



May 4, 2020

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

Re: Adopted Amendments Package

The Tallahassee-Leon County Planning Department hereby submits the adopted small-scale amendments for the 2020 Comprehensive Plan Amendment Cycle for the City of Tallahassee and Leon County, amending the joint Tallahassee-Leon County 2030 Comprehensive Plan. These amendments are submitted pursuant to the City and County Commission adoption public hearings on April 22, 2020 and April 28, 2020.

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

| <u>Amendment</u> | <u>Acres</u> |
|---|--------------|
| TMA 2020 002 – Sheffield’s Body Shop | 0.80 |
| TMA 2020 004 – Fairbanks Subdivision | 6.51 |
| LMA 2020 01 – 7601 Blountstown Highway | 3.42 |
| LMA 2020 02 – Highway 20 Light Industrial | 4.11 |
| LMA 2020 03 – Oak Valley Shopping Center | 4.49 |
| LMA 2020 04 – Capital Circle SW | 0.78 |
| LMA 2020 05 – FWCC Warehouse | 9.85 |

The cumulative total number of acres for small-scale amendments approved for the calendar year is approximately 29.96 acres. None of the adopted amendments are within an area of critical state concern. None of the adopted amendments involve a site within a rural area of opportunity.

Enclosed are the following ordinances adopting the comprehensive plan amendments:

- City of Tallahassee Ordinance 20-O-06 adopted April 22, 2020
- City of Tallahassee Ordinance 20-O-11 adopted April 22, 2020
- Leon County Ordinance No. 2020-08 adopted April 28, 2020

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

Sincerely,

Artie E. White, AICP, CNU-A
Administrator of Comprehensive Planning
Tallahassee-Leon County Planning Department

cc:

- Emily Pepin (w/o attachments)
- Lou Norvell (w/o attachments)

ATTACHMENT #1
SUMMARY CHART

MATRIX FOR 2020 CYCLE SMALL SCALE MAP AMENDMENTS

A = Approve
D = Denial
AM = Approve as Modified

| <i>Item #</i> | <i>Amendment To:</i> | <i>Nature of Proposed Amendment</i> | <i>Planning Staff Recommendation</i> | <i>LPA Recommendation</i> | <i>Board/Commission Position</i> | <i>Status</i> |
|---------------------|--|--|---|---|---|---|
| TMA 2020 002 | FUTURE LAND USE MAP Sheffield's Body Shop | From: Residential Preservation To: Suburban 0.80 acres | A | A | A | Small Scale Map Amendment Adopted April 22, 2020 |
| TMA 2020 004 | FUTURE LAND USE MAP Fairbanks Subdivision | From: Urban Residential-2 To: University Transition 6.51 acres | AM (Approve with Expansion Area) | AM (Approve with Expansion Area) | AM (Approve with Expansion Area) | Small Scale Map Amendment Adopted April 22, 2020 |
| LMA 2020 01 | FUTURE LAND USE MAP Blountstown Highway | From: Urban Fringe To: Suburban 3.42 acres | A | A | A | Small Scale Map Amendment Adopted March 12, 2019 |
| LMA 2020 02 | FUTURE LAND USE MAP Hwy 20 Light Industrial | From: Urban Residential To: Industry and Mining 4.11 acres | A | A | A | Small Scale Map Amendment Adopted March 12, 2019 |
| LMA 2020 03 | FUTURE LAND USE MAP Oak Valley Shopping Center | From: Lake Protection To: Suburban 4.49 acres | A | A | A | Small Scale Map Amendment Adopted March 12, 2019 |
| LMA 2020 04 | FUTURE LAND USE MAP Capital Circle SW | From: Residential Preservation To: Suburban 0.78 acres | A | A | A | Small Scale Map Amendment Adopted March 12, 2019 |
| LMA 2020 05 | FUTURE LAND USE MAP FWCC Warehouse | From: Open Space To: Government Operational 9.85 acres | A | A | A | Small Scale Map Amendment Adopted March 12, 2019 |

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

1 ORDINANCE NO. 20-O-06

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

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

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

18 WHEREAS, pursuant to Section 163.3187, Florida Statutes, the City Commission of the
19 City of Tallahassee has held several public work sessions, public meetings and several public
20 hearings with due public notice having been provided, on these amendments to the Comprehensive
21 Plan; and,

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

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

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

3 **Section 1. Purpose and Intent.**

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

6 **Section 2. Map Amendment.**

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

12 Map Amendment TMA 2020 002 which relates to the Future Land Use Map.

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

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

16 **Section 4. Severability.**

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

20 **Section 5. Copy on File.**

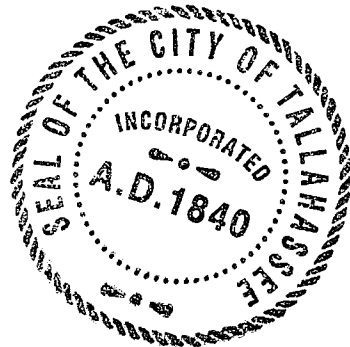
21 To make the Tallahassee-Leon County 2030 Comprehensive Plan available to the public, a
22 certified copy of the enacting ordinance, as well as certified copies of the Tallahassee-Leon
23 2030 Comprehensive Plan and these amendments thereto, shall also be located in the Tallahassee-
24 Leon County Planning Department. The Planning Director shall also make copies available to
25 the public for a reasonable publication charge.

1 **Section 6. Effective Date.**

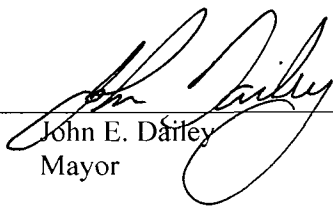
2 The effective date of these Plan amendments shall be according to law and the applicable statutes
3 and regulations pertaining thereto.

4 INTRODUCED in the City Commission on the 8th day of April, 2020.

5 PASSED by the City Commission on the 22nd day of April, 2020.

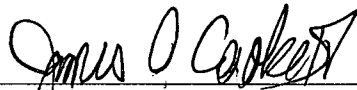


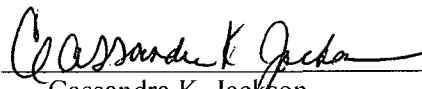
CITY OF TALLAHASSEE

By: 
John E. Dailey
Mayor

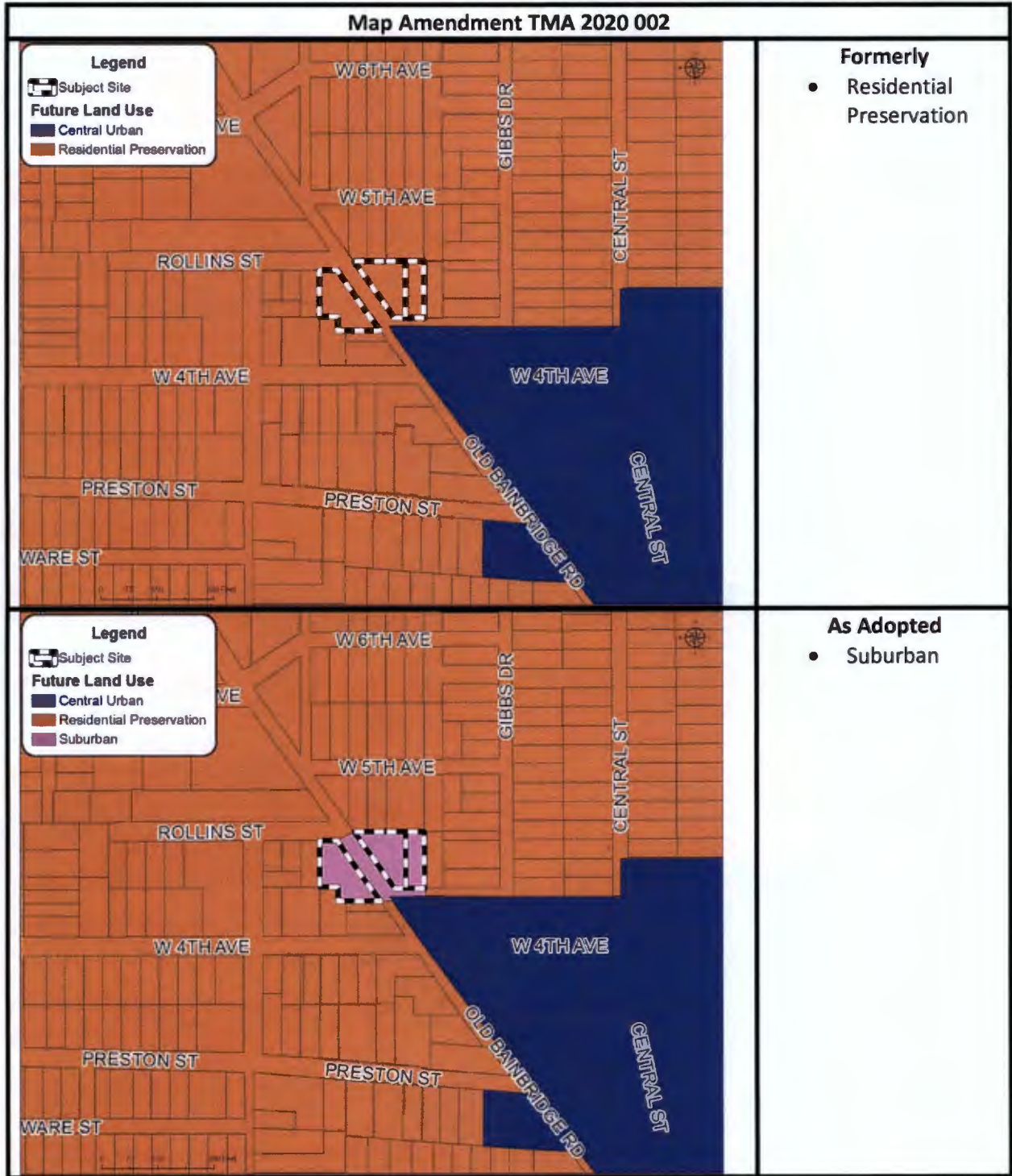
17 ATTEST:

APPROVED AS TO FORM:

18
19
20
21 By: 
James O. Cooke, IV
City Treasurer-Clerk

22 By: 
Cassandra K. Jackson
City Attorney

Ordinance No. 20-O-06
Exhibit A



TALLAHASSEE DEMOCRAT
Tallahassee.com
A GANNETT COMPANY

CITY OF TALLAHASSEE - TREASURY
300 S ADAMS ST BOX A31
TALLAHASSEE, FL 32301

STATE OF FLORIDA
COUNTY OF LEON

Before the undersigned authority personally appeared Joel Myers who on oath says that he or she is a Legal Advertising Representative of the Tallahassee Democrat, a daily newspaper published at Tallahassee in Leon County, Florida; that the attached copy of advertisement, being a Legal Ad in the matter of

PUBLIC NOTICE

In the Second Judicial Circuit Court was published in said newspaper in the issues of:

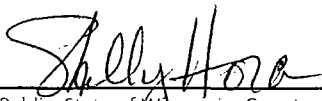
4/12/2020

Affiant further says that the said Tallahassee Democrat is a newspaper published at Tallahassee, in the said Leon County, Florida, and that the said newspaper has heretofore been continuously published in said Leon County, Florida each day and has been entered as periodicals matter at the post office in Tallahassee, in said Leon County, Florida, for a period of one year next preceding the first publication of the attached copy of advertisement; and affiant further says that he or she has never paid nor promised any person, firm, or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper.

Sworn to and subscribed before me this 13th day of APRIL, 2020 by Joel Myers who is personally known to me.



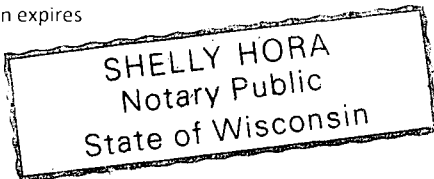
Affiant



Notary Public, State of Wisconsin, County of Brown

8-25-23

My commission expires



Notice of Change of Land Use Comprehensive Plan Amendment and Rezoning Public Hearing

City Commission Public Hearing, And Implementing Ordinance Public Hearing, and Rezoning Public Hearing, Wednesday April 22, 2020 at 5 pm

NOTICE IS HEREBY GIVEN that the Tallahassee City Commission will meet via video conference to conduct public hearings on April 22, 2020 at 5 pm to consider adoption of the following ordinance(s). Due to the ongoing Coronavirus/COVID-19 pandemic, City Hall is closed to the public. In accordance with Executive Order 20-69 by the governor, those wishing to observe the meeting may do so by watching either the live broadcast on Comcast Channel 13 (WCOT-13) or the live stream available from the city website www.talgov.com

Those wishing to address the City Commission relative to the following ordinance(s) may submit written comments to citizeninput@talgov.com by 8 pm, April 21, 2020 so that your comments can be distributed to the members of the Commission. Comments submitted after this time (up to the time of the public hearing) will be accepted and included in the official record of the meeting. In the event communications media technologies are implemented to also accept live public comment (via telephone or video conferencing), instructions will be posted in advance of the meeting to the Talgov.com website and the BoardDocs agenda management website (<https://go.boarddocs.com/fla/talgov/Board.nsf/Public>).

