Lake Talquin State Park Management Plan.

Future Land Use Map

LEON COUNTY, FLORIDA

- Agriculture/Silviculture/Conservation
- Educational Facilities
- Government Operational
- Lake Protection
- Recreation/Open Space
- Recreation/Open Space Stormwater
- Residential Preservation
- Rural (Unincorporated Area)
- Rural with RP Overlay
- Rural Community
- Rural Community with RP Overlay
- Urban Fringe
- Urban Fringe with RP Overlay
- Woodville Rural Community
- Woodville Rural Community with RP Overlay
- Lake Talquin Recreation/Urban Fringe
- Urban Service Area
- ✦ Designated Canopy Roads



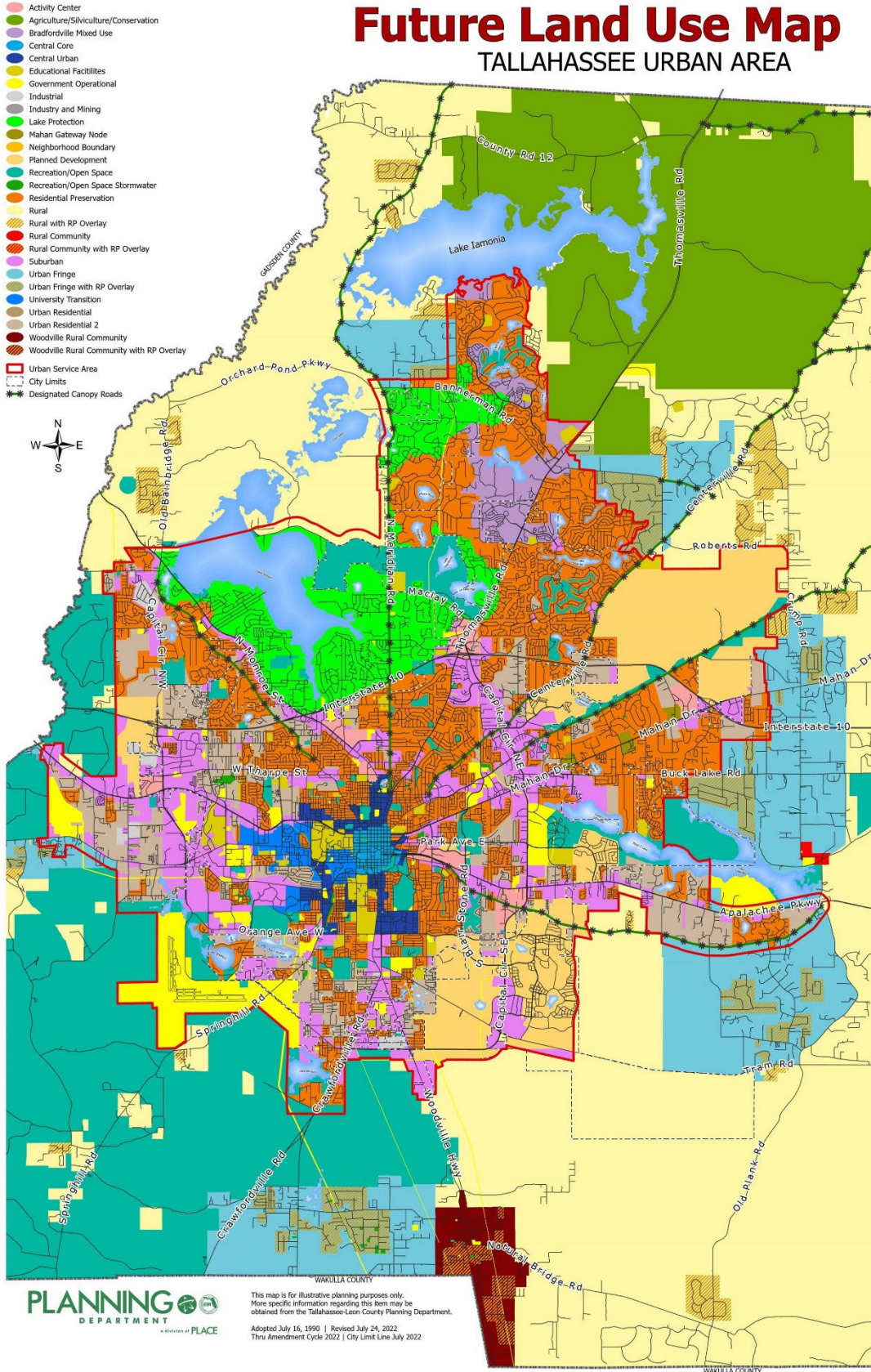
This map is for illustrative planning purposes only. More specific information regarding this item may be obtained from the Tallahassee-Leon County Planning Department.

Adopted July 16, 1990 | Revised July 24, 2022
 Thru Amendment Cycle 2022 | City Limit Line July 2022



Future Land Use Map

TALLAHASSEE URBAN AREA



PLANNING DEPARTMENT
a division of PLACE

This map is for illustrative planning purposes only. More specific information regarding this item may be obtained from the Tallahassee-Leon County Planning Department.
Adopted July 16, 1990 | Revised July 24, 2022
Thru Amendment Cycle 2022 | City Limit Line July 2022

Activity Center¹

The purpose of this future land use category is primarily to provide for community wide or regional commercial activities located in proximity to multi-family housing and office employment centers. The Activity Center is intended to promote the efficiency of the transportation system by consolidating trips and discouraging unabated sprawl of commercial activities. Planned, integrated development is required to promote synergy between the different allowable land uses. An integrated pedestrian mobility system designed to provide safe and accessible foot and bike travel between the land uses shall be stressed in granting development approvals. Access and egress to Activity Centers as well as internal vehicle travel shall be planned in a comprehensive manner in order to facilitate traffic movement. Allowed uses include up to regional sized commercial, major offices, high density residential (up to 45 units per acre), light industrial, light infrastructure and community facilities.

Agriculture/Silviculture/Conservation²

The purpose of this future land use category is to conserve large tracts of plantation and former plantation land, forest land, agriculture and silviculture lands and wildlife and conservation and recreational hunting areas is an efficient means of protecting natural resources that constitute important physical, social, aesthetic, and economic assets to all of the residents of Leon County. Very low residential density not to exceed 1 unit per 10 acres is also allowed within the entire ASC land use category. Accessory uses directly associated with the operation of agriculture, silvicultural, wildlife conservation, recreational hunting and permitted residential uses shall be allowed. Very limited commercial/office uses may be allowed through the PUD process provided certain criteria are met.

Bradfordville Mixed Use³

This future land use category is applicable to the Bradfordville Study Area and is intended to create a village atmosphere with an emphasis on low to medium density residential land use, small scale commercial shopping opportunities for area residents, schools and churches, and recreational and leisure-oriented amenities for the enjoyment of area residents. The Mixed Use Development patterns shall be applied through zoning and Land Development Regulations in a manner consistent with the Future Land Use Map delineation of Bradfordville Mixed Use. These eight different development patterns are not intended to be mapped as part of the Future Land Use Map, rather they are intended to serve as a mechanism to assure that the appropriate location and mixture of land uses occur within the category.

¹ Policy 2.2.9: [L].

² Policy 2.2.20: [L].

³ Policy 2.2.6: [L].

Central Core⁴

The current Central Core of Tallahassee has a strong government presence. However, the character of this area has changed since 2002 to a more mixed use center with new office, commercial, retail, and residential uses. The Central Core of Tallahassee is intended to expand into a vibrant 18-hour urban activity center with quality development. The emphasis in this area is intended to shift from cars to pedestrian, bike and transit modes of transportation. The City of Tallahassee intends to promote mix of uses and higher densities and intensities within its Central Core, while promoting multiple modes of transportation. Residential development may be permitted up to 150 units per acre.

Central Urban⁵

This future land use category is characterized by older developed portions of the community that are primarily located adjacent to or in close proximity to the urban core and major universities and is intended to provide a variety of residential types (up to 45 dwelling units per acre), employment (includes light manufacturing), office and commercial activities. Infill and potential redevelopment and/or rehabilitation activity should be encouraged. Land use intensity is intended to be higher (up to 20,000 sq. ft. for minor commercial uses; up to 100,000 sq. ft. for neighborhood commercial uses; and up to 200,000 sq. ft. for community commercial uses) due to the presence of requisite capital infrastructure and location of employment and activity centers.

Educational Facilities⁶

This permitted uses in this future land use category are limited to educational uses and facilities for all public schools and for private schools with three hundred or more students and ancillary community services to serve the student population, or the community in general.

Government Operational⁷

The primary function of this future land use category is to provide for the operation of and provision of services on property owned or operated by local, state, and federal government. Allowed uses include community services, heavy infrastructure, and post-secondary uses, including police and fire stations, electric generating facilities, postal facilities, and government offices.

⁴ Policy 2.2.9: [L].

⁵ Policy 2.2.8: [L].

⁶ Policy 2.2.13: [L].

⁷ Policy 2.2.16: [L].

Industrial⁸

This future land use category is intended to provide for location of heavy industrial uses which have substantial off-site impacts which require extensive buffering and/or relative distance from other land uses. Ancillary commercial uses designed to serve adjacent workers may be permitted. Other commercial and residential land uses are prohibited due to the encroachment factor.

Industry and Mining⁹

This future 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. 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.

Lake Protection¹⁰

The intent of the Lake Protection category is to ensure that development within the Lake Jackson basin occurs in a sustainable and environmentally sound manner with minimal impact to water quality. The Lake Protection category shall allow for residential uses at a base density of one (1) dwelling unit per two (2) gross acres. Density bonus options are available for properties within the category. A residential density of up to two (2) dwelling units per gross acre may be permitted within developments designed as a Clustered Subdivision and up to eight (8) dwelling units per gross acre may be permitted within the Lake Protection Node (LPN) zoning district. Non-residential and mixed-use development (including, but not limited to, office and commercial uses) within the Lake Protection category may only be permitted within areas designated with the Lake Protection Node (LPN) zoning district. Within this district, single use, non-residential development shall be allowed at a maximum intensity of 10,000 square feet (S.F.) per gross acre. Community services, light infrastructure, and recreational uses shall be permitted within the Lake Protection (LP) and Lake Protection Node (LPN) zoning districts. Facilities associated with these uses shall be allowed at a maximum intensity of 10,000 square feet (S.F.) per gross acre.

Lake Talquin Recreation/Urban Fringe¹¹

This is a category that is specific to the eastern shore area of Lake Talquin north of State Highway 20. This area has unique characteristics in that it has developed to a large extent with weekend or vacation homes along the lake. This category is intended to allow one unit per three acres or one unit per acre if the development is clustered on 25% of the site.

⁸ Policy 2.2.7: [L].

⁹ Policy 2.2.28: [L].

¹⁰ Policy 2.2.18: [L].

¹¹ Policy 2.2.19: [L].

Mahan Gateway Node¹²

The Mahan Gateway Node land use category is applicable only within the Mahan Drive Corridor Study Area and shall provide for low to medium density residential development, ranging in maximum permitted density from 4-16 dwelling units per acre. Residential uses and types ranging from single family detached houses to multi-family residential structures shall be allowed. Mixed-use developments and non-residential uses such as a combination of commercial/office uses and residential uses shall be allowed. The maximum non-residential uses shall not exceed 12,000 gross square feet per acre. The highest intensity of non-residential uses shall be allowed in mixed-use developments, which combine residential and non-residential uses in a common plan of development. Mixed-use development must include a residential component. The land development regulations shall specify the percentage range for the residential component. The Mahan Gateway Node future land use category shall allow community facilities related to residential uses including but not limited to religious facilities, libraries, police/fire stations, elementary and middle schools. In order to achieve the intent of the Mahan Gateway Node future land use category, the future land use category shall be implemented through zoning districts, based on the criteria cited below and further defined in the land development regulations.

