

**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

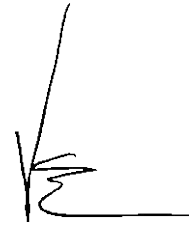
Workshop Item

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



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| 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.

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;

- 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.

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

- 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,

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

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

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.

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

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

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. Rezoning applications 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.

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

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

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

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.

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.

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.

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

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.

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

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

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.

| 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.”

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.

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

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.

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

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

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. Rezonings 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

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

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.

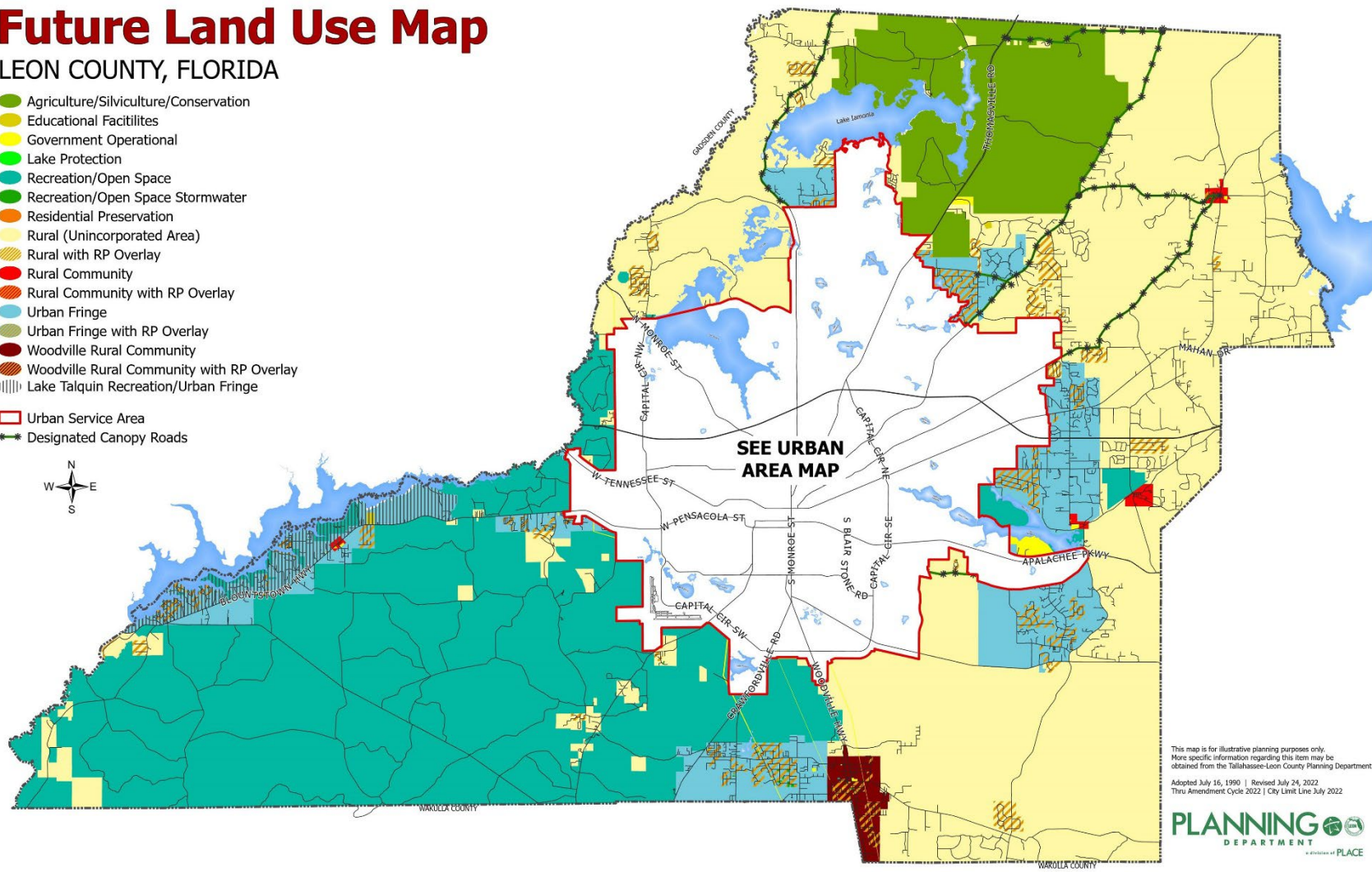
Consistency: Local land development regulations and development orders are required to be consistent with a local government comprehensive plan. Amendments to the County's and the City's land development regulations, as well as annexations, are reviewed for consistency with the Tallahassee-Leon County 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