For those needing assistance, please contact the Treasurer-Clerk's Office at 850-891-8130 for assistance by Noon on the day of the meeting.

MAP AMENDMENT ADOPTION

At the above public hearing the City Commission will take public comments on and consider adoption of the following Ordinance, which adopts the map and text amendments in this advertisement:

ORDINANCE NO. 20-O-06

AN ORDINANCE OF THE CITY OF TALLAHASSEE ADOPTING AMENDMENTS TO THE 2030 TALLAHASSEE/LEON COUNTY COMPREHENSIVE PLAN, PROVIDING FOR SEVERABILITY AND CONFLICTS, AND PROVIDING AN EFFECTIVE DATE.

Map Amendment

Requested Map Amendment: Sheffield Body Shop
Reference Number: TMA 2020 002
Address: 660 W. 4th Ave.
Applicant: Roderick Sheffield

Small Scale Map Amendment: This is a request to change the Future Land Use Map (FLUM) designation on three parcels from Residential Preservation to Suburban.

Two of the three parcels are located on the east side of Old Bainbridge Road, just north of Alice Jackson Lane, these parcels total 0.46 acres. The remaining parcel is located West of Old Bainbridge Road and is 0.34-acre in size. Altogether, these parcels total approximately 0.87 acre +/- . The Residential Preservation Land Use Category allows single family detached, single-family attached, and duplex residential uses at a maximum of 6 dwelling units per acre; community services and recreation are permitted but other non-residential uses, such as office or commercial, are not. The proposed Suburban category allows a mixture of office, commercial uses and residential densities up to 20 units per acre. The properties are located in an area with several "non-conforming" commercial uses and are adjacent to an area designated as Central Urban.

Rezoning Application: A rezoning application has been filed concurrent with this amendment. A zoning change from Residential Preservation - 2 (RP-2) to General Commercial (C-2) and Office Residential-3 (OR-3) is being requested to implement the proposed amendment to the Future Land Use Map.

ORDINANCE NO. 20-O-11

AN ORDINANCE OF THE CITY OF TALLAHASSEE ADOPTING AMENDMENTS TO THE 2030 TALLAHASSEE/LEON COUNTY COMPREHENSIVE PLAN, PROVIDING FOR SEVERABILITY AND CONFLICTS, AND PROVIDING AN EFFECTIVE DATE.

Requested Map Amendment: Fairbanks Court
Reference Number: TMA 2020 004
Address: 427 Fairbanks Drive
Applicant: Kendra Stephens Barry

Small Scale Map Amendment: This is a request to change the Future Land Use Map (FLUM) designation for a parcel totaling approximately 0.20 acres in the Fairbanks Court neighborhood from Urban Residential 2 (UR-2) to University Transition (UT). Staff is evaluating expanding the request to the 6.51 acre Fairbanks Subdivision.

The Urban Residential 2 designation allows for townhouses, single-family detached, two-family, and multiple-family dwelling units as well as open space/recreation and community facilities related to residential uses at a maximum density of twenty

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

Rezoning Application: A rezoning application has been filed concurrent with this amendment. A zoning change from Single Family Detached Residential (R-2) to University Transition (UT) is being requested to implement the proposed amendment to the Future Land Use Map.

REZONINGS

ORDINANCE NO. 20-Z-12

AN ORDINANCE OF THE CITY OF TALLAHASSEE, FLORIDA DESIGNATING AND INCLUDING ADDITIONAL TERRITORY AS AND IN OR-3 OFFICE RESIDENTIAL AND C-2 GENERAL COMMERCIAL ON THE OFFICIAL ZONING MAP OF THE CITY OF TALLAHASSEE ADOPTED AND ESTABLISHED BY THE CITY COMMISSION; PROVIDING FOR CONFLICT AND SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

The proposed Ordinance will rezone the subject site from the Residential Preservation-2 (RP-2) to the Office Residential-3 (OR-3) and General Commercial (C-2) Zoning Districts.

ORDINANCE NO. 20-Z-13

AN ORDINANCE OF THE CITY OF TALLAHASSEE ADOPTING SMALL SCALE AMENDMENTS TO THE 2030 TALLAHASSEE/LEON COUNTY COMPREHENSIVE PLAN; PROVIDING FOR SEVERABILITY AND CONFLICTS; AND PROVIDING AN EFFECTIVE DATE.

The proposed Ordinance will rezone the subject site from the Single Family Detached Residential (R-2) to University Transition (UT) District. The site is also the subject of a Future Land Use Map (FLUM) amendment.

The purpose of the hearing is to consider Cycle 2020 amendments to the Tallahassee-Leon County Comprehensive Plan. The Plan provides a blueprint of how the community is intended to develop over the next 15-20 years. The plan amendments may be inspected by the public at www.talgov.com/compplan2020. For more information, contact the Planning Department at (850) 891-6400.

If you have a disability requiring accommodations, please call the Tallahassee-Leon County Planning Department at least three (3) working days prior to the hearing. The phone number for the Florida Relay TDD Service is 1-800-955-8771.

NOTICE: PLEASE BE ADVISED that if a person decides to appeal any decision made by the City Commission with respect to any matter considered at this meeting or hearing, such person will need a record of these proceedings; and, for this purpose, such person may need to ensure that a verbatim record of the proceedings is made, which record indicates the testimony and evidence upon which the appeal is to be based. The County Commission does not provide or prepare such a record. See Section 286.0105, Florida Statutes.

Adoption Hearing 4/22/20

ORDINANCE NO. 20-O-11

AN ORDINANCE OF THE CITY OF TALLAHASSEE ADOPTING SMALL SCALE AMENDMENTS TO THE 2030 TALLAHASSEE/LEON COUNTY COMPREHENSIVE PLAN; PROVIDING FOR SEVERABILITY AND CONFLICTS; AND PROVIDING AN EFFECTIVE DATE.

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

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

WHEREAS, pursuant to Section 163.3187, Florida Statutes, the City Commission of the City of Tallahassee has held several public work sessions, public meetings and several public hearings with due public notice having been provided, on these amendments to the Comprehensive Plan; and,

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

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

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

3 **Section 1. Purpose and Intent.**

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

6 **Section 2. Map Amendment.**

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

12 Map Amendment TMA 2020 004 which relates to the Future Land Use Map.

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

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

16 **Section 4. Severability.**

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

20 **Section 5. Copy on File.**

21 To make the Tallahassee-Leon County 2030 Comprehensive Plan available to the public, a
22 certified copy of the enacting ordinance, as well as certified copies of the Tallahassee-Leon
23 2030 Comprehensive Plan and these amendments thereto, shall also be located in the Tallahassee-
24 Leon County Planning Department. The Planning Director shall also make copies available to
25 the public for a reasonable publication charge.

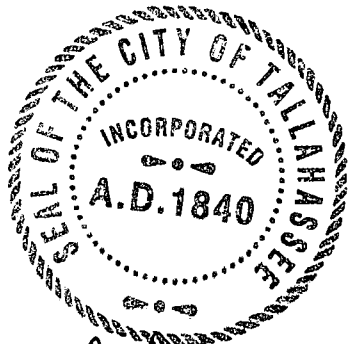
1 **Section 6. Effective Date.**

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

4 INTRODUCED in the City Commission on the 8th day of April, 2020.

5 PASSED by the City Commission on the 22nd day of April, 2020.

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ATTEST:

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

CITY OF TALLAHASSEE

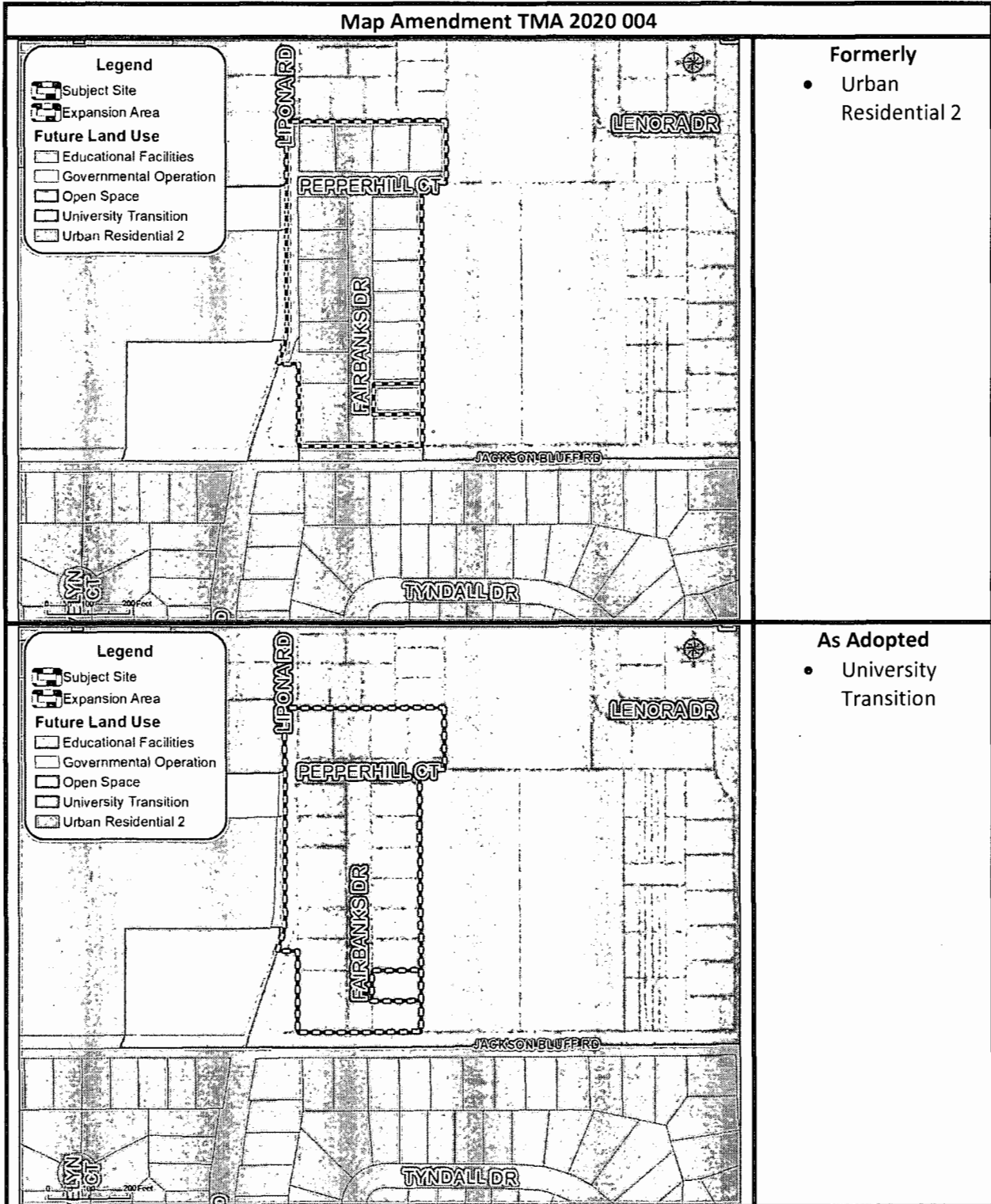
By: John E. Dailey
John E. Dailey
Mayor

APPROVED AS TO FORM:

By: Cassandra K. Jackson
Cassandra K. Jackson
City Attorney

Ordinance No. 20-O-11
Exhibit A

Map Amendment TMA 2020 004



TALLAHASSEE DEMOCRAT

Tallahassee.com

A GANNETT COMPANY

CITY OF TALLAHASSEE - TREASURY
300 S ADAMS ST BOX A31
TALLAHASSEE, FL 32301

STATE OF FLORIDA
COUNTY OF LEON

Before the undersigned authority personally appeared Joel Wenger who on oath says that he or she is a Legal Advertising Representative of the Tallahassee Democrat, a daily newspaper published at Tallahassee in Leon County, Florida; that the attached copy of advertisement, being a Legal Ad in the matter of

PUBLIC NOTICE

In the Second Judicial Circuit Court was published in said newspaper in the issues of:

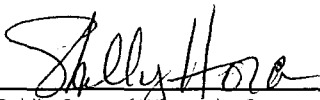
4/12/2020

Affiant further says that the said Tallahassee Democrat is a newspaper published at Tallahassee, in the said Leon County, Florida, and that the said newspaper has heretofore been continuously published in said Leon County, Florida each day and has been entered as periodicals matter at the post office in Tallahassee, in said Leon County, Florida, for a period of one year next preceding the first publication of the attached copy of advertisement; and affiant further says that he or she has never paid nor promised any person, firm, or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper.