Neighborhood Boundary¹³

The intent of this future land use category is to create a transition area between residential development and more intensive development such as higher density multi-family and higher intensity non-residential development while preserving roadway capacity through access management practices. Allowed uses include residential uses (up to 8 dwelling units per acre), lower intensity commercial and office development up to a maximum of 5,000 square feet gross floor area per parcel and 10,000 square feet gross floor area per acre, and community services.

Planned Development¹⁴

This future land use category is intended to identify large land holdings that will be developed for various mixes of land uses, resulting in different types of commercial and residential neighborhoods. This category is assigned to large, undeveloped tracts of land for which more detailed planning is required to establish the most appropriate mix and arrangement of uses in accordance with this objectives and the related policies. Developments in this category are intended to have a mix of uses that result in greater internal capture of automotive trips and a net fiscal benefit for local governments. Each Planned Development shall include a mix of residential unit types and complementary nonresidential uses that, at build-out of the project, result in an internal capture of at least 20 percent of the trips generated by the development.

¹² Policy 2.2.22: [L].

¹³ Policy 2.2.21: [L].

¹⁴ Objective 6.1: [L] & Policies 6.1.1 through 6.1.8.

Recreation/Open Space¹⁵

This future land use category contains all government owned lands which have active or passive recreational facilities, historic sites, forests, cemeteries, or wildlife management areas and all privately owned lands which have golf courses, cemeteries, or wildlife management areas. Permitted uses include passive recreation and silviculture. Active recreation facilities are included if the site is within the USA or a rural community.

Recreation/Open Space- Stormwater Facility¹⁶

This future land use sub-category of Recreation / Open Space is intended to be applied to all government owned stormwater facilities, including structural and non-structural facilities. Permitted uses include stormwater attenuation, stormwater treatment for quality, or stormwater conveyance. Other allowable uses include passive parks without permanent structures, nature preserves, cultivation, and grazing.

Residential Preservation¹⁷

The primary function of this future land use category is to protect existing stable and viable residential areas from incompatible land use intensities and density intrusions. This future land use category allows for single family, townhouse, and cluster housing development within a range up to six dwelling units per acre. Consistency with surrounding residential type and density shall be a major determinant in granting development approval. New and infill development shall be consistent with the existing residential type and density. Commercial, including office as well as any industrial land uses, are prohibited.

Rural/Agriculture¹⁸

This land use category is intended to be located outside the Urban Service Area and is characterized by largely undeveloped acreage and/or agricultural, forestry, or grazing lands intended not to be scheduled for urban activity during the Plan Horizon due to lack of present and/or scheduled urban infrastructure services. Very low residential densities of one dwelling unit per ten acres are allowed in this land use category. Other allowed uses for this category could include very limited commercial or accessory light industrial uses directly related to agriculture or silviculture. Intended to maintain and promote present and future agriculture land uses and to prohibit residential sprawl into remote areas lacking basic urban infrastructure services.

¹⁵ Policy 2.2.14: [L].

¹⁶ Policy 2.2.15: [L].

¹⁷ Policy 2.2.3: [L].

¹⁸ Policy 2.2.1: [L].

Rural with a Residential Preservation Overlay

This land use designation places Residential Preservation overlay over the Rural category, thus allowing only residential uses. Residential densities would remain at one dwelling unit per ten acres. This land use category is intended to be located outside the Urban Service Area.

Rural Community¹⁹

This land use category is intended to distinguish long-established unincorporated communities located outside of the urban service area. Residential development may be permitted up to 4 dwelling units per acre. This future land use designation recognizes that these communities typically have their own small, business-commercial "districts", where minor offices and small to moderate-sized commercial development provide local and surrounding rural residents access to basic shopping opportunities-accordingly, the intensity of non-residential development is limited to a maximum of 50,000 square feet building and 50,000 square feet per parcel. Although some urban services may be available to serve development within areas designated Rural Community, urban services are not prerequisites for the limited development intensities allowed within these areas.

Rural Community with a Residential Preservation Overlay

This land use designation places Residential Preservation overlay over the Rural Community category, thus allowing only residential uses. Residential densities would remain at up to four (4) dwelling units per acre.

Suburban²⁰

This land use category is intended 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. 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. A mix of residential types is permitted. The density range is up to a maximum of 20 dwelling units per acre. Other permitted uses include commercial, office, community services, passive and active recreation, light industrial and light infrastructure. 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.

¹⁹ Policy 2.2.11: [L].

²⁰ Policy 2.2.5: [L].

University Transition²¹

This future land use category may only be applied to lands located generally within the rectangle created by Florida State University main campus and Florida A & M University, Tallahassee Community College / Lively Technical Institute campuses and Innovation Park. This category is intended to be a compact land use category that provides for higher density residential opportunities up to 50 dwelling units per acre and for non-residential uses that emphasize small scale retail commercial designed to provide essential services to the immediate residents. Other allowed uses may include offices properly designed and scaled to the surrounding uses as well as artist studios and workshops. Design controls shall be employed to provide land use compatibility. The areas within the Gaines Street Revitalization Plan Study Area will have up to 100 dwelling units per acre.

Urban Fringe²²

This land use category is intended to provide the opportunity for very low-density residential areas mixed with open space and agricultural activity on the periphery of the Urban Service Area. Conservation Subdivision developments are allowed and encouraged and may be permitted at a density of up to one unit per three gross acres with units clustered on no more than 50% of the site. Conservation Subdivisions must also permanently set aside at least 50% of the total site as open space and restrict development to the least environmentally sensitive and otherwise significant portions of the land. Appropriately sized minor commercial activities and minor offices are permitted. Industrial, office and more intensive commercial land uses are prohibited due to lack of present infrastructure services or potential negative environmental impacts. Present or future agricultural, silviculture and forestry activities may be allowed.

Urban Fringe with a Residential Preservation Overlay

This land use designation places Residential Preservation overlay over the Urban Fringe category, thus allowing only residential uses. Residential densities would remain at one dwelling unit per three acres. Developments that are designed to cluster units and preserve open space are also allowed. This land use category is intended to be located outside the Urban Service Area.

Urban Residential²³

The primary function of the Urban Residential land use category is to encourage medium density residential housing. The maximum residential density in the category is 10 dwelling units per acre and the minimum is 4 dwelling units per acre. The category allows townhouses, single family

²¹ Policy 2.2.17: [L].

²² Policy 2.2.2: [L].

²³ Policy 2.2.23: [L].

detached homes, two-family homes, and apartments as well as community facilities related to residential use. The category also allows passive recreational uses. The category is not intended to be applied within the interior of an existing neighborhood.

Urban Residential 2²⁴

The primary function of the Urban Residential 2 land use category is to promote a range of residential densities (4-20 dwelling units per acre) thereby promoting infill development, reducing urban sprawl, and maximizing the efficiency of infrastructure. The category allows townhouses, single family detached homes, two-family homes, and apartments as well as open space/recreation and community facilities related to residential use. The category is not intended to be applied within the interior of an existing neighborhood.

Water

Not a land use category, but included for reference.

Woodville Rural Community²⁵

The Woodville Rural Community shares many of the same characteristics as other Rural Communities, but has experienced different types of growth pressures than the other areas designated as Rural Community. Therefore it has received a separate future land use designation with specific objectives and policies to address the issues unique to Woodville. Non-residential development is limited to a maximum of 50,000 square feet per building and 50,000 square feet per parcel; residential development is limited to a density of 4 dwelling units per acre. Through the transfer of development units system provided for in Policy 4.2.5 [C] residential densities of up to 8 dwelling units per acre may be allowed.

Woodville Rural Community with a Residential Preservation Overlay

This land use designation places Residential Preservation overlay over the Woodville Rural Community category, thus allowing only residential uses. Residential densities would remain at one dwelling unit per four acres.

²⁴ Policy 2.2.24: [L].

²⁵ Policy 2.2.12: [L].

PLANNING FOR FUTURE DEVELOPMENT

KEY DOCUMENTS

- **Comprehensive Plan**
Policies guiding future growth & development in Tallahassee & Leon County
- **Land Development Code**
Policies codified into development regulations

CITIZEN INVOLVEMENT

- **Citizen Committees**
Advisory input on plans shaping the community
- **Community Outreach & Engagement**
Citizen input on public & private projects

THE DEVELOPMENT PROCESS

IDEATION

- **Site Planning & Design Consultations**
Initial meetings with future applicants about potential development projects

SITE PLAN REVIEW

Processed by DSEM & Growth Management

- **Site Plan Reviews**
Reviews for Comprehensive Plan consistency
- **Design Reviews**
Approvals for site plan applications in Design Review Districts
- **Post-Application Site Assistance**
Applicants referred to DesignWorks by DSEM & Growth Management for site design work

Comprehensive Plan Amendments

Future Land Use changes & text amendments

Land Development Code Updates

Rezoning & text amendments to the Land Development Code in coordination with DSEM & Growth Management

Priority Project Liaisons

Project management on priority City/County projects requiring interdepartmental coordination through final permitting

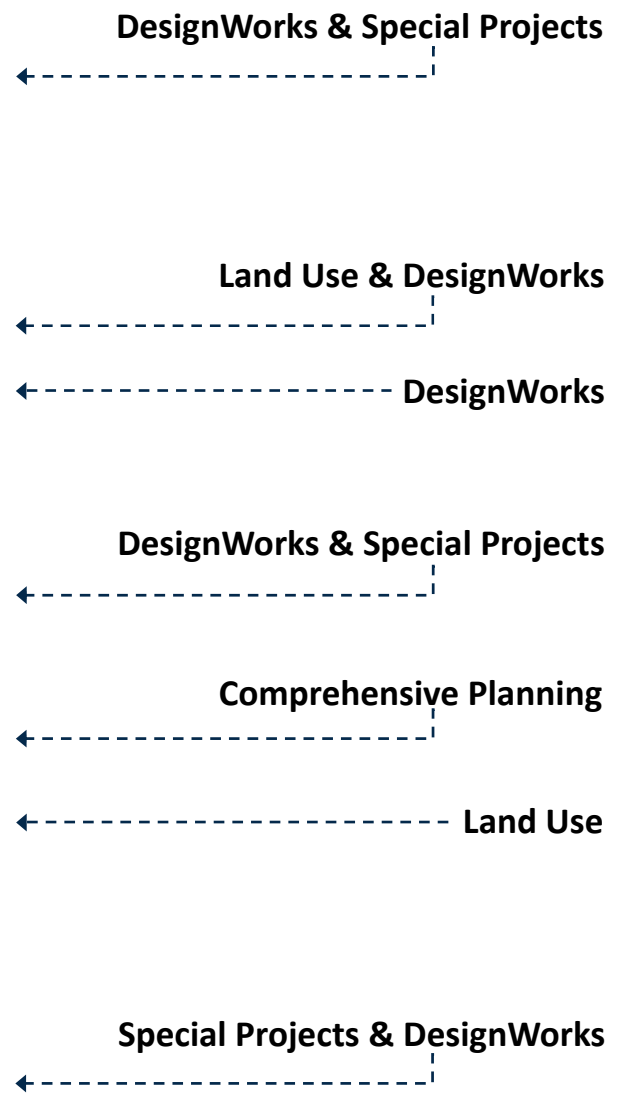
PERMITTING & CONSTRUCTION

Processed by DSEM & Growth Management

Planning Department Divisions' Roles in the Development Process



PLANNING DIVISION INVOLVEMENT



Rezoning/Comprehensive Plan Amendment District Guide

Suburban

C-1 Neighborhood Commercial
C-2 General Commercial
CM Medical Arts Commercial
CP Commercial Parkway
IC Interchange Commercial
M-1 Light Industrial
MH Manufactured Home Park
MR Medium Density Residential District
MR-1 Medium Density Residential
OA-1 Airport Vicinity
OR-1 Office Residential
OR-2 Office Residential
OR-3 Office Residential District
OS Open Space
R-1 Single Family Detached Residential
R-2 Single Family Detached Residential
R-3 Single Family Two-Family Residential
R-5 Manufactured Home and Single Family Detached
RA Residential Acre
UP-1 Urban Pedestrian District
UP-2 Urban Pedestrian District