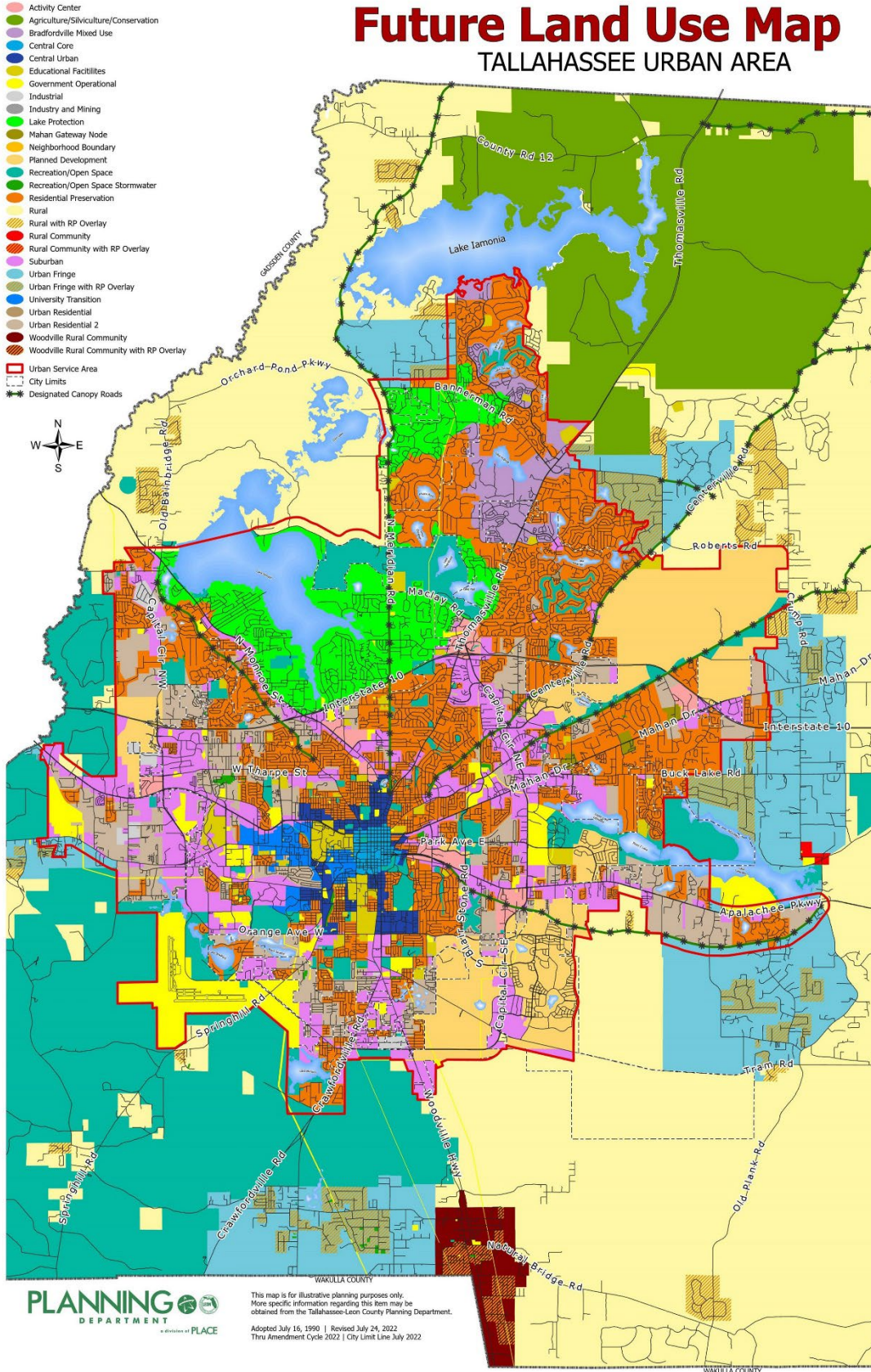


This map is for illustrative planning purposes only. More specific information regarding this item may be obtained from the Tallahassee-Leon County Planning Department. Adopted July 16, 1990 | Revised July 24, 2022. Thru Amendment Cycle 2022 | City Limit Line July 2022.



Future Land Use Map

TALLAHASSEE URBAN AREA



- Activity Center
- Agriculture/Silviculture/Conservation
- Bradfordville Mixed Use
- Central Core
- Central Urban
- Educational Facilities
- Government Operational
- Industrial
- Industry and Mining
- Lake Protection
- Mahan Gateway Node
- Neighborhood Boundary
- Planned Development
- Recreation/Open Space
- Recreation/Open Space Stormwater
- Residential Preservation
- Rural
- Rural with RP Overlay
- Rural Community
- Rural Community with RP Overlay
- Suburban
- Urban Fringe
- Urban Fringe with RP Overlay
- University Transition
- Urban Residential
- Urban Residential 2
- Woodville Rural Community
- Woodville Rural Community with RP Overlay
- Urban Service Area
- City Limits
- ✱ Designated Canopy Roads

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

DesignWorks & Special Projects



Land Use & DesignWorks



DesignWorks



DesignWorks & Special Projects



Comprehensive Planning



Land Use



Special Projects & DesignWorks



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.