Sworn to and subscribed before me this 13th day of APRIL, 2020 by Joel Wenger who is personally known to me.



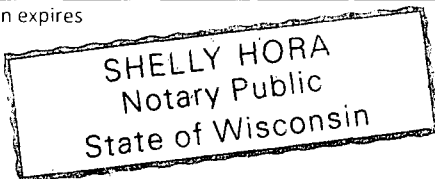
Affiant



Notary Public, State of Wisconsin, County of Brown

8-25-23

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Reference Number: TMA 2020 002
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Applicant: Roderick Sheffield

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Rezoning Application: A rezoning application has been filed concurrent with this amendment. A zoning change from Residential Preservation - 2 (RP-2) to General Commercial (C-2) and Office Residential-3 (OR-3) is being requested to implement the proposed amendment to the Future Land Use Map.

ORDINANCE NO. 20-O-11

AN ORDINANCE OF THE CITY OF TALLAHASSEE ADOPTING AMENDMENTS TO THE 2030 TALLAHASSEE/LEON COUNTY COMPREHENSIVE PLAN, PROVIDING FOR SEVERABILITY AND CONFLICTS, AND PROVIDING AN EFFECTIVE DATE.

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ORDINANCE NO. 20-Z-12

AN ORDINANCE OF THE CITY OF TALLAHASSEE, FLORIDA DESIGNATING AND INCLUDING ADDITIONAL TERRITORY AS AND IN OR-3 OFFICE RESIDENTIAL AND C-2 GENERAL COMMERCIAL ON THE OFFICIAL ZONING MAP OF THE CITY OF TALLAHASSEE ADOPTED AND ESTABLISHED BY THE CITY COMMISSION; PROVIDING FOR CONFLICT AND SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

The proposed Ordinance will rezone the subject site from the Residential Preservation-2 (RP-2) to the Office Residential-3 (OR-3) and General Commercial (C-2) Zoning Districts.

ORDINANCE NO. 20-Z-13

AN ORDINANCE OF THE CITY OF TALLAHASSEE ADOPTING SMALL SCALE AMENDMENTS TO THE 2030 TALLAHASSEE/LEON COUNTY COMPREHENSIVE PLAN; PROVIDING FOR SEVERABILITY AND CONFLICTS; AND PROVIDING AN EFFECTIVE DATE.

The proposed Ordinance will rezone the subject site from the Single Family Detached Residential (R-2) to University Transition (UT) District. The site is also the subject of a Future Land Use Map (FLUM) amendment.

The purpose of the hearing is to consider Cycle 2020 amendments to the Tallahassee-Leon County Comprehensive Plan. The Plan provides a blueprint of how the community is intended to develop over the next 15-20 years. The plan amendments may be inspected by the public at www.talgov.com/complan2020. For more information, contact the Planning Department at (850) 891-6400.

If you have a disability requiring accommodations, please call the Tallahassee-Leon County Planning Department at least three (3) working days prior to the hearing. The phone number for the Florida Relay TDD Service is 1-800-955-8771.

NOTICE: PLEASE BE ADVISED that if a person decides to appeal any decision made by the City Commission with respect to any matter considered at this meeting or hearing, such person will need a record of these proceedings; and, for this purpose, such person may need to ensure that a verbatim record of the proceedings is made, which record indicates the testimony and evidence upon which the appeal is to be based. The County Commission does not provide or prepare such a record. See Section 286.0105, Florida Statutes.

LEON COUNTY ORDINANCE NO. 2020-08

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

11 RECITALS

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

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

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

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

1 WHEREAS, pursuant to Section 163.3187, Florida Statutes, the Board of County
2 Commissioners of Leon County has held several public work sessions, public meetings, and public
3 hearings on the proposed amendment to the comprehensive plan, with due public notice having been
4 provided, to obtain public comment, and has considered all written and oral comments received during
5 said work sessions, public meetings and public hearings; and

6 WHEREAS, pursuant to Section 163.3187, Florida Statutes, the Board of County
7 Commissioners of Leon County held a public hearing with due public notice having been provided on
8 the proposed amendment to the comprehensive plan; and

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

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

20 BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF LEON
21 COUNTY, FLORIDA, that:

22 **Section 1. Purpose and Intent.**

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

4 **Section 2. Map Amendment.**

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

9 Map Amendment LMA 2020-01, which relates to the Future Land Use Map.

10 **Section 3. Map Amendment.**

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

15 Map Amendment LMA 2020-02, which relates to the Future Land Use Map.

16 **Section 4. Map Amendment.**

17 The Ordinance does hereby adopt the following portion of the text attached hereto as Exhibit
18 “C,” and made a part hereof, as an amendment to the Tallahassee-Leon County 2030 Comprehensive
19 Plan, as amended, and does hereby amend “The Tallahassee-Leon County 2030 Comprehensive Plan,”
20 as amended, in accordance therewith, being an amendment to the following Plan element:

21 Map Amendment LMA 2020-03, which relates to the Future Land Use Map.

22 **Section 5. Map Amendment.**

23 The Ordinance does hereby adopt the following portion of the text attached hereto as Exhibit
24 “D,” and made a part hereof, as an amendment to the Tallahassee-Leon County 2030 Comprehensive

1 Plan, as amended, and does hereby amend “The Tallahassee-Leon County 2030 Comprehensive Plan,”
2 as amended, in accordance therewith, being an amendment to the following Plan element:

3 Map Amendment LMA 2020-04, which relates to the Future Land Use Map.

4 **Section 6. Map Amendment.**

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

9 Map Amendment LMA 2020-05, which relates to the Future Land Use Map.

10 **Section 7. Applicability and Effect.**

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

14 **Section 8. Conflict with Other Ordinances and Codes.**

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

17 **Section 9. Severability.**

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

21 **Section 10. Copy on File.**

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

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

3 **Section 11. Effective Date.**

4 The plan amendment shall be effective upon adoption by the Leon County Board of County
5 Commissioners and the Tallahassee City Commission and as further provided by the applicable statutes
6 and regulations pertaining thereto.

7 DONE, ADOPTED AND PASSED by the Board of County Commissioners of Leon County,
8 Florida, this 28th day of April, 2020.



9
10 LEON COUNTY, FLORIDA

11
12
13 By: 
14 _____
15 Bryan Desloge, Chairman
16 Board of County Commissioners

17 ATTESTED BY:
18 Gwendolyn Marshall, Clerk of Court
19 & Comptroller, Leon County, Florida

20
21 
22 By: _____

23
24 APPROVED AS TO FORM:
25 Leon County Attorney's Office

26
27 Chasity H. O'Steen
28 By: _____
29 Chasity H. O'Steen, Esq.
30 County Attorney
31

Digitally signed by Chasity H. O'Steen
DN: cn=Chasity H. O'Steen, o=Leon County Board
of County Commissioners, ou=County Attorney's
Office, email=osteen@leoncountytfl.gov, c=US
Date: 2020.04.29 23:12:01 -04'00'