UR Urban Residential

R-3 Single Family Two-Family Residential
R-4 Urban Residential District

UR-2 Urban Residential-2

RA Residential Acre
R-1 Single Family Detached Residential
R-2 Single Family Detached Residential
R-3 Single Family Detached, Attached Two-Family Residential
R-4 Urban Residential District
R-5 Manufactured Home and Single Family Detached
MH Manufactured Home Park
MR Medium Density Residential District
MR-1 Medium Density Residential

Central Core (City Only)

CC Central Core
ASN-A All Saints Neighborhood-A
ASN-B All Saints-B
ASN-C All Saints-C
ASN-D All Saints-D
SCD Special Character District
UV University Urban Village

RP Residential Preservation

RP Residential Preservation (County only)
RP-1 Residential Preservation - 1 (City only)
RP-2 Residential Preservation - 2 (City only)

RP Residential Preservation (Continued)

RP-MH Residential Preservation Mobile Home Single Family (City only)

RP-R Residential Preservation Rural (City only)
RP-UF Residential Preservation - Urban Fringe (City only)

Bradfordville Mixed Use

BC-1 Bradfordville Commercial - 1
BC-2 Bradfordville Commercial - 2
BCS Bradfordville Commercial Services
BOR Bradfordville Office Residential
C-1 Neighborhood Commercial
C-2 General Commercial
M-1 Light Industrial
MH Manufactured Home Park
MR Medium Density Residential District
MR-1 Medium Density Residential
OR-1 Office Residential
OR-2 Office Residential
OS Open Space
R-1 Single Family Detached Residential
R-2 Single Family Detached Residential
R-3 Single Family Detached, Attached Two-Family Residential
R-5 Manufactured Home and Single Family Detached
RA Residential Acre
UP-1 Urban Pedestrian District
UP-2 Urban Pedestrian District

AC High Intensity Urban Activity Center

CU Central Urban (City only)

CU-12
CU-18
CU-26
CU-45
UV University Urban Village

I Industrial Zoning

LP Lake Protection

LT Lake Talquin Recreational Urban Fringe Protection (County only)

R Rural (County only)

RC Rural Community (County only)

RC Rural Community

UF Urban Fringe

UT University Transition District (City only)

UT University Transition
UV University Urban Village

NB Neighborhood Boundary

NBO Neighborhood Boundary Office

MGN Mahan Gateway Node

MCR Mahan Corridor Ring

MCN Mahan Corridor Node

WRC Woodville Rural Community (County only)

WC Woodville Commercial District

RA Residential Acre

R-1 Single Family Detached Residential

R-5 Manufactured Home and Single Family Detached

MH Manufactured Home Park

C-1 Neighborhood Commercial

C-2 General Commercial

OS Open Space

Districts Requiring Special Applications

(refer to a Land Use Planner)

PD Planned Development

DRI Development of Regional Impact

Districts Requiring Special Applications (Continued)

PUD Planned Unit Development

UPUD Urban Planned Unit Development

Each Bold heading represents a Future Land Use Category in the Comprehensive Plan. The districts underneath each heading are the different zoning categories that implement the Future Land Use

****CHANGES FROM ONE DISTRICT TO ANOTHER WHERE BOTH DISTRICTS ARE UNDER THE SAME BOLD HEADING ARE STRAIGHT REZONINGS AND SHOULD BE DIRECTED TO THE LAND USE DIVISION.

****CHANGES FROM A DISTRICT UNDER ONE BOLD HEADING TO A DISTRICT UNDER ANOTHER BOLD HEADING ARE COMPREHENSIVE PLAN CHANGES AND SHOULD BE DIRECTED TO THE COMPREHENSIVE PLANNING DIVISION.

Examples:

C-1 to C-2 – straight rezoning

C-1 to CU – comprehensive plan change

RP-1 to RP-2 – straight rezoning

RP-1 to OR-2 – comprehensive plan change

Start to Finish: The Development Process for the Dollar General at Apalachee Parkway and WW Kelley Road

Land Development Example - Idea/Concept

In July of 2020, an applicant approached the Planning Department to discuss the possibility of a small-scale map amendment and concurrent rezoning on a 1.60-acre parcel located at the Southeast corner of Apalachee Parkway and WW Kelley Road as shown in the location map below.



The applicant was interested in building a neighborhood retail store (Dollar General) on the property. The idea would require a Comprehensive Plan amendment and a rezoning. The FLUM designation on the property was Rural, with Rural zoning and was inside the Urban Services Area. The applicant requested Suburban land use with C-2 zoning, which was consistent with adjacent properties. The applicant was the agent of the owner of the property, attended a pre-application meeting with staff on July 14, 2020, and submitted a complete application for the property before the 2021 Cycle deadline of September 25, 2020. The application was accepted into the 2021 Comprehensive Plan Amendment Cycle.

Land Development Example - Consistency with the Comprehensive Plan

Planning Department staff coordinated with DSEM and processed a Comprehensive Plan amendment and a concurrent rezoning. Planning Department staff provided an analysis in a Staff Report that determined the proposed amendment was consistent with the Comprehensive Plan for the following reasons:

- Policy 1.1.1 [L] requires that, in order to discourage urban sprawl, new development shall be concentrated in the Urban Service Area (USA) as designated on the future land use map. The subject site is within the USA.
- Policy 2.2.5 [L] states the purpose of the Suburban land use 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. Employment opportunities should be located near residential areas, if possible, within walking distance.
- Policy 2.2.5 [L] states that to complement the residential aspects of this development pattern, recreational opportunities, cultural activities, commercial goods and services should be located nearby.
- The proposed retail store would be located adjacent to low density residential neighborhoods and would provide shopping opportunities with convenient access to these homes. The subject site parcels are located directly across WW Kelley Road from parcels designated as Suburban on the FLUM.
- Policy 2.2.1 [L] states that due to the very low intensity development pattern that is intended for the category, urban services are not planned or programmed for the area. The current designation of Rural/Agriculture on the FLUM is inconsistent with the subject site being located inside the Urban Services Area.
- Policy 2.2.1 [L] states that property within the Rural category shall not be converted to a more intense land use category unless the subject site adjoins the Urban Service Area or a designated Rural Community. Since the subject site is located within the Urban Services Area, amending the land use to a more intense land use category is consistent with this policy.

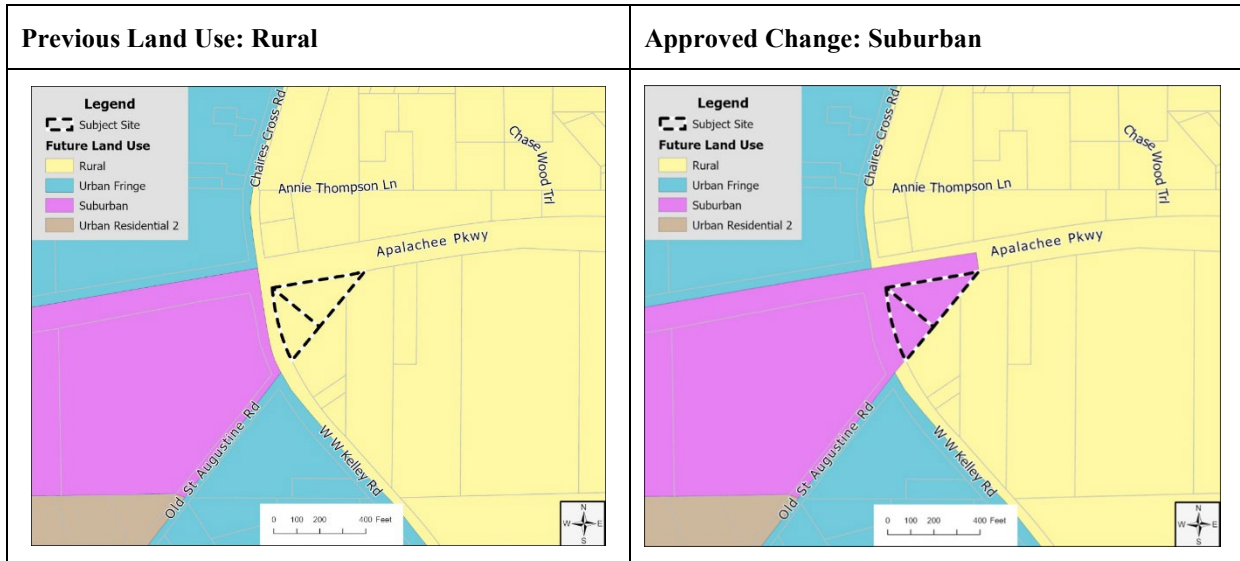
The Staff Report also provided an analysis of existing land uses surrounding the subject site and determined that the proposed change was consistent with adjacent uses. An infrastructure analysis determined that appropriate electric, water, and wastewater systems were available for the site for the proposed use and there was capacity in the local schools (commercial development is not subject to school concurrency). A preliminary roadway network and traffic analysis determined that the local roadway network had capacity for this development. A preliminary environmental analysis determined that there were no significant environmental features on the site.

Staff administered the amendment through the 2021 Comprehensive Plan Amendment Cycle process of outreach and public engagement, public meetings, workshops, and public hearings as shown on the following tables.

| Public Outreach | | Date Completed |
|------------------------|--|-----------------------|
| X | Notices Mailed to Property Owners within 1,000 feet (54 properties and 1 Neighborhood Association) | 11/24/2020 |
| X | Signs providing details of proposed land use posted on subject site | 1/08/2021 |
| X | Public Open House | 12/10/2020 |
| X | Staff Reports Available Online | 11/06/2020 |
| X | Email Subscription Notice sent to all users of service | 12/07/2020 |

| Cycle Meetings | | Date Completed |
|-----------------------|---------------------------------------|-----------------------|
| X | Local Planning Agency Workshop | 1/5/2021 |
| X | Local Planning Agency Public Hearing | 2/2/2021 |
| X | Joint City-County Commission Workshop | 3/23/2021 |
| X | Adoption Public Hearing | 4/13/2021 |

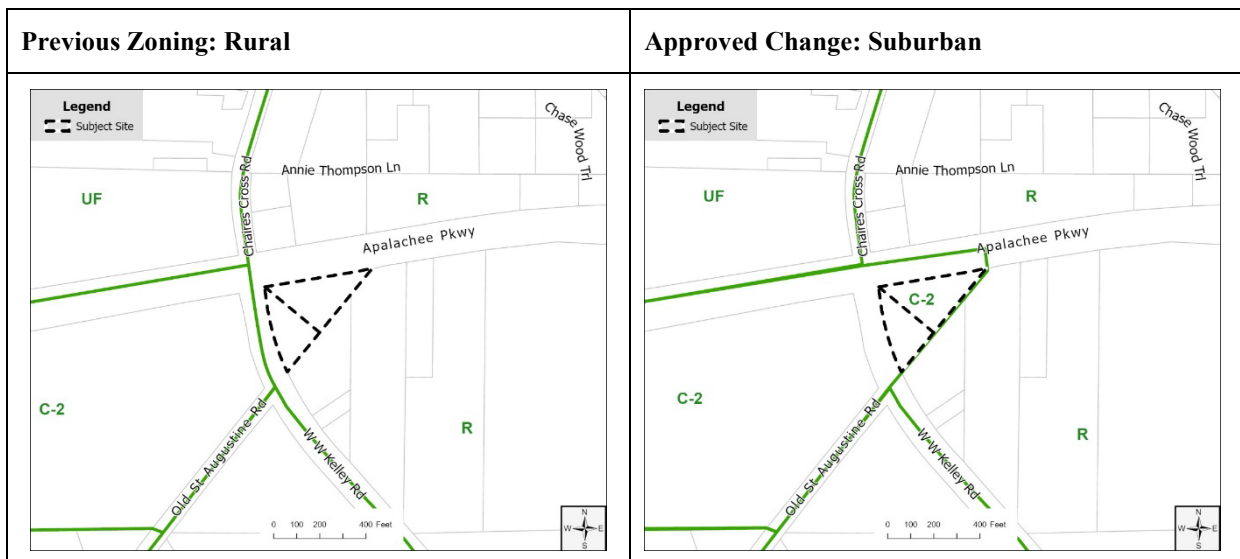
The Board approved the Comprehensive Plan amendment and concurrent rezoning on April 13, 2021 as shown in the maps below.