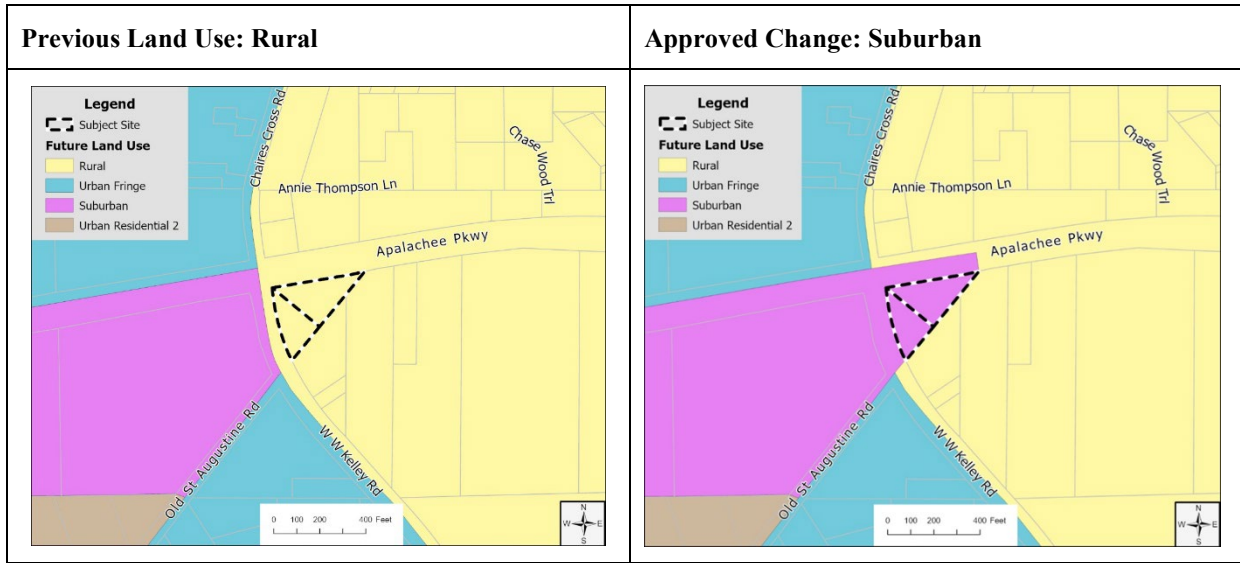
The Staff Report also provided an analysis of existing land uses surrounding the subject site and determined that the proposed change was consistent with adjacent uses. An infrastructure analysis determined that appropriate electric, water, and wastewater systems were available for the site for the proposed 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 |

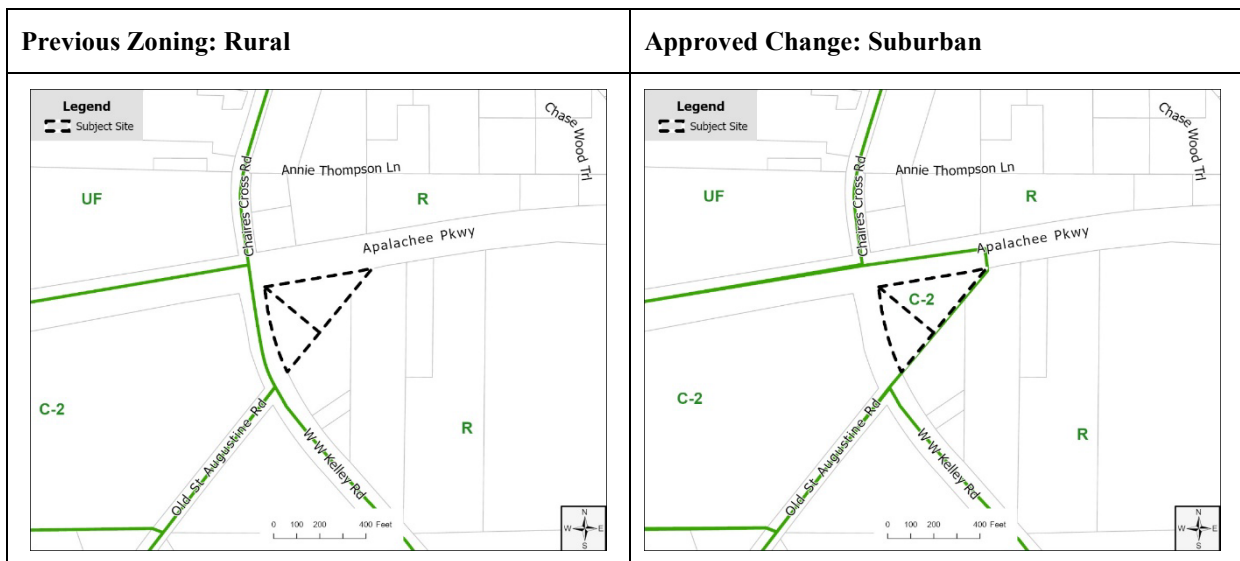
The Board approved the Comprehensive Plan amendment and concurrent rezoning on April 13, 2021 as shown in the maps below.



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.