Exhibit A

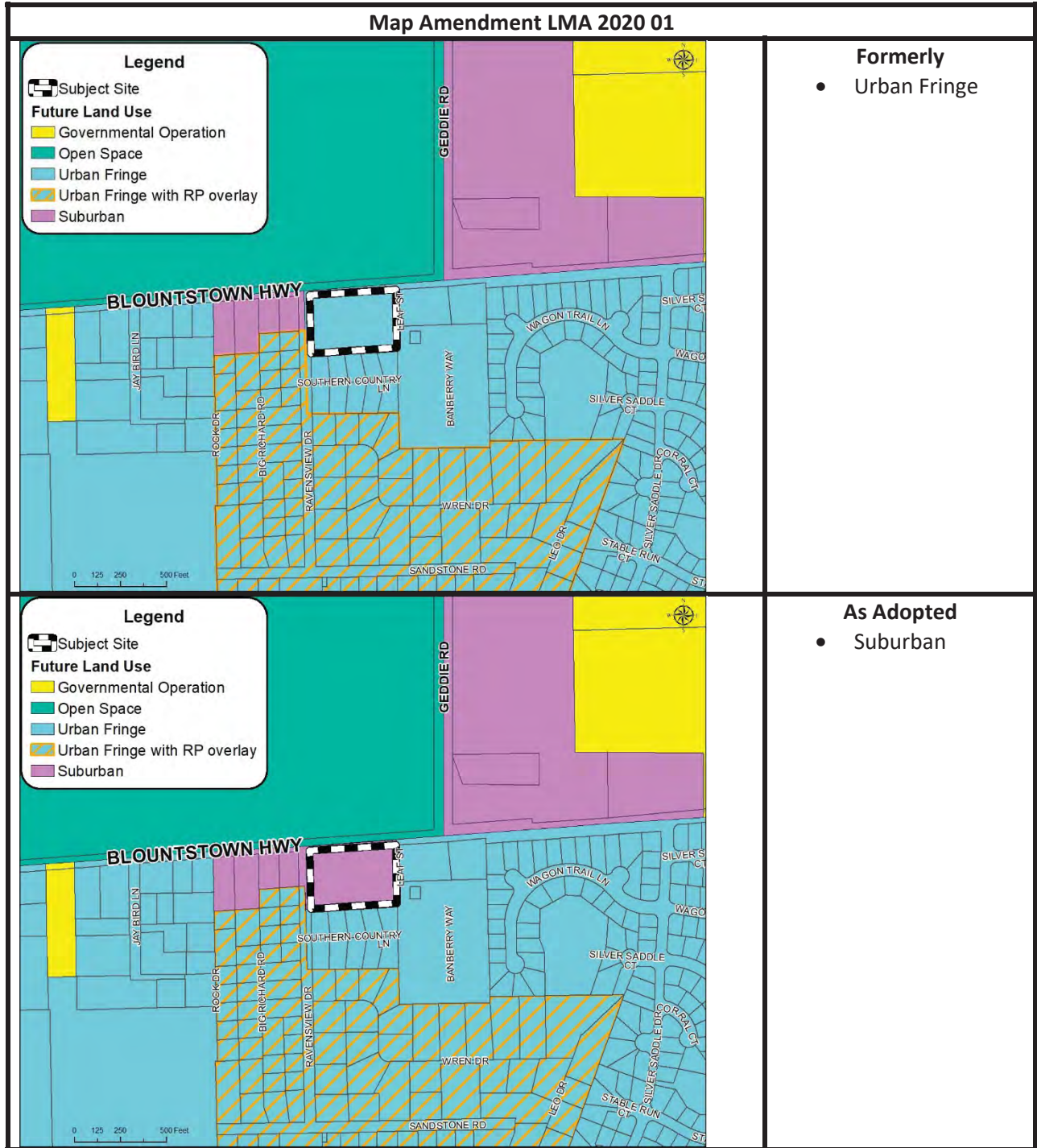


Exhibit B

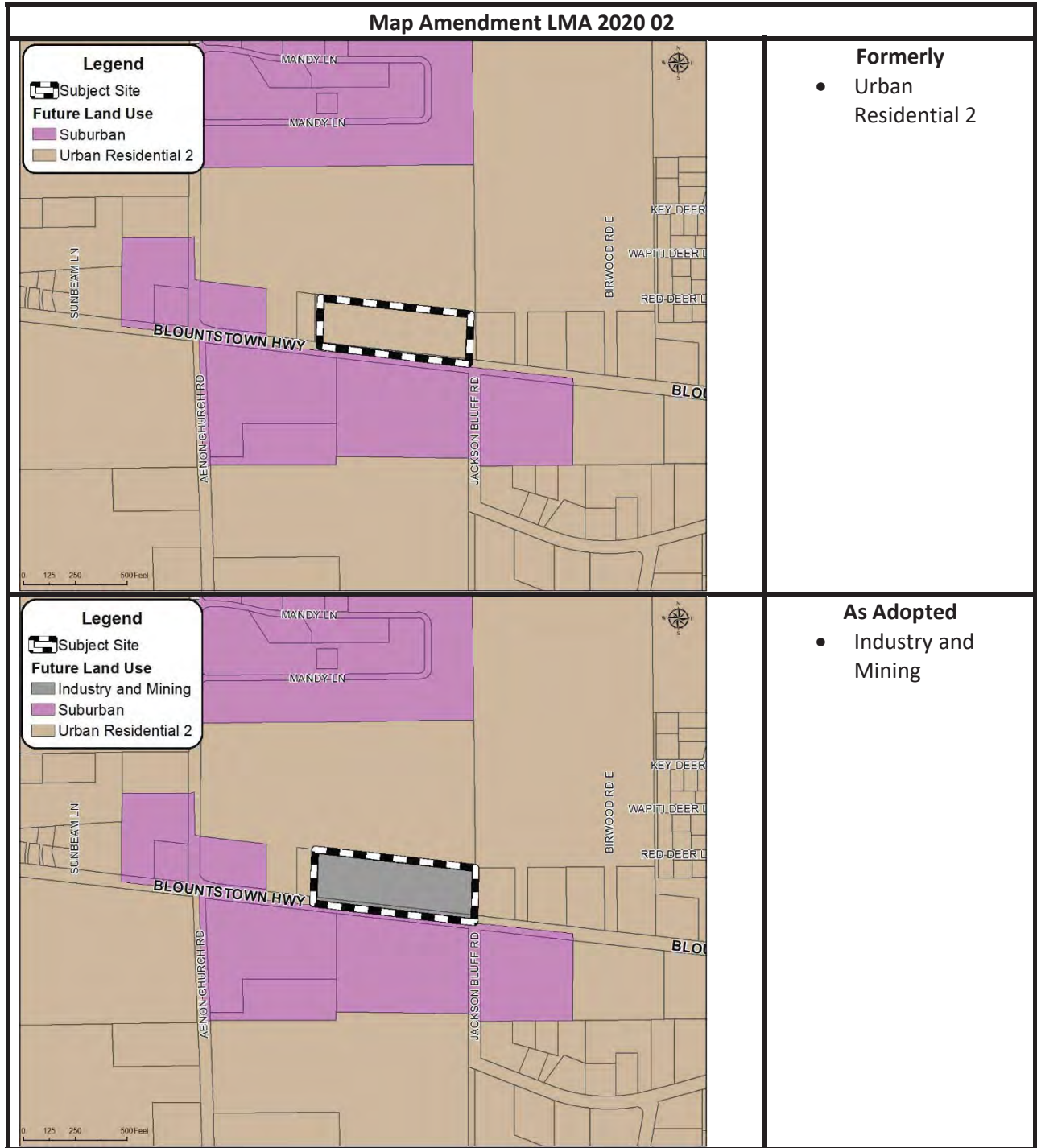


Exhibit C

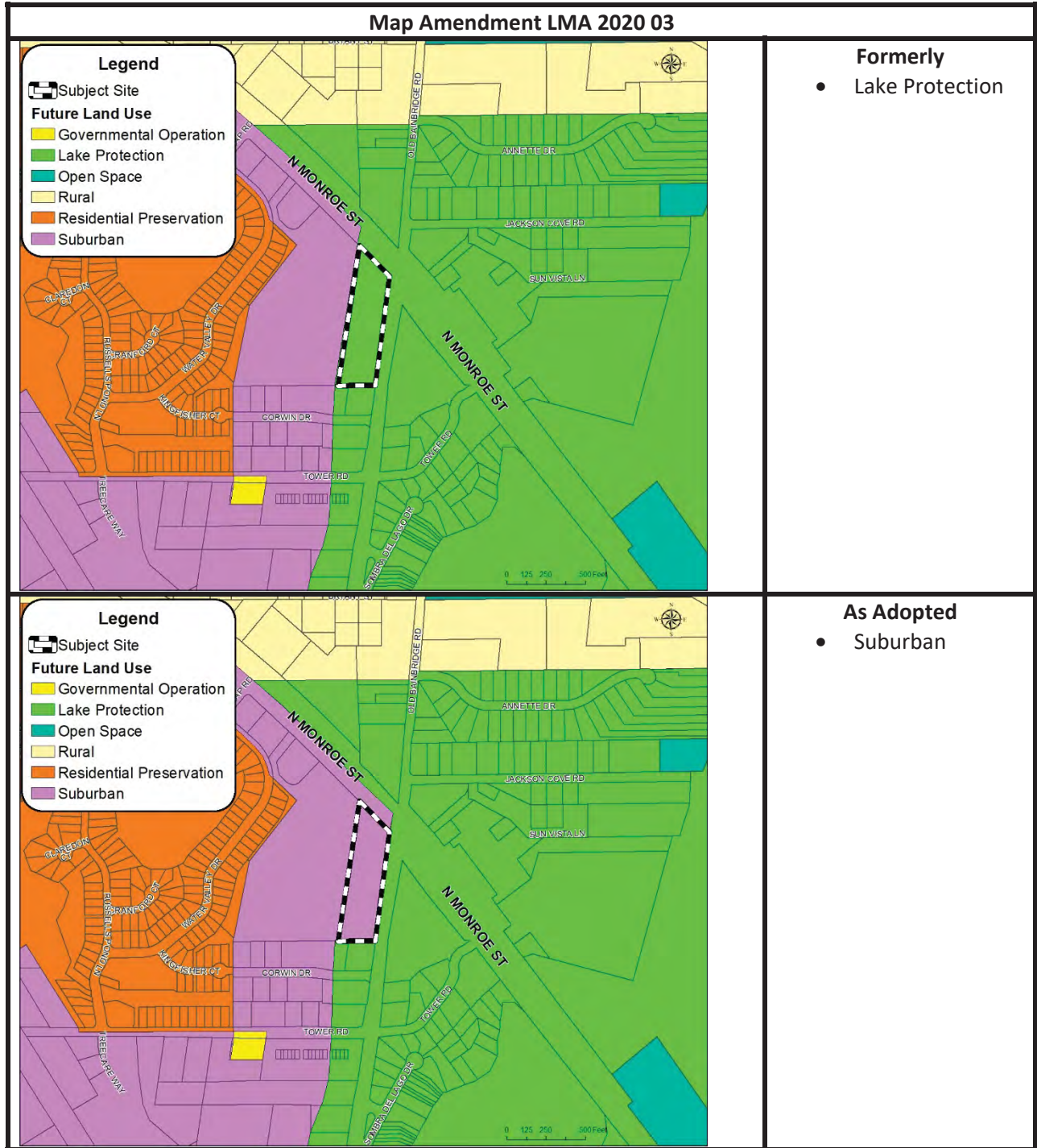


Exhibit D

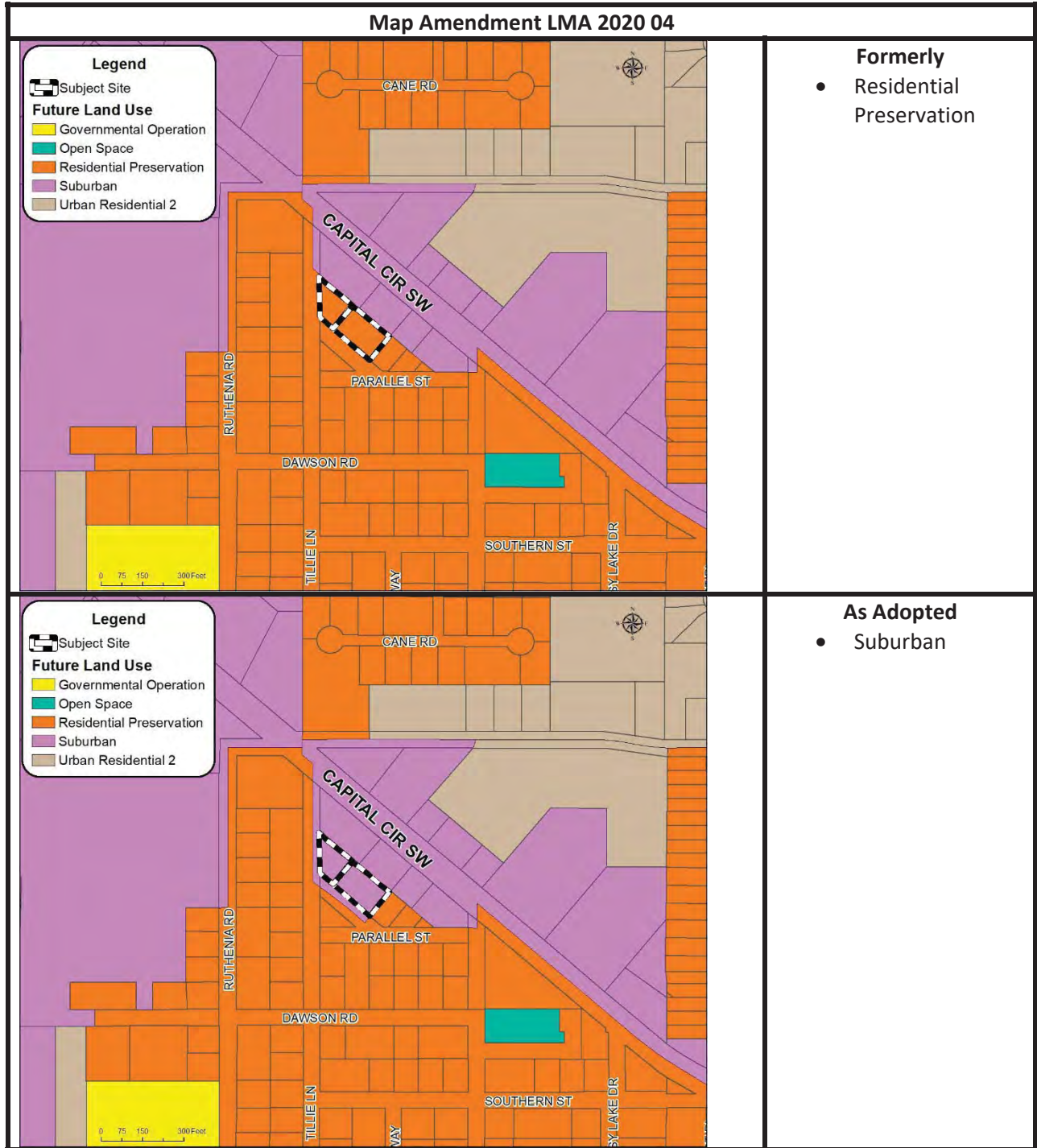
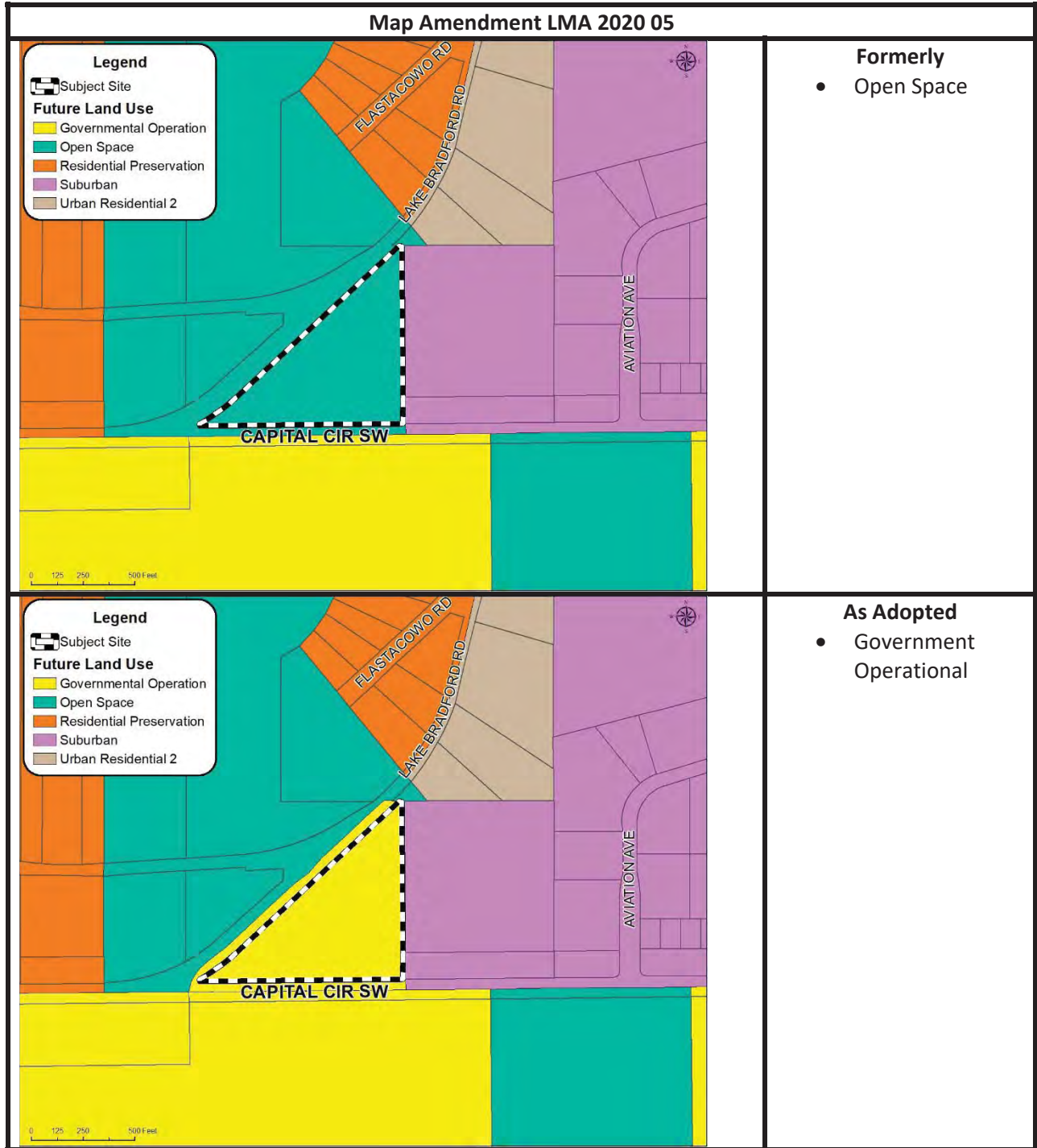