Land Development Example - Zoning

There was a concurrent rezoning processed with the land use map amendment, from Rural zoning to the approved General Commercial (C-2). This zoning category allows for commercial development in areas with direct access to major collector or arterial roadways located within convenient traveling distance to several neighborhoods, wherein small groups of retail commercial, professional, office, community and recreational facilities and other convenience commercial activities are permitted in order to provide goods and services that people frequently use in close proximity to their homes. The C-2 district is not intended to accommodate large-scale commercial activities and therefore allows a maximum of 12,500 square feet of building floor area per acre.

As shown in the maps below, the zoning change was approved by the Board concurrent with the land use change:



Land Development Example - Site Plan Review

Subsequent to the adoption of the Comprehensive Plan amendment and corresponding rezoning in 2021, the applicant submitted for a PUV to obtain a formal determination of eligibility to develop the site for retail commercial. In May 2021 the PUV found the use to be permissible and outlined the subsequent permit review processes.

On May 19, 2021, the applicant submitted for a Type “A” site and development plan review and also submitted for the concurrent EMP review. Public notification was provided to area property owners within 600 ft of the property along with notification to area HOAs within one mile and notified them of a public Application Review Meeting scheduled for June 2, 2021. At the June 2, 2021 meeting, staff informed the applicant that the development proposal contained deficiencies requiring a second ARM meeting. The meeting was continued on the record at the June 2, 2021 meeting to the July 14, 2021 meeting. At the July 14, 2021 meeting, the application was determined to be sufficiently complete to recommend approval with conditions. On August 17, 2021, the applicant had revised the application to address all the remaining deficiencies and conditions and received final approval of the site and development plan and corresponding EMP.

Land Development Example - Permitting, Construction, and Inspection

With final approval of the site and development plan and corresponding EMP, the project was completed with the Dollar General being constructed to code at the intersection of Apalachee Parkway and WW Kelley Road.

Summary

In Summary, the development of the Dollar General at the intersection of Apalachee Parkway and WW Kelley Road began with the applicant meeting and discussing the proposal with Planning Department Staff. Planning Department staff coordinated with DSEM and processed a Comprehensive Plan amendment and a concurrent rezoning. The Comprehensive Plan amendment and rezoning process included direct mailed notices to surrounding property owners and the nearby Homeowners Association, as well as a public open house, information provided online and via email, a public hearing with the LPA, and public hearing with the Board. The Board approved the Comprehensive Plan amendment and concurrent rezoning on April 13, 2021. Upon approval of the Comprehensive Plan amendment and rezoning, a Permitted Use Verification (PUV) and site plan was prepared by the applicant and submitted to DSEM to process. This process also included notice and public input. The applicant received approval of the site plan and environmental management permit. With final approval of the site and development plan and corresponding EMP, the project was completed with the Dollar General being constructed to code at the intersection of Apalachee Parkway and WW Kelley Road.

**Leon County
Board of County Commissioners**

**Notes for Workshop
Agenda Item #2**

Joint Leon County Board of County Commissioners and City of Tallahassee Commission Workshop

Workshop Item #2

March 7, 2023

Title: Status Report on Infill Development

Category: Workshop

From: Vincent S. Long, County Administrator
Reese Goad, City Manager

**Lead Staff /
Project Team:** Alan Rosenzweig, Deputy County Administrator
Ken Morris, Assistant County Administrator
Wayne Tedder, Assistant City Manager
Benjamin H. Pingree, Director, Department of PLACE
Artie White, Director, Tallahassee-Leon County Planning Department
John Reddick, Director of the City of Tallahassee Growth Management
Department
Barry Wilcox, Director of the Leon County Department of Development
Support and Environmental Management
Mindy Mohrman, Administrator of Comprehensive Planning

STATEMENT OF ISSUE

As requested by the County and City Commissions, this item provides an overview on infill development within the City of Tallahassee and urbanized portions of unincorporated Leon County. This report provides Commissioners an opportunity to review how infill development is encouraged locally, the challenges to infill development, what other communities are doing to promote infill development, and policy options for consideration.

FISCAL IMPACT

This item has no fiscal impact.

RECOMMENDED ACTIONS

Option 1: Accept the report on infill development and redevelopment.

EXECUTIVE SUMMARY

The City and County have formally taken measures to promote infill development to manage growth and prevent sprawling development patterns since the adoption of the Tallahassee-Leon County Comprehensive Plan in January 1981. The current iteration of the Comprehensive Plan, adopted in 1990 and amended annually, continues the encouragement and promotion of infill and redevelopment as components of the growth management strategy. Infill development is generally understood to occur on vacant and underused lots within the Urban Services Area that have access to urban services and existing infrastructure. Infill development can reactivate existing underused sites in ways that align with community needs, promote efficiency of a multimodal transportation system, and prevent the expansion of development into natural and rural areas.

The Comprehensive Plan identifies the new infrastructure and growth demands needed to support the future physical and economic development of the community and provides a blueprint for future commercial and residential land uses, housing, and conservation, as well as cultural and recreational amenities. Consistent with the Comprehensive Plan, Leon County and the City of Tallahassee both have more detailed Land Development Codes that further regulate allowed uses, building types and sizes, multimodal transportation, and environmental and cultural preservation. These planning tools have policies and regulations that encourage or incentivize infill development. This item provides an analysis of infill development, existing policies that describe and encourage infill development, challenges to infill development, and opportunities to improve policies and regulations that provide for infill development.

The timing of this report corresponds with the current efforts to update the Land Use and Mobility Elements of the Tallahassee-Leon County Comprehensive Plan as directed by the Board and City Commission. Land Use and Mobility are two of the twelve Elements that comprise the Tallahassee-Leon County Comprehensive Plan. The update to these Elements will align land use, development, and transportation patterns with established community priorities and needs. Subsequent to this update, land development regulations will need to be reviewed and updated to reflect the updated Land Use and Mobility Elements. Updates to the Land Use and Mobility Elements and the subsequent updates to the City of Tallahassee Land Development Code and the Leon County Land Development Code provide an ideal opportunity for improved policies and regulations that prioritize infill development. Over the next several months, the consultant team will be engaging the community and continuing their extensive data analysis, which will serve as the basis for drafting goals, objectives, and policies that reflect the community's vision, the growth management strategy for the City and County, and projected community needs.

SUPPLEMENTAL INFORMATION

At the April 12, 2022 Joint Transmittal Hearing on the 2022 Cycle Comprehensive Plan Amendments, the Board of County Commissioners and City Commission both directed staff to schedule a joint workshop to address urban infill and expansions of the Urban Service Area.

Infill development aligns with the current effort to update the Land Use and Mobility Elements of the Comprehensive Plan. The Land Use Element contains the Future Land Use Map, land use

categories that outline minimum and maximum densities and intensities for allowable uses, the Urban Services Area, and other growth management strategies. The consultant selected for this effort is evaluating and developing policy recommendations that address growth management within the City of Tallahassee and Leon County. This report was scheduled for early 2023 to follow the selection and onboarding of the consultant for the Land Use and Mobility Element updates so that the consultant can be informed by the report on infill development and incorporate guidance into the updates of the two Comprehensive Plan Elements. The consultant selection of Halff Associates was accepted by the Board and approved by the City Commission in September 2022. The consultant is currently conducting data analyses and working with local students on public engagement strategies.

Defining Urban Infill and Redevelopment

The Tallahassee-Leon County Comprehensive Plan includes numerous goals, objectives, and policies that encourage and support infill development and redevelopment as key components of the overall growth management strategy of the community. Policy 1.2.2 of the Capital Improvements Element defines Urban Infill as “a development located on a parcel of property bounded on two or more sides by existing urban development, or adjacent to existing water or sewer service.” Based on the various policies, urban infill is generally understood to be development of a vacant lot inside the Urban Services Area where central water and sewer is available to the site. Redevelopment is similar to urban infill but represents the development or a previously developed site within the Urban Services Area. Together, urban infill and redevelopment strategies are intended to direct growth primarily to locations in the community where urban services (central water, sewer, roadways, etc.) are available and reduce sprawl and the premature outward expansion of development into urban fringe and rural areas.

Local Examples of Infill and Redevelopment

Urban infill and redevelopment can occur at different scales, ranging from larger parcels and areas to smaller, more incremental forms of development. There are numerous examples of both urban infill and redevelopment occurring in the local community at these various scales. The following examples illustrate the difference between urban infill and redevelopment and what these development patterns look like at different scales:

Large-Scale Urban Infill and Redevelopment

Camelia Oaks is a single-family residential infill subdivision located on 94.22^{+/-} acres inside the Urban Services Area on Mahan Dr north of Buck Lake. Phase I of the development included construction of 69 units, including detached homes and duplexes (attached single-family) with natural amenities including a linear park and preserved green spaces. Phases II and III of the development are currently under construction and will bring additional shared amenities, such as a pool and sport courts to the existing club house, as well as additional residential units. Phase II of the development proposes 63 detached single-family homes, 12 duplexes, and accessory structures that also serve as smaller dwelling units. Phase III of the development proposes 120 additional residential units.

The Gaines Street corridor improvements are an example of mixed commercial and residential redevelopment that brings over \$8.8 million in estimated property tax revenues (2021). Due to the Gaines Street infrastructure investments, the area was transformed. Once an underutilized warehouse district, the result of this public investment was a response from the private sector that brought 926,420 in commercial square footage and 2,306 residential units, which revitalized the corridor to a densely populated student and retail district.

Incremental Urban Infill and Redevelopment

Magnolia Oaks Affordable Housing Apartments is an example of infill residential development located on the Southside. The development, currently under construction, adds 110 new residential units in a multifamily development. The site for the project is located on 6.8 +/- acres on the southwest corner of E. Magnolia Drive and Country Club Drive. The development aims to bring low- to moderate-income and senior housing to an area with demonstrated need.

The Gardens at Glenview is an example of incremental redevelopment. This development located at the intersection of Meridian Road and Glenview Drive is inside the Urban Service Area, and inside the Multimodal Transportation District. The redevelopment effort replaced one single-family detached house on 1.80 acres with 10 single-family detached houses. This project also included a canopy restoration project within the Meridian Road Canopy Road Zone.

How Infill and Redevelopment are Encouraged Locally

Infill and Redevelopment are encouraged locally through growth management strategies that limit outward growth and incentives that support infill and redevelopment.

Comprehensive Plan Strategies Encouraging Infill and Redevelopment

The Comprehensive Plan outlines a growth management strategy in Policy 1.1.11 of the Land Use Element. This strategy leverages an Urban Services Area, the Future Land Use Map, the Future Right-of-Way Needs Map, Commercial Site Location standards, Land Use Category Summaries, the Planned Development Future Land Use Category, Mixed Use development patterns, and Goals, Objectives, and Policies that outline courses of action for development.

The primary way that development is organized is through the establishment and maintenance of the Future Land Use Map and the Urban Services Area (USA). These two planning tools are described below:

Future Land Use Map: The Future Land Use Map (FLUM) coordinates future land uses with protection of natural resources and availability of adequate infrastructure by depicting appropriate land use categories. These land use categories are designed to promote a variety of land use types and patterns to meet the needs of the community. The Future Land Use Map promotes the 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.

Urban Services Area: The Urban Services Area (USA) allows for the ability to provide infrastructure economically and efficiently in a well-managed and orderly fashion, which preserves natural resources and promotes fiscal responsibility. The Comprehensive Plan includes different policies related to the sizing of the USA:

- The location and size of the USA is based upon the area necessary to accommodate 90% of new residential dwelling units within the County by the Plan horizon (Objective 1.1 [L]).
- Policy 1.1.1[L] identifies the USA as a “strategy to guide and coordinate land use densities and intensities with the availability of capital infrastructure and to discourage urban sprawl.”
- Policy 1.1.8 [L] indicates that the size of the USA is related to the projected fiscal capacity of the local government to provide urban infrastructure. This policy also indicates that the area within the USA is sized to accommodate approximately 50% more vacant land than is necessary to accommodate the population growth expected within the USA from 1993 to the Plan Horizon.

The Rural/Agriculture Land Use and the Urban Fringe Land Use policies include provisions that correlate to the size of the USA.

- Policy 2.2.1: [L] states, “Property within the Rural category shall not be converted to a more intense land use category unless the subject site adjoins the Urban Service Area or a designated Rural Community.”
- Policy 2.2.2: [L] states, “To protect Rural areas from premature development, facilitate infill and redevelopment inside the Urban Service Area, and in recognition of the significant area already mapped as Urban Fringe, no additional lands designated Rural or Urban Fringe as of August 26, 2006 shall be converted to a more dense or intense land use category unless adjoining lands are also within the designated Urban Service Area boundary or the designated Woodville Rural Community.”

Additional land use policies are primarily intended to be applied within the USA to promote infill development.

- Policy 2.2.8: [L] states that the Central Urban land use category is “Intended to provide a variety of residential types, employment, office and commercial activities. Infill and potential redevelopment and/or rehabilitation activity should be encouraged.”
- Policy 2.2.23: [L] states, “The primary intent of the Urban Residential land use category, which is to be applied only within the USA, is to encourage medium density housing,

thereby promoting infill development, reducing urban sprawl, and maximizing the efficiency of infrastructure.”

- Policy 2.2.24: [L] states “The primary intent of the Urban Residential 2 land use category, which is to be applied only within the USA, is to encourage a range of density housing, thereby promoting infill development, reducing urban sprawl, and maximizing the efficiency of infrastructure.

Nodal development policies slow the conversion of rural land into suburban development and provide space for commercial uses near residential areas to create a geographically compact area that provides needed services near residential areas.

- Policy 2.2.18: [L] provides for increased allowable density at geographically defined Lake Protection Nodes where mixed use and non-residential development is allowed to occur.
- Policy 2.2.22 is intended to provide for the potential development of commercial and retail developments within designated nodes along the Mahan Gateway Corridor, while preserving existing residential preservation neighborhoods and promoting efficient use of infrastructure.

The Multimodal Transportation District (MMTD) provides policies that promote walking, bicycling, and transit use in order to reduce dependence on the automobile, and ultimately work to provide incentives for infill development, as described in the City of Tallahassee Zoning and Land Use section below.

- Policy 1.1.9: [M] of the Comprehensive Plan establishes a Multimodal Transportation District (MMTD). The MMTD is implemented in the Land Development Code and incorporates standards that emphasize urban design in the public realm that creates a safe and desirable environment for pedestrians, cyclists, and transit users.

City of Tallahassee Infill Development Incentives

The City has various incentives or inherent benefits that work to encourage infill development, either built into the Land Development Code or other fee structures such as traffic concurrency or utility fees. Some of the more notable efforts to encourage infill are included below.

Zoning and Land Use Incentives

- MMTD: As noted above, the Multimodal Transportation District is established in the Comprehensive Plan and implemented in the Land Development Code. Downtown Tallahassee and the surrounding neighborhoods are in the MMTD, specifically in transect 4, transect 5, and the Downtown Overlay. Given the highly urban nature of those areas, the requirement for an urban forest does not apply. This provides a significant incentive to infill development. The MMTD reduces transportation costs by focusing mitigation on bicycle, pedestrian, and transit facilities. Transportation concurrency mitigation costs are

significantly reduced or eliminated in order to create a more pedestrian and bicycle-friendly network and greater utilization of transit.

- **Parking Flexibility/Reduced Parking Standards:** City-wide, there is flexibility in parking requirements for redevelopment projects that increases as you move from suburban areas (outside the MMTD) to downtown areas (inside the MMTD). Downtown neighborhoods have a greater emphasis on alternate types of transportation, like transit, cycling, and walking, and therefore less need for parking. In fact, the act of requiring less parking in the Zoning Code for those areas strengthens their reliance on the other forms of transportation. Outside the MMTD, a redevelopment project is allowed to reduce its parking by 25%. In the MMTD, all projects can have significantly reduced parking (up to 35% less) and count any public parking within 1,000 feet of the project towards their parking requirements. In the most intense zoning district, Central Core, there is no minimum parking requirement. In addition, a staff level Parking Standards Review is provided to help tailor parking standards to the unique circumstances of infill projects.
- **Density Bonuses:** The MMTD provides density bonuses of up to 25% to 35% as an incentive to encourage various types of design features.
- **Flexible Site Design:** The MMTD allows for flexible site design such as reduced setback requirements and higher lot coverage allowances. This makes more of the property developable and allows for creative site design that meets the goals of the MMTD.
- **Hotel/Motel Residential Conversion:** For the conversion of hotel/motel rooms to livable units, the density is only calculated at a 3:1 ratio instead of 1:1. This makes it more feasible for developers to convert blighted hotel/motel properties into housing without conflicting with zoning district or Comprehensive Plan density requirements.
- **Accessory Dwelling Units (ADU):** Any single-family residential property is eligible for the construction of an accessory dwelling unit (ADU) on its property. Within the MMTD, duplex properties can construct an ADU as well. This achieves the goals of providing for infill housing in a way that serves the needs of residential property owners, expands the locally available housing stock, and maintains the neighborhood sense of place. ADUs do not count towards residential densities.
- **Increased Densities:** Individual zoning districts in the MMTD allow the highest residential densities and most diverse list of allowable land uses anywhere in the City. That makes sense given that the MMTD is the most urban area of the City. However, it also makes infill development more attractive given that developers have the right to build bigger and more diverse infill projects in the MMTD compared to any other area of the City.
- **Setback Flexibility:** Infill projects that redevelop on the site of an older project sometimes have challenges meeting all of the current development standards due to the depth of the lot. For example, the Zoning Code previously required trash enclosures to remain a

minimum of 200 feet from low-density residential uses. For infill projects, that is often an impossible standard to meet, particularly on an older lot that was platted with a shallow depth. The Code was amended to allow a lesser setback between trash enclosures and low-density residential uses, but requires a greater landscape buffer.

- **Buffer Flexibility:** The Zoning Code also avoids a one-size-fits-all approach concerning landscape buffers between incompatible uses. For example, landscape buffers vary in width from 10 feet to 60 feet outside the MMTD. Likewise, landscape buffers vary in width from 10 feet to 30 feet inside the MMTD. As the width grows smaller, the planting density grows larger. This is very helpful to infill projects that may be attempting to redevelop unusually configured older lots that are constrained by limited space.

Environmental Management Ordinance Incentives

- **Stormwater Waivers:** On redeveloped sites that do not have an existing stormwater facility, developers have the ability to claim existing impervious area (asphalt, concrete, etc.) to reduce or eliminate new stormwater management requirements. Infill sites often have existing impervious surface from existing buildings and parking lots, which means that the site already has an existing impact on stormwater. The City's Code allows a developer to avoid onsite stormwater management requirements if the project doesn't increase impervious surface beyond what existed before the project.
- **Landscape/Urban Forest Waivers:** Some existing developments do not meet current landscape and urban forest requirements. However, current environmental management rules are not applied when a site is redeveloped with only minor building and parking modifications.

Other

- **Water and Sewer Tap Fee Waivers:** Redeveloped sites receive tap fee credit for existing water and sewer taps, whereas construction on an undeveloped property requires payment of thousands of dollars in water and sewer tap fees.
- **CRA Redevelopment Incentives:** The CRA provides financial incentives for new development and redevelopment within the Downtown and Greater Frenchtown/Southside districts.

Leon County Infill Development Incentives

The County also offers various incentives or inherent benefits that work to encourage infill development. Some of the more notable efforts to encourage infill and redevelopment are included below:

Environmental Management Act Incentives

- **Redevelopment Standards:** The County's Environmental Management Act (EMA) contains provisions dedicated to redevelopment standards. The Land Development Code (LDC) grants incentives for sites generally located inside the Urban Services Area that meet the criteria outlined in the redevelopment provisions of Article IV. This increases the amount of developable area onsite by allowing flexible site design alternatives. For example, a reduction in landscape area requirements, where preserved trees receive double the credit and where stormwater management is generally limited to water quality standards only.
- **Greenspace Reservation Area Credit Exchange (GRACE) Program:** The GRACE Program is a site design alternative and incentive intended to encourage infill and/or redevelopment within the Urban Services Area and can apply to sites that do not contain environmentally sensitive areas. When applied, the GRACE Program allows a portion of landscape and/or natural area requirements to be met off-site through the acquisition of off-site flood-prone property that is conveyed to Leon County. This approach offers an incentive by increasing the amount of developable land on-site otherwise required to be set aside of landscape and/or natural area. Explicit requirements and the quantity of landscape area that may be met off-site is identified in Codes and is based on the zoning district of the subject property.

Zoning and Land Use Incentives

- **Accessory Dwelling Units (ADU):** The Land Development Code includes an Accessory Dwelling Unit (ADU) Ordinance which is intended to provide housing options for persons who might otherwise have difficulty finding homes. ADUs maximize space and provide added cost benefits by utilizing existing infrastructure in already established residential areas. ADUs can increase the community's housing supply and housing options without expansion of the USA or creation of additional residential lots. In addition, ADUs allow families to be closer to one other, especially when extended care options are limited.

While many single-family residential properties in Leon County are eligible for the construction of an accessory dwelling unit (ADU), the Ordinance could be amended to expand opportunities for the construction of ADUs. Currently, ADUs may be attached to a principal residential structure or detached on the same lot, if certain conditions are met. Detached ADUs in the Residential Preservation (RP) and Lake Protection (LP) zoning districts are required to meet additional lot size restrictions which hinder their placement in these districts (e.g. RP outside the USA - at least 3.0 acres). These same lot size restrictions do not apply in other residential districts, nor do they apply in these same districts if the ADU is simply attached to the principal residential structure. Elimination of minimum lot size standards would increase infill development and housing options for these districts. Staff is still evaluating this concept and will bring an item back to the Board for consideration by the end of this fiscal year.

- **Lake Protection Node District:** The Lake Protection Node (LPN) zoning district was created in 2015 with the intent of encouraging compact, mixed-use development that more efficiently utilizes infrastructure while continuing to protect the Lake Jackson water quality. Prior to amendments in 2015, the Lake Protection zoning district severely limited commercial redevelopment options as a result of the previous stormwater standards. Transitioning to engineering-based stormwater standards has enabled more flexibility for the redevelopment of commercial properties at the existing sites.
- **The Gum Road Target Planning Area (GRTPA):** The GRTPA is a 341-acre area inside the USA generally defined on the south by Gum Road, on the north by West Tennessee (US 90), on the west by Aenon Church Road, and on the east by Capital Circle Southwest. The purpose of the GRTPA was to address impacts of siting the Solid Waste Transfer Facility in the GRTPA. As a result, several infrastructure projects which benefited the GRTPA have been completed. Completion of a central sanitary sewer project in 2005 resulted in the extension of approximately 2,800 feet of 8-inch gravity sewer line at an approximate cost of \$750,000. The sewer line extension runs the length of Gum Road from Aenon Church Road east to the transfer station. Installation of a sidewalk along Aenon Church Road at an approximate cost of \$347,000 was completed in 2009.

In addition, the widening of Capital Circle NW and SW, and intersection improvements at Highway 20 and Capital Circle SW and Highway 90 and Capital Circle, greatly increased roadway capacity and increased the marketability of the GRTPA property. To further incentivize the orderly expansion of water and sewer for commercial, industrial and residential infill and redevelopment in the GRTPA, all development fees for Comprehensive Plan amendments, rezoning, subdivision, site plans and permit fees (except building permits) are waived in the GRTPA. The Land Development Code (LDC) also includes a development review threshold incentive for developments within the GRTPA as well as within the Southern Strategy Area which allows for a 25% increase in the development review threshold. For example, a project that otherwise requires a Type “C” site and development plan review and has 3 required meetings could be reduced to a Type “B” review which only has 2 required meetings. The increased development review threshold provides the benefit of reducing permit review times for infill and redevelopment projects.

Statistics on Infill and Redevelopment

Urban Services Area Analysis

Since the adoption of the Comprehensive Plan and establishment of the Urban Services Area (USA) on July 16, 1990, the USA boundary has been modified 17 times (including both expansions and reductions), resulting in a net increase in size from approximately 163.6 square miles to 168.0 square miles. This increase represents an overall 2.68% increase in the size of the Urban Services Area. Since the adoption of the Comprehensive Plan and the 2020 census count, the population of Leon County has increased 55.4%, while the size of the Urban Services Area

has increased 2.68%. Table #1 shows the amendments to the Urban Services Area since the Comprehensive Plan was adopted. Attachment #1 provides a map showing changes to the USA boundary since its establishment.

Table #1: Amendments to the Urban Services Area Boundary

| Cycle | Area | Approx. Acreage Added | Approx. Acreage Removed |
|--------|---------------------------|-----------------------|-------------------------|
| 1997-1 | Thomasville Road | 6.68 | |
| 1997-1 | Bradfordville Road | | -1,589.93 |
| | Capital Circle SE | 245.69 | |
| | Substation BP-5 | 15.7 | |
| 1999-1 | Buck Lake Road | | -291.42 |
| 2000-1 | Centerville Road | 87.69 | |
| 2000-1 | Centerville Road | | -34.04 |
| 2000-2 | Blountstown Highway | 1.84 | |
| 2003-2 | Meridian Road | 28.57 | |
| 2004-2 | Tower Road | 80.71 | |
| 2005-2 | Woodville Highway | 17.55 | |
| 2010-2 | TLH Airport | 869.02 | |
| 2020-1 | Pine Cone Woods | 172.93 | |
| 2020-2 | Welaunee | 2,890.85 | |
| 2022-1 | April Road | 134.90 | |
| 2022-1 | Southwood Plantation Road | 107.79 | |
| 2022-1 | Woodville Highway | 62.01 | |
| | Totals | 4,721 | -1,915 |
| | Net Change | 2,807 | |

Statistics on Infill Development

Since 2002, nearly 100% of new commercial development has occurred inside the USA. New residential development has similarly seen the majority of new units occur inside the USA as well, with approximately 88% of new units inside the USA within this timeframe. A table showing the development occurring within the USA is included as Attachment #2. This data analysis shows that the USA is very effective at channeling development inside the boundary where urban services and multimodal transportation, including transit, are readily available.

A primary focus of the Comprehensive Plan is infill development and nodal development patterns (i.e., Lake Protection Node, Mahan Gateway Node, etc.). These types of development promote efficient use of infrastructure and multimodal transportation and slow the conversion of rural land into suburban development. For example, the North American Property’s Cascades Development on 5 acres north of Cascades Park, provides for 300 residential units. A similar

number of units in a typical suburban type of residential development of single-family detached units on 0.5 acre lots would require approximately 218 acres of land in order to accommodate 300 residential units with the associated infrastructure required.

In summary, the population of Leon County has increased from approximately 192,493 people to 292,198 between the adoption of the Comprehensive Plan and the 2020 Census count. The policies and planning tools in the Comprehensive Plan have worked to ensure this growth occurred in a well-managed way with adequate levels of services, efficient use of facilities, and the protection of natural resources and residential neighborhoods. The Urban Services Area, one of the primary mechanisms for managing growth in the community has been amended (both expanding and contracting it) resulting in a net increase of 2,807 acres over this 20+ year timeframe.

Where Infill Can Occur

Vacant and Potentially Developable Land Analysis

Staff conducted an analysis of vacant and potentially developable parcels inside the USA. This analysis evaluates properties that meet the following criteria:

- Vacant in residential/single-family detached subdivision
- Vacant in commercial subdivision
- Vacant in subdivision of unknown or mixed type
- Vacant not in subdivision
- Vacant in mobile home subdivision
- Existing single-family Uses >10 acres in a subdivision
- Existing single-family Uses >10 acres not in a subdivision
- Vacant in subdivisions with larger than other lots
- Vacant in condo subdivision
- Vacant in townhouse subdivision

While there may be opportunities for smaller, incremental redevelopment, such as the Gardens at Glenview described previously, the Vacant and Potentially Developable Land Analysis shows areas that have a higher likelihood of infill or redevelopment. This analysis indicated that there are 7,325 vacant and potentially developable parcels inside the USA comprising a total of approximately 24,700 acres. 507 of these parcels (10,346 acres) are within major developments and 6,818 of the parcels (14,354 acres) are outside of major developments. This analysis is included as Attachment #3.

Challenges to Infill Development and Other Considerations

While the analysis of vacant and potentially developable parcels indicated that there might be sufficient land available to accommodate population projections, there are still notable

challenges to infill development that may not be evident in the analysis. Some of these challenges include lot availability, subdivision regulations, concurrency, and opposition to development. These challenges are described below. The consultant for the updates to the Land Use and Mobility Elements will be reviewing these items as part of their analysis and may provide recommendations for Comprehensive Plan policies and/or future updates to Land Development Codes.

Lot availability: It should be noted that “vacant and potentially developable” is not synonymous with “available for development.” Private property is, of course, subject to the desire of the owner to sell, real estate market factors, and environmental constraints that may make a parcel unavailable or poorly suited for development.

Subdivision Regulations: Subdivision regulations may present challenges to infill development with regards to accommodating projected population. For example, the Leon County Land Development Code includes a Residential Preservation zoning district that allows up to 6 dwelling units per acre. Regardless of this maximum density, the code states “No newly created lot shall be smaller than the smallest lot of record approved as part of the original recorded (platted) or unrecorded subdivision, or any approved reconfiguration or re-plat that may have occurred consistent with the land development regulations in effect at that time.” Therefore, the maximum density is driven by the size of other parcels instead of by the maximum density allowed by the zoning district. The City’s Land Development Code includes similar provisions. The City’s subdivision regulations include a provision that, “Lots created by re-subdivision of an existing lot in a recorded or unrecorded residential subdivision zoned residential preservation (RP-1 or RP-2), single-family detached residential district (R-1 or R-2) or planned unit development (PUD) within the residential preservation future land use category shall be no more than ten percent smaller than the median size of all other lots in the subdivision, as originally platted in a recorded or unrecorded plat, and no less than the minimum lot size allowed by residential zoning and land use maps. If a subdivision was developed in phases, the median size of lots shall be determined by the lots in the phase affected by the proposed re-subdivision.”

The intent of these regulations are to promote uniformity in the size of lots in existing subdivisions; however, they further restrict density in an already low-density residential area that would otherwise be allowed by the current zoning and can be a barrier to infill development, redevelopment, and increased densities in urbanized areas. Subdivision regulations can be considered during Land Development Code updates that follow the update to the Land Use Element.

Concurrency: Development may be limited by the availability of infrastructure and services. As development is proposed, their impacts on infrastructure and services are calculated and may require concurrency payments to mitigate these impacts. Limitations in terms of capacity and/or mitigation requirements may limit development and redevelopment potential. A

consultant team, Kimley-Horn and Associates, is currently evaluating the concurrency system and proposing a tiered fee-based system as part of the Alternative Mobility Funding System Study (AMFSS). This study includes the following three phases:

Phase I (Completed Phase): In 2016, the Board and City Commission directed staff to procure a consultant to evaluate the existing transportation concurrency system and alternatives to concurrency for assessing the proportionate cost of transportation improvements needed to serve the demand generated by development projects (Phase I of the AMFSS). The recommendation from this Phase was to consider a tiered fee funding strategy as a replacement for the existing transportation concurrency system.

Phase IIA (Current Phase): In 2019, Board and City Commission accepted the Phase I report and directed staff to initiate Phase IIA to develop an infrastructure plan identifying the transportation infrastructure funding needs and preliminary tiered fees for Board and Commission consideration. Consultant services for this phase include data analysis of vehicle miles of travel (VMT), existing travel and traffic characteristics, identified transportation projects and their funding status, multimodal transportation network gaps, and project cost estimates and multimodal roadway capacities. Utilizing the information that was collected, a multimodal transportation plan was drafted, and additional public engagement was held on the proposed fee-based system methodology. Based on input from recent public engagement additional analysis is being completed and will be included in a future update in Fall 2023.

Phase IIB (Potential Future Phase): If the Board and City Commission direct staff to proceed with the recommendations from Phase IIA when they are presented at a future workshop, Phase IIB can commence to develop the implementing ordinances and related documents.

Phasing and Process Requirements: The timing of development being allowed can be delayed because of specific requirements for certain developments. For example, the Welaunee Arch Master Plan includes specific phasing requirements. While the Arch allows a maximum of 12,500 dwelling units, the entire Welaunee Arch is not available for development at once. To promote coordination of development with the provision of urban services, the Welaunee Arch Master Plan established three phases that have specific thresholds that must be met before development may begin in the subsequent phase. This approach ensures that development is consistent in each phase to include mixed uses that emphasize pedestrian mobility and transportation alternatives with employment and shopping opportunities in close proximity to residential uses. It also ensures that infrastructure improvements occur contemporaneous with development as to prevent stranded or early investment in infrastructure. However, this requirement also means that the entire Arch is not available for development and that the maximum of 12,500 units would be constructed over a longer period of time.

Additional processes that impact the timing of development are the requirements of implementing Planned Development Areas. For example, the Welaunee Heel is allowed a maximum of 2,107 residential units according to the adopted Critical Area Plan; however, one or more Planned Unit Developments (PUD) must be completed and approved before site plans or subdivisions can be approved. Because the PUD would be the implementing zoning for the property, the total number of residential units may end up being lower than the maximum allowed by the Critical Area Plan. The Welaunee Critical Area Plan also requires stormwater facilities master plans for the Heel and for the Arch. These stormwater facilities master plans must be completed for the respective areas before PUDs for those areas may be approved. Only after these steps have been accomplished can site plans and subdivisions be approved followed then by permitting and construction. While there are benefits to this approach as noted earlier, these requirements do lengthen the process and therefore the time required before any construction can begin on these sites.

Neighborhood Opposition: Development and redevelopment may receive opposition from neighboring residents. This opposition may influence the type, density, and intensity of development. In many cases, infill development receives more neighborhood opposition due to the higher numbers of neighbors as compared to development located further away from urban areas.

Other Considerations

Mixed-Use Districts: It should be noted that some land use categories allow for residential, commercial, or a mix of uses, so it is difficult to predict how a property will be developed and the impact it may have on population accommodation through infill and redevelopment. For example, the Suburban Land Use category allows for commercial and/or residential development. The resulting development is typically determined by the zoning district, though some zoning districts, such as Office-Residential district, also allow commercial, residential, or a combination of both. While these mixed-use categories provide for desirable development patterns, it can be difficult to determine how they will develop or redevelop.

Housing Types: Another consideration for population accommodation is the types of residential development available and allowed (single-family detached homes, townhomes, duplexes, multiplexes, apartments, etc.). The mix of housing needed in a community is influenced by a variety of factors. These factors range from general market demand to decisions made by local governments. For example, the Rooming House Ordinance was approved by the City in 2000 to prevent student rentals from locating in existing, low-density single-family neighborhoods. This policy redirected student housing away from existing neighborhoods thereby increasing the need for student housing elsewhere.

Other factors include consideration for housing types that allow people to age in place or that are located near transit and other services that allow residents from all incomes to live where they play, shop, and work. Often called “missing middle” housing, this housing provides solutions along a spectrum of affordability to address the mismatch between available housing stock and shifting demographics combined with the growing demand for walkability. The trend toward adjusting residential code to allow for accessory dwelling units is a successful example of providing mixed housing types within established residential neighborhoods without impacting the overall sense of neighborhood in these areas.

Low-Density Zoning: The Comprehensive Plan defines low-density residential development as 0-8 units per acre. Almost 40% of the land area inside the USA boundary consists of zoning categories that limit development to low-density residential uses only. This limits the development potential of land inside the USA, not only on the properties zoned in this way, but on neighboring properties that may be subject to additional neighborhood compatibility regulations that restrict development when adjacent to low-density residential property.

In summary, numerous factors go into planning for population growth. These factors include having an adequate acreage of land in land use categories that allow for a mix of residential development types and densities, acknowledging growth priorities such as the Comprehensive Plan policies encouraging infill development, minimizing the premature conversion of rural areas into urban development, the desire to develop housing in the southern areas of the City and County, addressing challenges to managing growth, and anticipated needs for diverse housing types and affordable housing options.

Other Strategies to Encourage Infill Development

Several states and local governments across the country are pursuing zoning reform to update land development regulations to create the conditions for housing abundance. These reforms are intended to allow for new housing to be built in existing neighborhoods and near transit, while also providing for greater housing diversity by allowing for the construction of a variety of housing types that are not typically allowed in conventional single-family zoning districts. An abundance of diverse housing types increases housing attainability and affordability. The current effort to update the Land Use and Mobility Elements will provide an opportunity to consider strategies such as these that encourage infill development and how best to incorporate those concepts into the Comprehensive Plan and subsequently, the land development regulations.

Form Based Codes: Zoning laws that place restrictions on the types of homes that can be built in a particular neighborhood are increasingly being considered exclusionary zoning that inflates home and rental prices and widens wealth inequality. Common examples include minimum lot size requirements, minimum square footage requirements, prohibitions on single-family

attached housing, two-family dwellings, multiplexes, and multifamily homes, and height limits on buildings. Form-based codes are an option that uses physical form rather than separation of uses as the organizing principle for the code. These regulations address the relationship between building facades and the public realm, the form and mass of buildings in relations to one another, and the scale and types of streets and blocks. Form-based codes can be used to allow more diversity of housing types, a great mix of uses (commercial, office, residential, etc.), and higher densities while maintaining the character of an area through building form. Both the City and the County currently use Euclidean zoning, which regulates by use, density, and intensity, and the MMTD is implemented by a hybrid code which incorporates design components. These types of codes predate the creation of form based codes. As future Land Development Code updates are made based on the updated to the Land Use Element, consideration may be given to implementing form-based codes for certain areas of the community, particularly more urban, mixed-use areas.

Minimum Density Requirements: Minimum density standards in certain zoning districts can help ensure that new development supports the goals of infill development by requiring a minimum number of units per acre. This creates conditions that enable the expansion of the overall supply of units, lowering per-unit cost and maximizing efficient use of infrastructure. Locally, many zoning districts have minimum density requirements. Consideration could be given in the future to including minimum densities for additional zoning districts or evaluating whether the minimum densities could be increased in certain circumstances based on updates to the Land Use Element.

Density Bonuses: Allowing for increased density to be built on a site than would otherwise be allowed through underlying zoning when certain conditions are met can provide incentives to encourage preferred types of development activity. Some examples of conditions that might prompt density bonuses include provision of affordable housing, higher quality building design, improvements to the public realm or public infrastructure, or tree preservation and enhanced greenspaces. Locally, density bonuses are enabled for affordable housing and certain infill development and redevelopment. Consideration could be given in the future to increasing these density bonuses or offering density bonuses for more types of development activity (e.g., for building more diversity of residential building types or building transit-oriented development). Density bonuses can be evaluated during the updates to the Land Use Element.

Regional Stormwater Facilities: Developments are required to manage its stormwater runoff on site to prevent contamination of natural water bodies and flooding on adjacent properties. Stormwater management is a major cost to developers and reduces development potential of a property, driving up the cost of real estate and construction. Regional Stormwater Facilities can reduce construction costs and improve water quality management by providing a single regional facility that provides capacity for a planned area and maximizes utilization of developable land. However, while increasing opportunities for higher densities, Regional Stormwater Facilities are

beneficial to developers because they are generally provided at the expense of the local government.

Summary

The City and County promote infill development and redevelopment as major components of the community's growth management strategy. The Comprehensive Plan includes policies that promote and encourage infill and redevelopment. Consistent with these Comprehensive Plan policies, both the City and County Land Development Codes include regulations and incentives that support infill and redevelopment. This growth management strategy has been effective as evident in the limited expansion of the Urban Services Area compared to the population growth experienced in the local area. While the growth management strategy has been effective, there are challenges that often make infill and redevelopment difficult. There are also additional strategies that can be considered as the Comprehensive Plan and Land Development Codes are updated over the next few years.

Next Steps

The Board and City Commission accepted the selection of Halff Associates for the update to the Land Use and Mobility Elements of the Comprehensive Plan in September 2022, procurement was managed by the City, and the project is currently under way. The update includes an assessment of the effectiveness of the goals, objectives, and policies contained in these elements and opportunities to revise these elements to align with the current and projected land use and transportation needs of the community. This effort will include extensive data analysis of the Urban Service Area, existing land use patterns and transportation network, demographics, projected population needs, and issues of equity and social vulnerability. A variety of outreach and engagement opportunities throughout the effort will include community meetings, educational events, discovery sessions, and surveys.

Staff provided data requested by the consultant and a baseline data analysis is currently being developed. Public engagement is expected to begin in spring of this year. Outreach and engagement will continue throughout as analyses are completed and presented back to the community for feedback and visioning workshops. Using the data and community feedback received, the consultant will begin drafting goals, objectives, and policies that reflect the community's vision and projected needs. For the updates, the consultant will provide development scenarios that include high-level fiscal impact analysis taking into consideration public costs and benefits for each proposed scenario alternative. Infill development and redevelopment opportunities will be incorporated into these efforts. Project completion is expected in early 2025. Additionally, an update on the Alternative Mobility Funding System study will be provided in Fall 2023. This update will include a discussion on how replacing concurrency with a tiered fee-based system could support efforts to promote infill development and redevelopment.

OPTIONS

1. Accept the report on infill development and redevelopment.
2. Board/City Commission direction.

RECOMMENDED ACTION




















Option #1

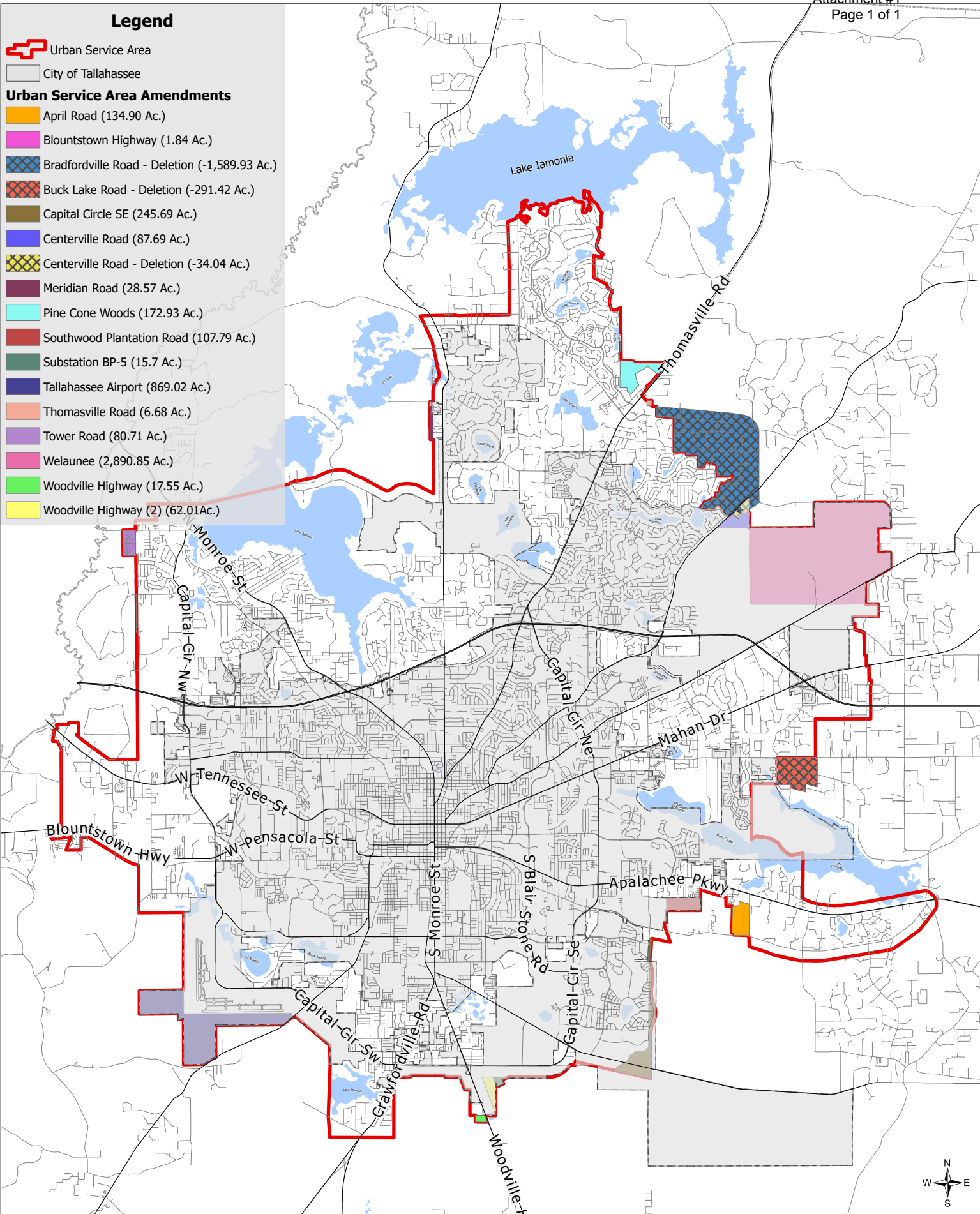
Attachments:

1. Map of Amendments to the Urban Services Area
2. New Development within the Urban Services Area
3. Vacant and Potentially Developable Land Analysis



Legend

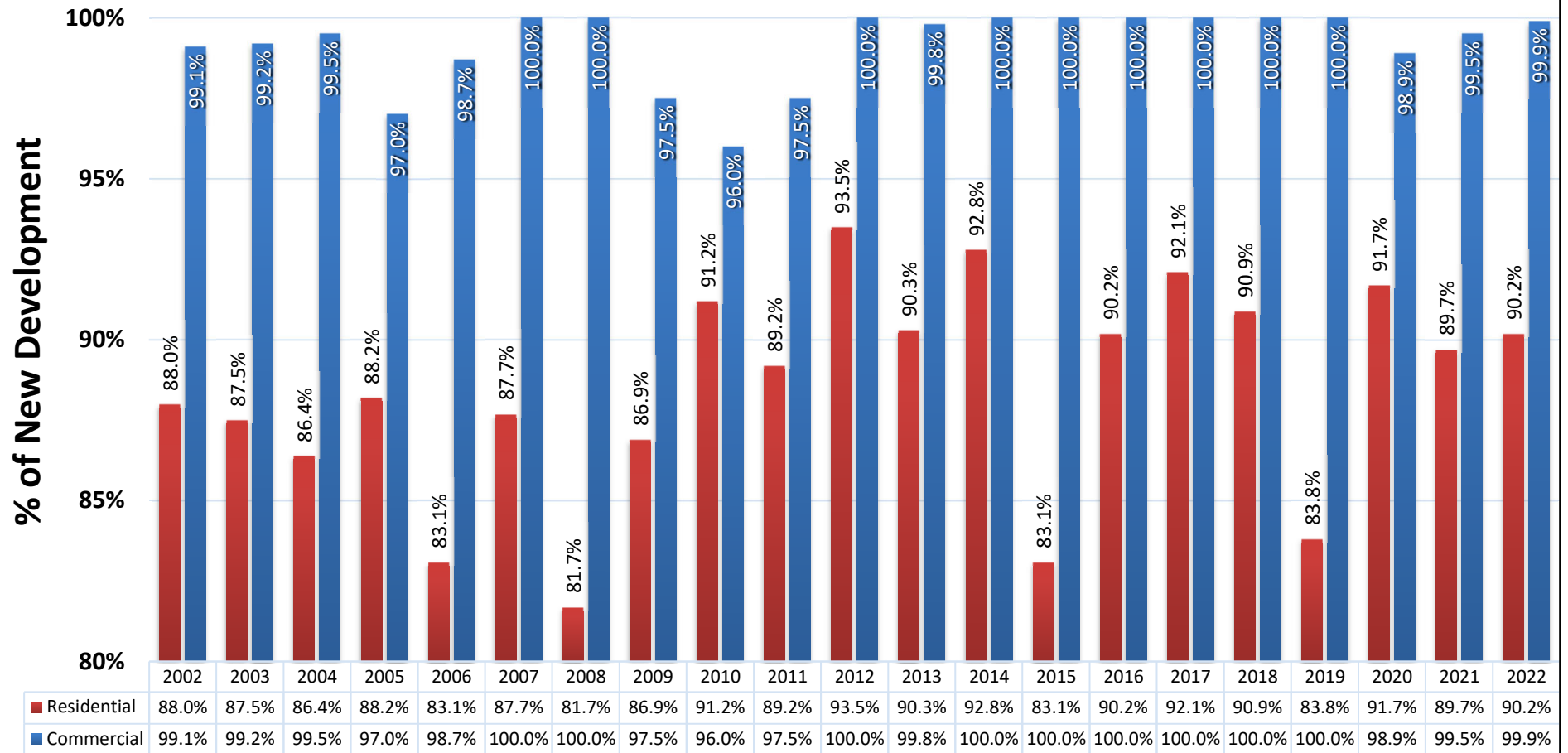
-  Urban Service Area
-  City of Tallahassee
- Urban Service Area Amendments**
-  April Road (134.90 Ac.)
-  Blountstown Highway (1.84 Ac.)
-  Bradfordville Road - Deletion (-1,589.93 Ac.)
-  Buck Lake Road - Deletion (-291.42 Ac.)
-  Capital Circle SE (245.69 Ac.)
-  Centerville Road (87.69 Ac.)
-  Centerville Road - Deletion (-34.04 Ac.)
-  Meridian Road (28.57 Ac.)
-  Pine Cone Woods (172.93 Ac.)
-  Southwood Plantation Road (107.79 Ac.)
-  Substation BP-5 (15.7 Ac.)
-  Tallahassee Airport (869.02 Ac.)
-  Thomasville Road (6.68 Ac.)
-  Tower Road (80.71 Ac.)
-  Welaunee (2,890.85 Ac.)
-  Woodville Highway (17.55 Ac.)
-  Woodville Highway (2) (62.01Ac.)



Urban Service Area Amendments

Percent of New Development Inside the Urban Service Area*

Note: Residential development measured in units permitted,
commercial development in square feet permitted



Note: Mobile home units permitted within mobile home parks and mobile home replacement units are not included in residential unit totals

Information herein has been gathered from the City of Tallahassee Growth Management Department and the Leon County Department of Development Support & Environmental Management. The data contained is intended to be an informative compilation of permits for new construction issued by the City of Tallahassee and Leon County. The accuracy of any and all information contained herein is not guaranteed.

Vacant and Potentially Developable Lands Analysis

| Vacant Code | Existing Land Use 2021 - Vacant & Potentially Developable Parcels in the USA by Category | # of Parcels | Acres | Wetland Acres | % Wetland Acreage | Net Vacant & Potentially Developable Acres | Avg. Parcel Size | Median Parcel Size | 2021 Vacant Parcels INSIDE of Major Developments | Acres | 2021 Vacant Parcels OUTSIDE of Major Developments | Acres |
|-------------|--|--------------|-----------------|----------------|-------------------|--|------------------|--------------------|--|-----------------|---|-----------------|
| 1 | vacant in residential/single-family detached subdivision | 1,895 | 1,152.9 | 117.9 | 10.2% | 1,035.0 | 0.61 | 0.26 | 345 | 98.8 | 1,550 | 1,054.1 |
| 2 | vacant in commercial subdivision | 360 | 671.1 | 112.3 | 16.7% | 558.8 | 1.86 | 0.74 | 32 | 65.1 | 328 | 606.0 |
| 3 | vacant in subdivision of unknown or mixed type | 1,759 | 1,085.2 | 119.2 | 11.0% | 966.0 | 0.62 | 0.22 | 8 | 24.0 | 1,751 | 1,061.2 |
| 4 | vacant not in subdivision | 2,320 | 17,745.5 | 2,622.8 | 14.8% | 15,122.7 | 7.65 | 1.01 | 105 | 9,505.9 | 2,215 | 8,239.6 |
| 5 | vacant in mobile home subdivision | 497 | 134.8 | 4.3 | 3.2% | 130.5 | 0.27 | 0.21 | 0 | 0.0 | 497 | 134.8 |
| 6 | existing single-family Uses >10 acres in a subdivision | 24 | 390.8 | 110.9 | 28.4% | 279.9 | 16.28 | 12.11 | 0 | 0.0 | 24 | 390.8 |
| 7 | existing single-family Uses >10 acres not in a subdivision | 108 | 3,195.0 | 680.4 | 21.3% | 2,514.6 | 29.58 | 17.75 | 7 | 580.4 | 101 | 2,614.6 |
| 8 | vacant in subdivisions with larger than other lots | 49 | 311.2 | 70.0 | 22.5% | 241.2 | 6.35 | 2.24 | 10 | 71.5 | 39 | 239.8 |
| 9 | vacant in condo subdivision | 270 | 7.4 | 0.1 | 0.7% | 7.3 | 0.03 | 0.02 | 0 | 0.0 | 270 | 7.4 |
| 10 | vacant in townhouse subdivision | 43 | 5.8 | 0.5 | 9.0% | 5.2 | 0.13 | 0.13 | 0 | 0.0 | 43 | 5.8 |
| | Total Vacant & Potentially Developable | 7,325 | 24,699.6 | 3,838.4 | 15.5% | 20,861.3 | 3.37 | 0.35 | 507 | 10,345.6 | 6,818 | 14,354.0 |

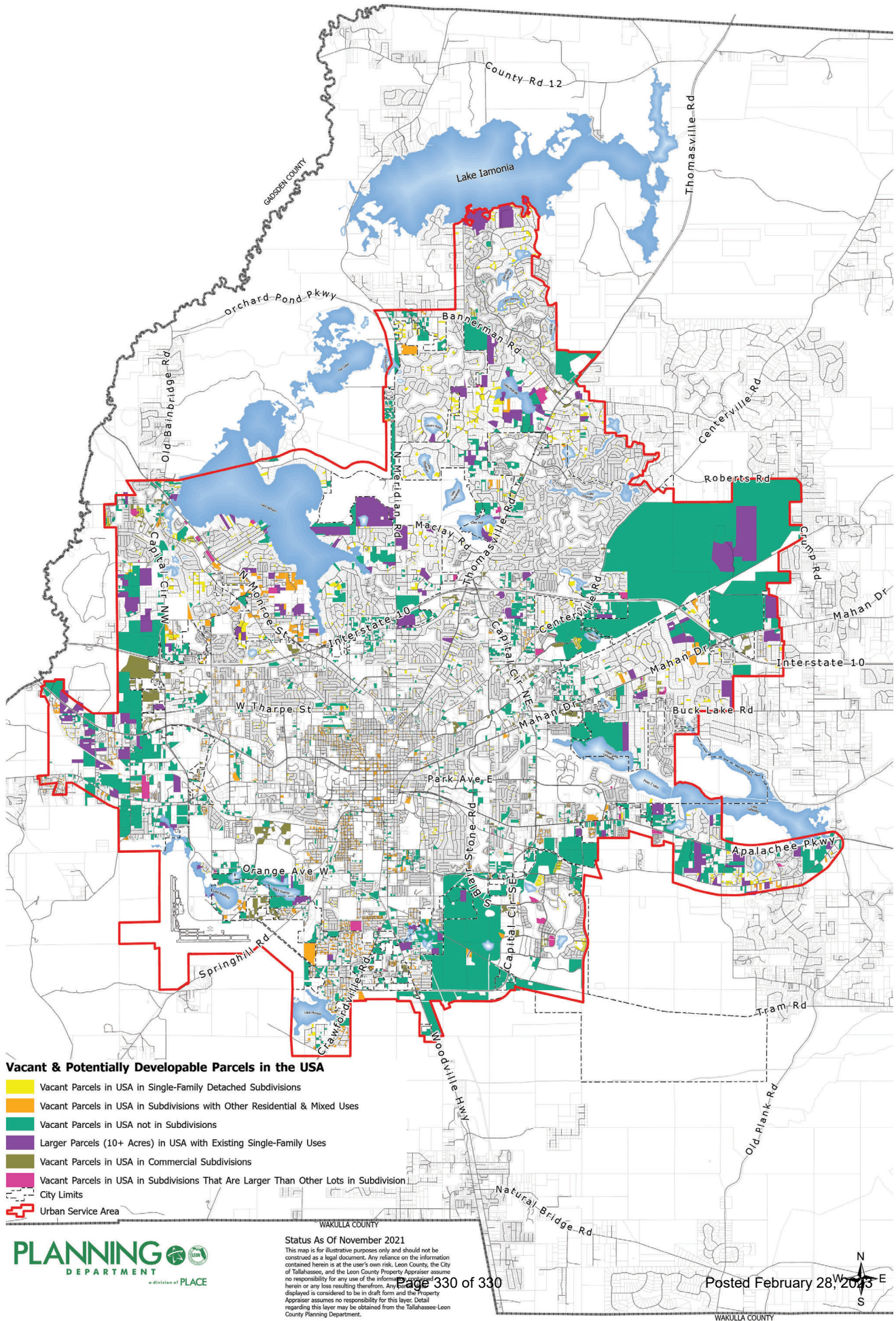
However, this product is for reference purposes only and is not to be constructed as a legal document or survey instrument. Any reliance on the information contained herein is at the user's own risk. Leon County and the City of Tallahassee assume no responsibility for any use of the information contained herein or any loss resulting therefrom.

Sources:
Leon County Property Appraiser
Accela Automation, Leon County Department of Development Support and Environmental Management
CityWorks, City of Tallahassee Growth Management Department

Prepared By:
Tallahassee-Leon County Planning Department

Vacant & Potentially Developable Parcels

TALLAHASSEE URBAN AREA



- Vacant & Potentially Developable Parcels in the USA**
- Vacant Parcels in USA in Single-Family Detached Subdivisions
 - Vacant Parcels in USA in Subdivisions with Other Residential & Mixed Uses
 - Vacant Parcels in USA not in Subdivisions
 - Larger Parcels (10+ Acres) in USA with Existing Single-Family Uses
 - Vacant Parcels in USA in Commercial Subdivisions
 - Vacant Parcels in USA in Subdivisions That Are Larger Than Other Lots in Subdivision
 - City Limits
 - Urban Service Area



Status As Of November 2021
 This map is for illustrative purposes only and should not be construed as a legal document. Any reliance on the information contained herein is at the user's own risk. Leon County, the City of Tallahassee, and the Leon County Property Appraiser assume no responsibility for any use of the information displayed on this map or any loss resulting therefrom. Any error displayed is considered to be in draft form and the Property Appraiser assumes no responsibility for this layer. Detail regarding this layer may be obtained from the Tallahassee-Leon County Planning Department.