Exhibit E



ATTACHMENT #3
ADOPTED AMENDMENTS

Map Amendment TMA 2020 002

0.80 Acres

From: Residential Preservation

To: Suburban

Staff Recommendation:

Approval

Local Planning Agency:

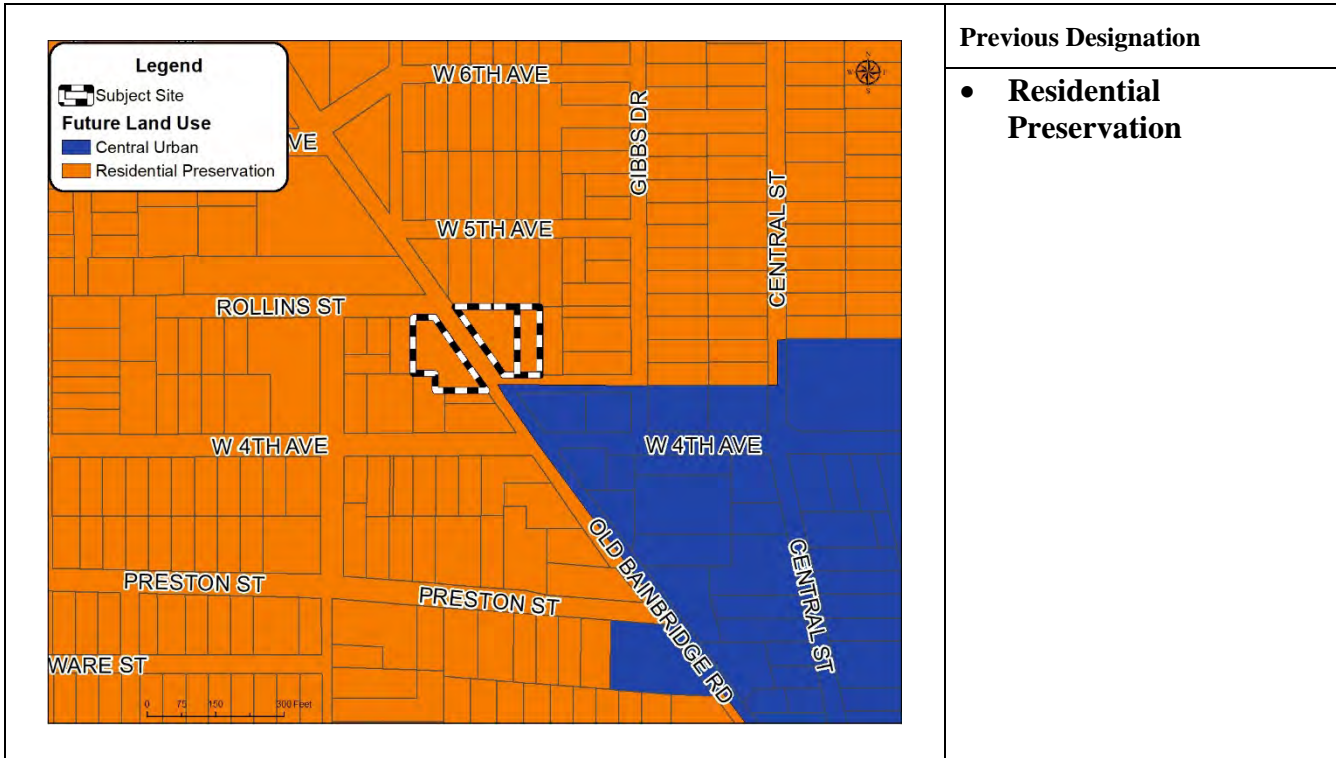
Approval

City Commission:

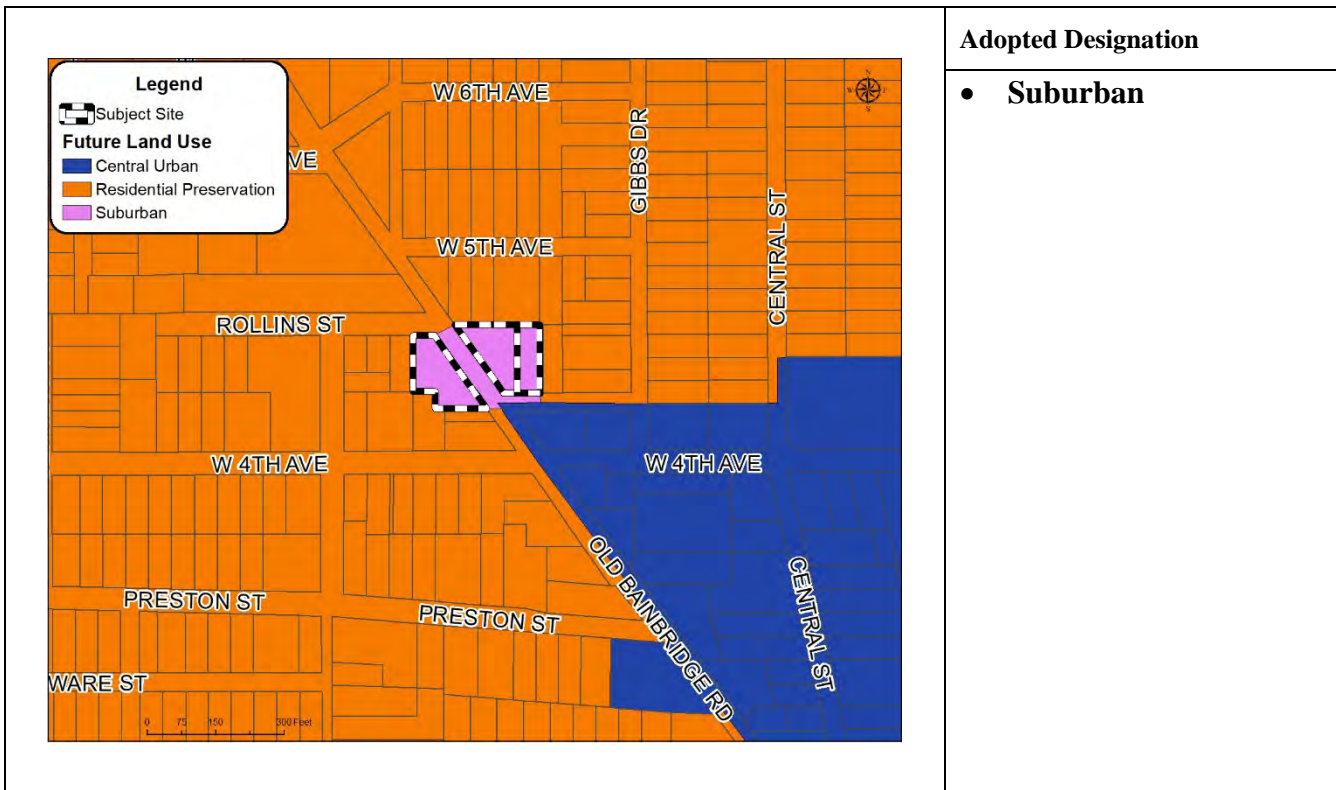
Approval

Adopted Small Scale Map Amendments

Previous Future Land Use Map Designation



Adopted Future Land Use Map Designation



Map Amendment TMA 2020 004

6.51 Acres

From: Urban Residential 2

To: University Transition

Staff Recommendation:

Approval with expansion area

Local Planning Agency:

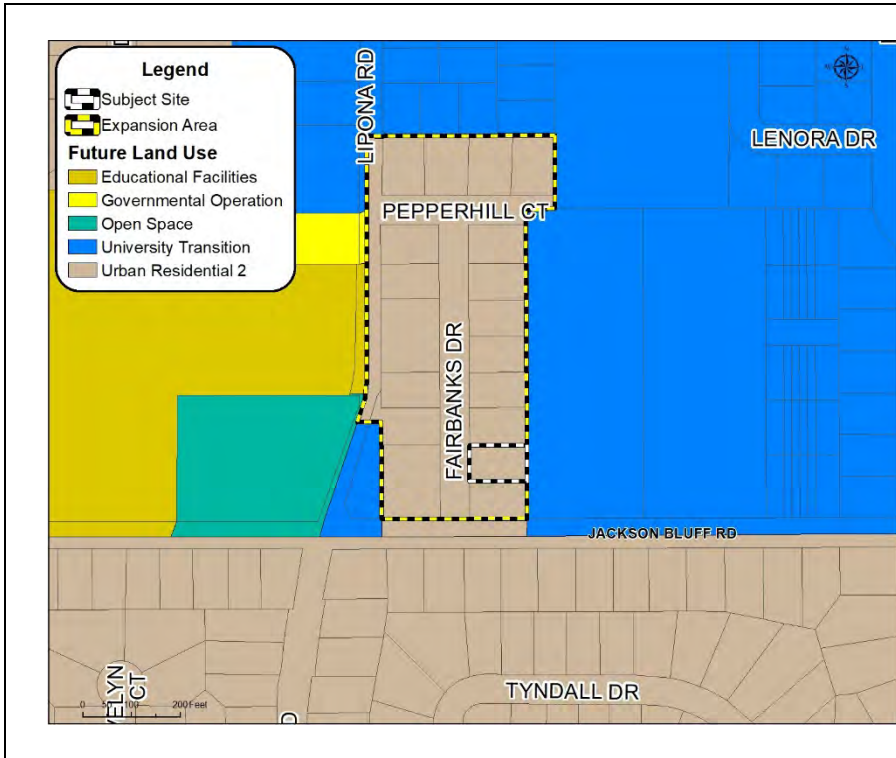
Approval with expansion area

City Commission:

Approval with expansion area

Adopted Small Scale Map Amendments

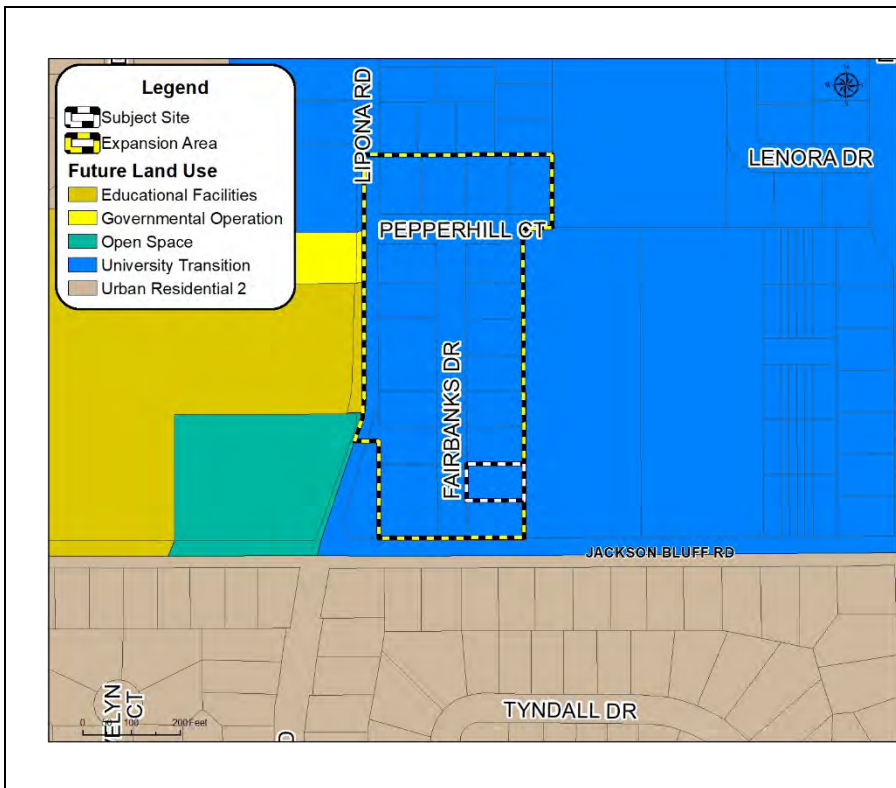
Previous Future Land Use Map Designation



Previous Designation

- **Urban Residential 2**

Adopted Future Land Use Map Designation



Adopted Designation

- **University Transition**

Map Amendment LMA 2020 01

3.42 Acres

From: Urban Fringe

To: Suburban

Staff Recommendation:

Approval

Local Planning Agency:

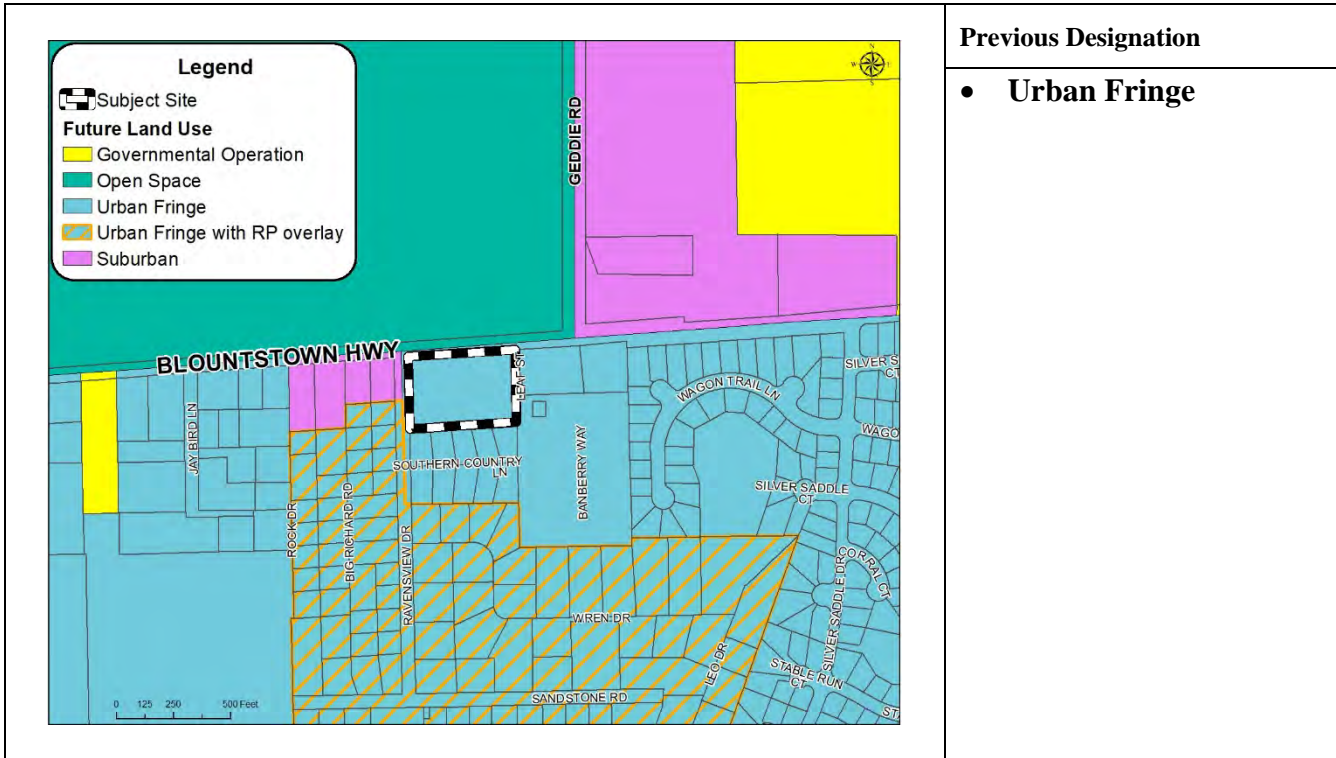
Approval

Board of County Commissioners:

Approval

Adopted Small Scale Map Amendments

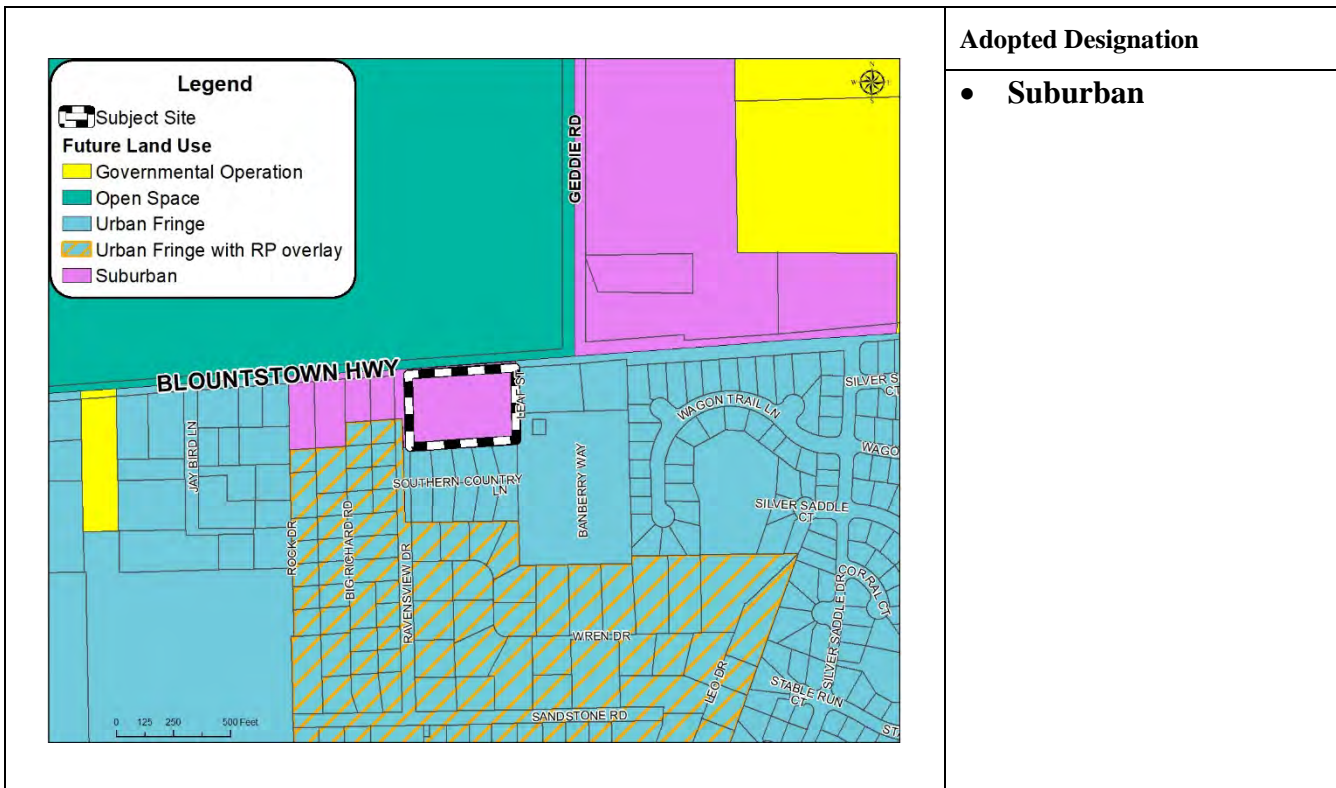
Previous Future Land Use Map Designation



Previous Designation

- Urban Fringe

Adopted Future Land Use Map Designation



Adopted Designation

- Suburban

Map Amendment LMA 2020 02

4.11 Acres

From: Urban Residential

To: Industry and Mining

Staff Recommendation:

Approval

Local Planning Agency:

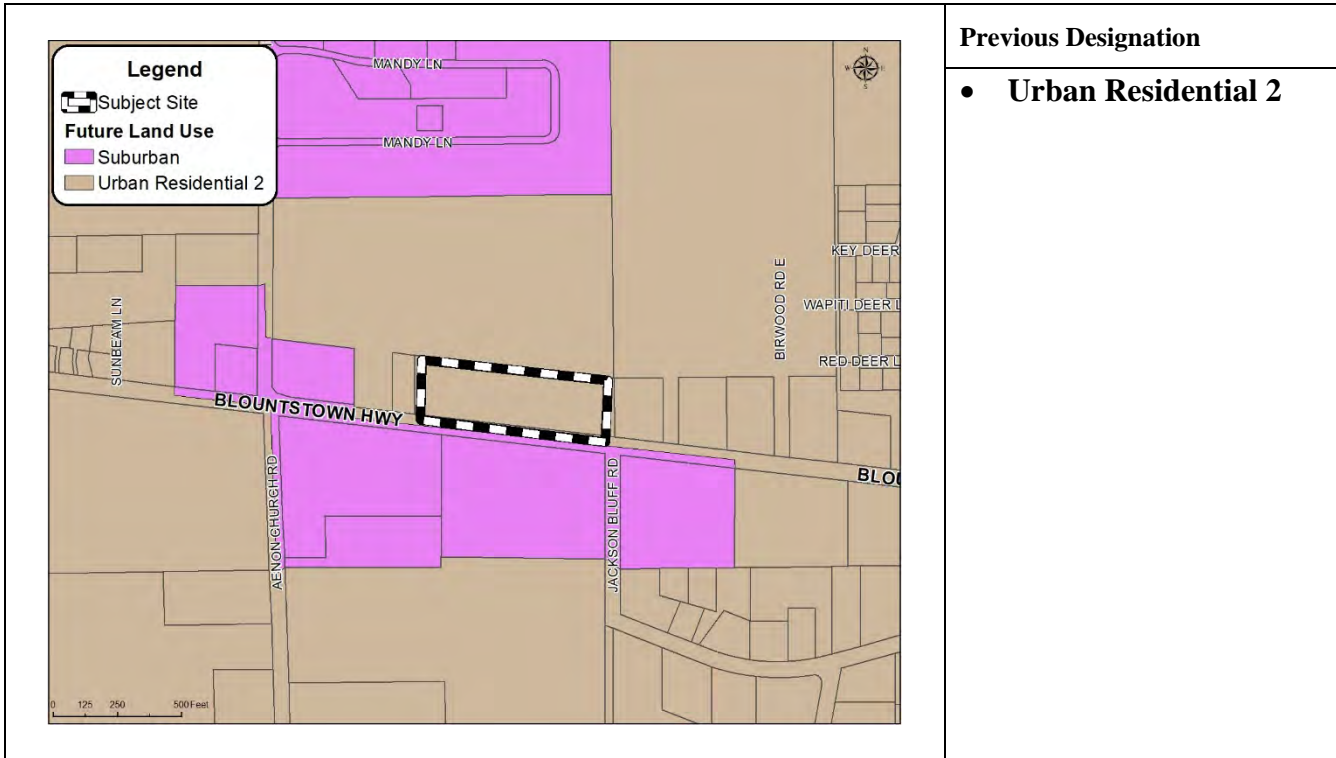
Approval

Board of County Commissioners:

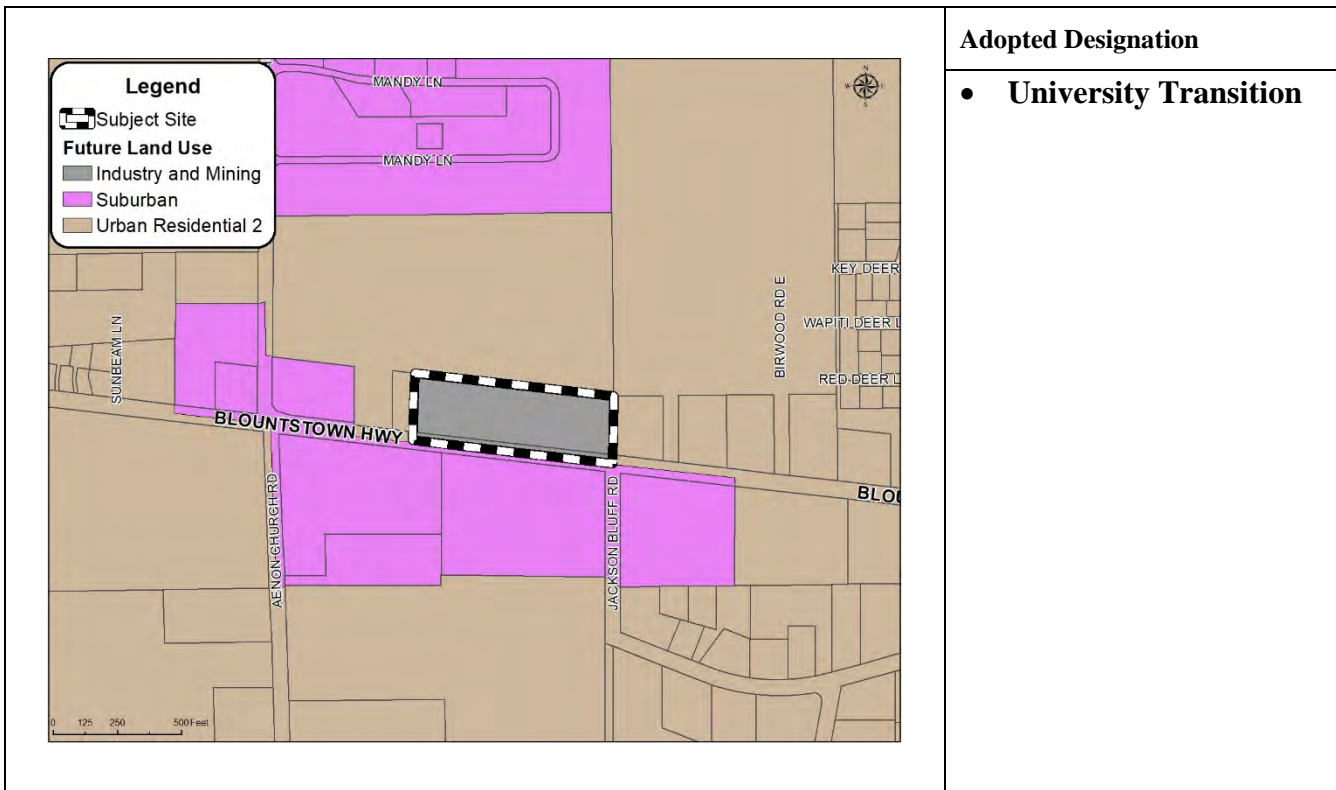
Approval

Adopted Small Scale Map Amendments

Previous Future Land Use Map Designation



Adopted Future Land Use Map Designation



Map Amendment LMA 2020 03

4.49 Acres

From: Lake Protection

To: Suburban

Staff Recommendation:

Approval

Local Planning Agency:

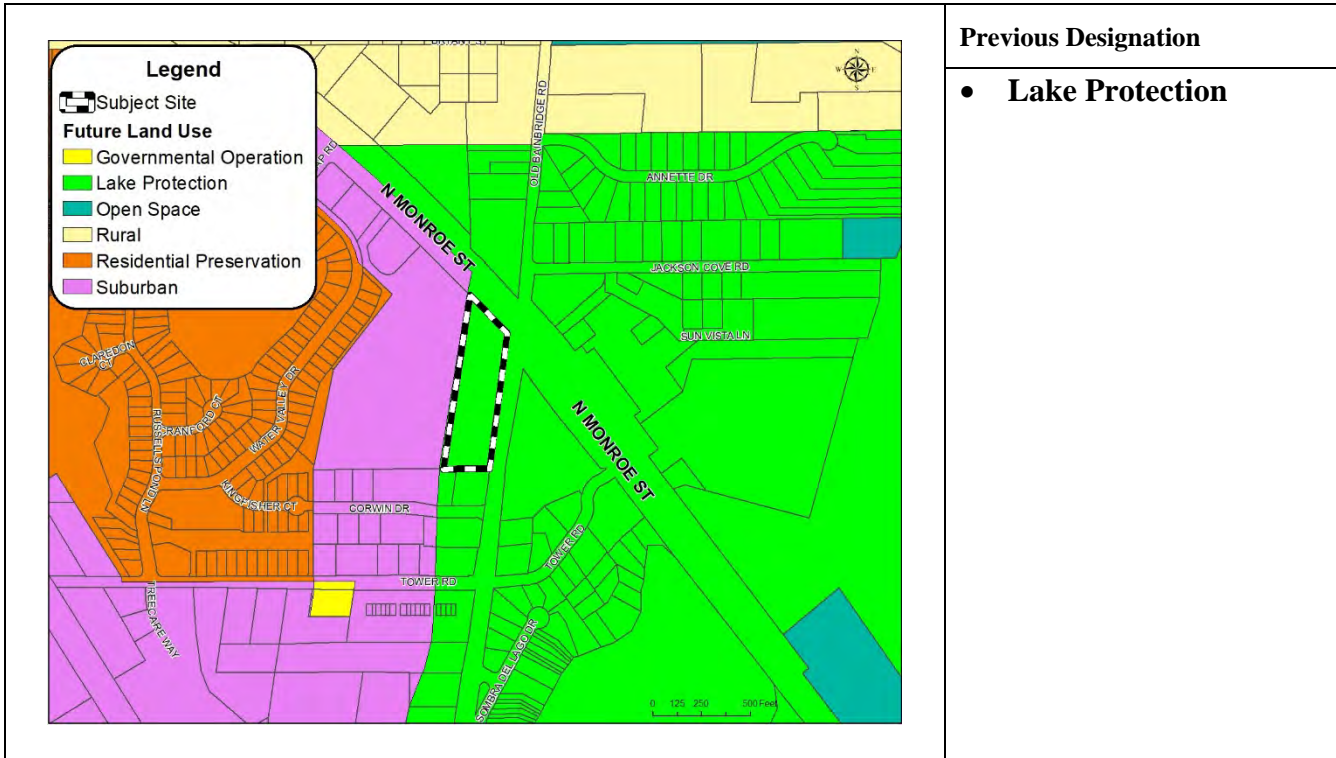
Approval

Board of County Commissioners:

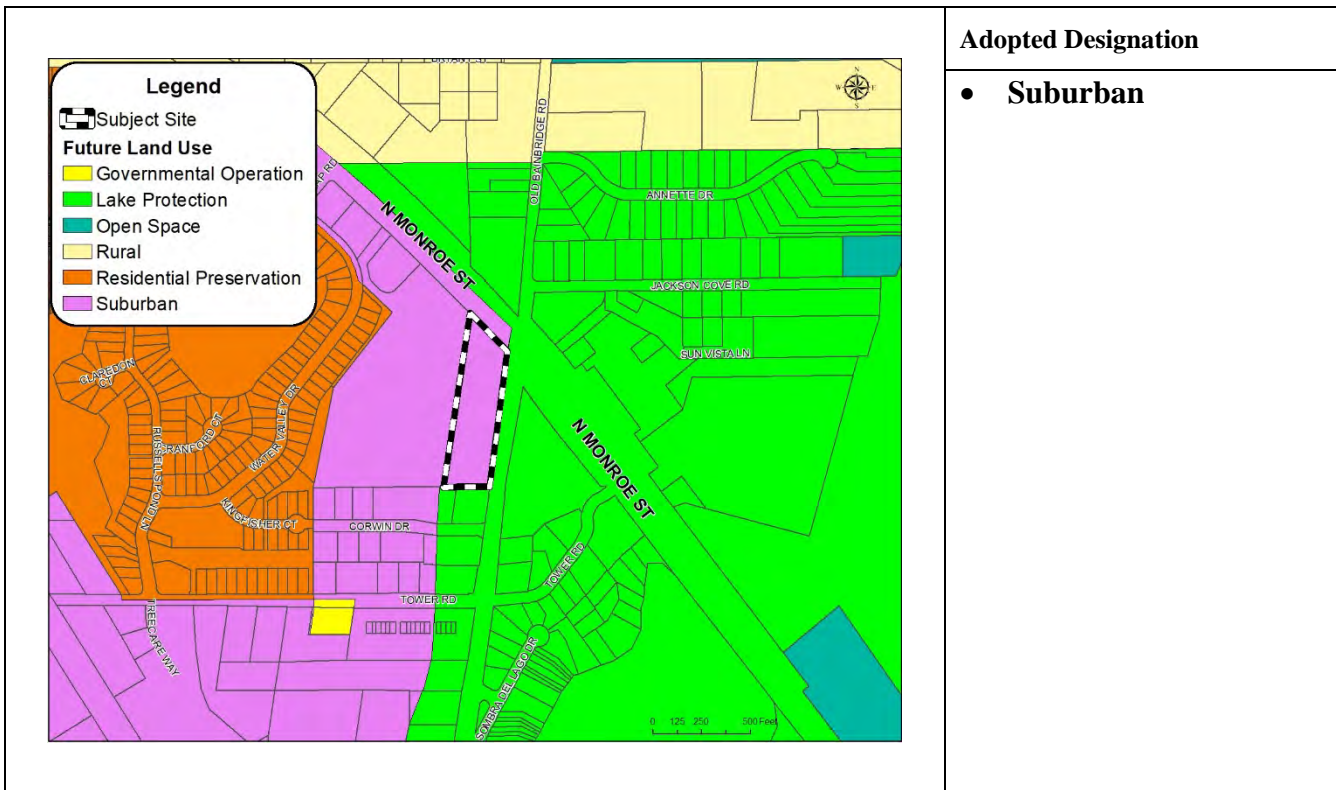
Approval

Adopted Small Scale Map Amendments

Previous Future Land Use Map Designation



Adopted Future Land Use Map Designation



Map Amendment LMA 2020 04

0.78 Acres

From: Residential Preservation

To: Suburban

Staff Recommendation:

Approval

Local Planning Agency:

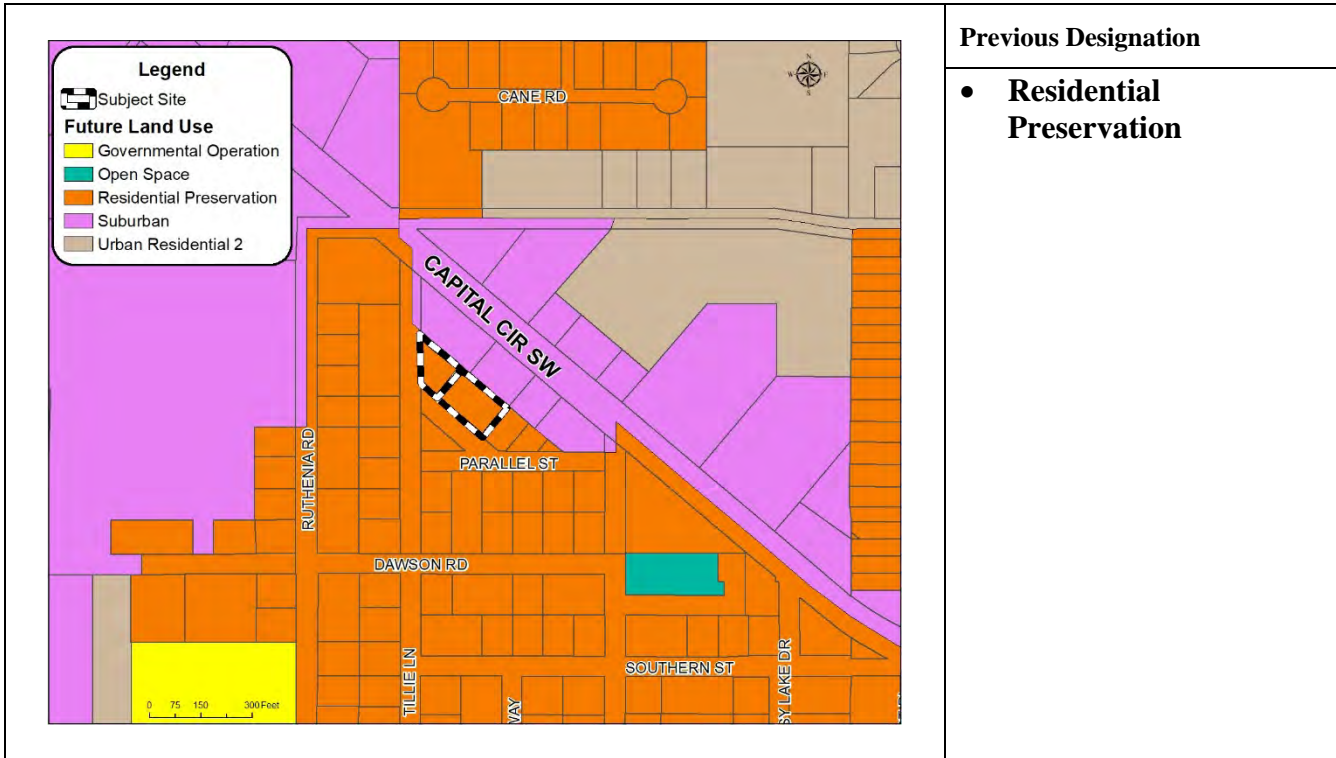
Approval

Board of County Commissioners:

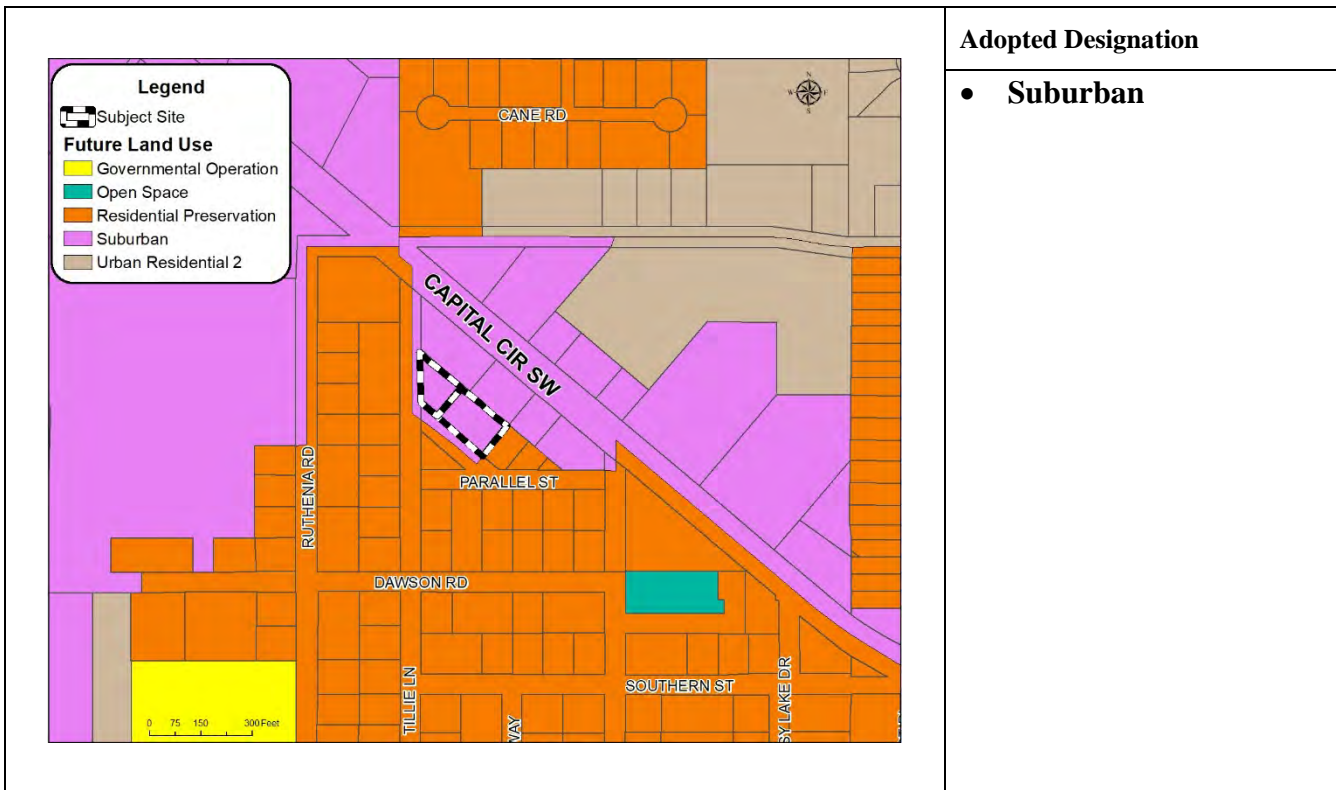
Approval

Adopted Small Scale Map Amendments

Previous Future Land Use Map Designation



Adopted Future Land Use Map Designation



Map Amendment LMA 2020 05

9.85 Acres

From: Open Space

To: Government Operational

Staff Recommendation:

Approval

Local Planning Agency:

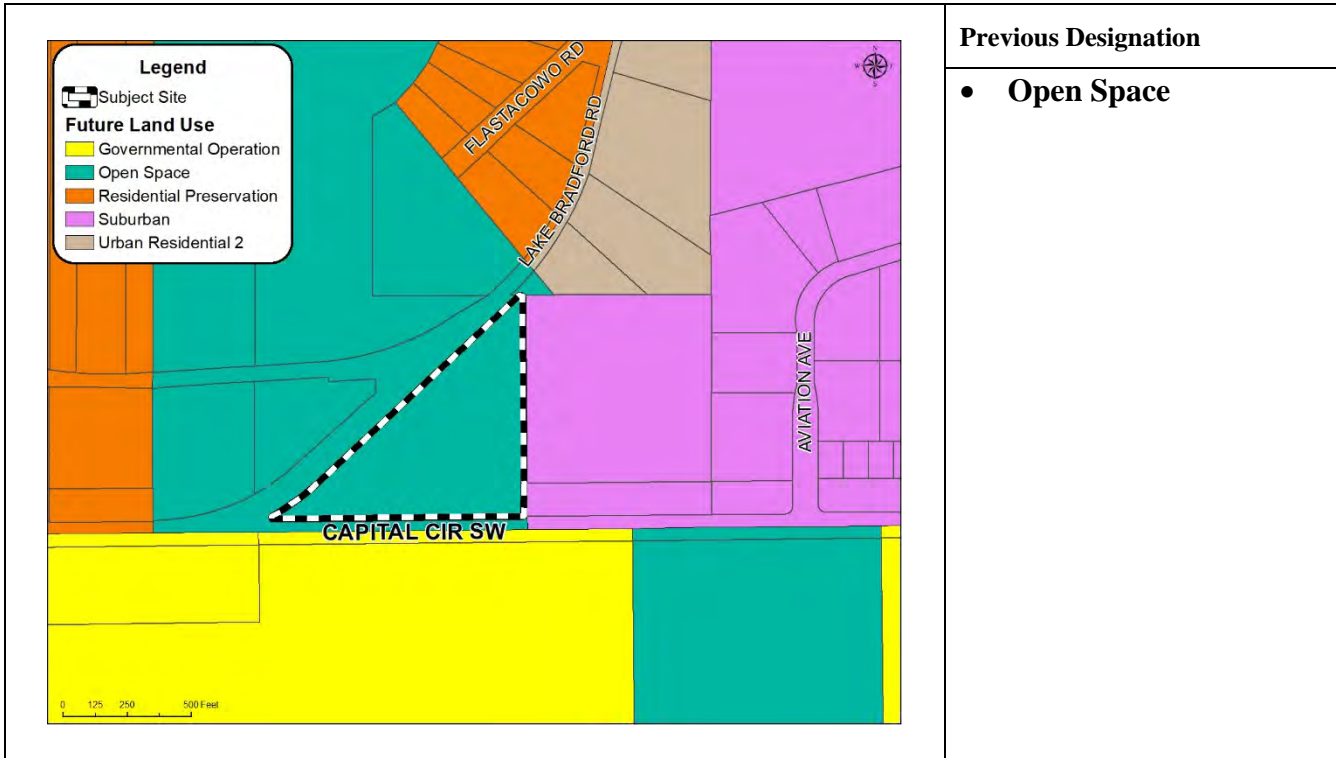
Approval

Board of County Commissioners:

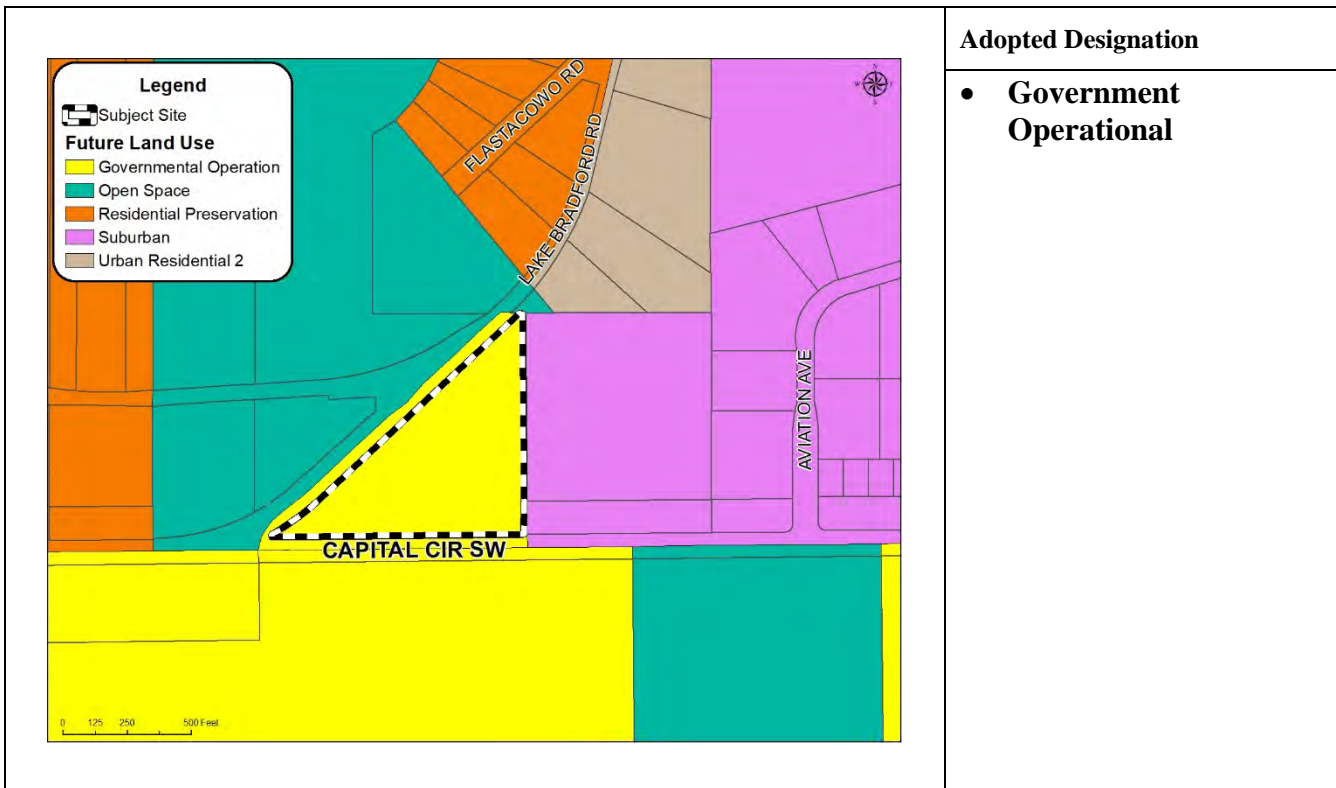
Approval

Adopted Small Scale Map Amendments

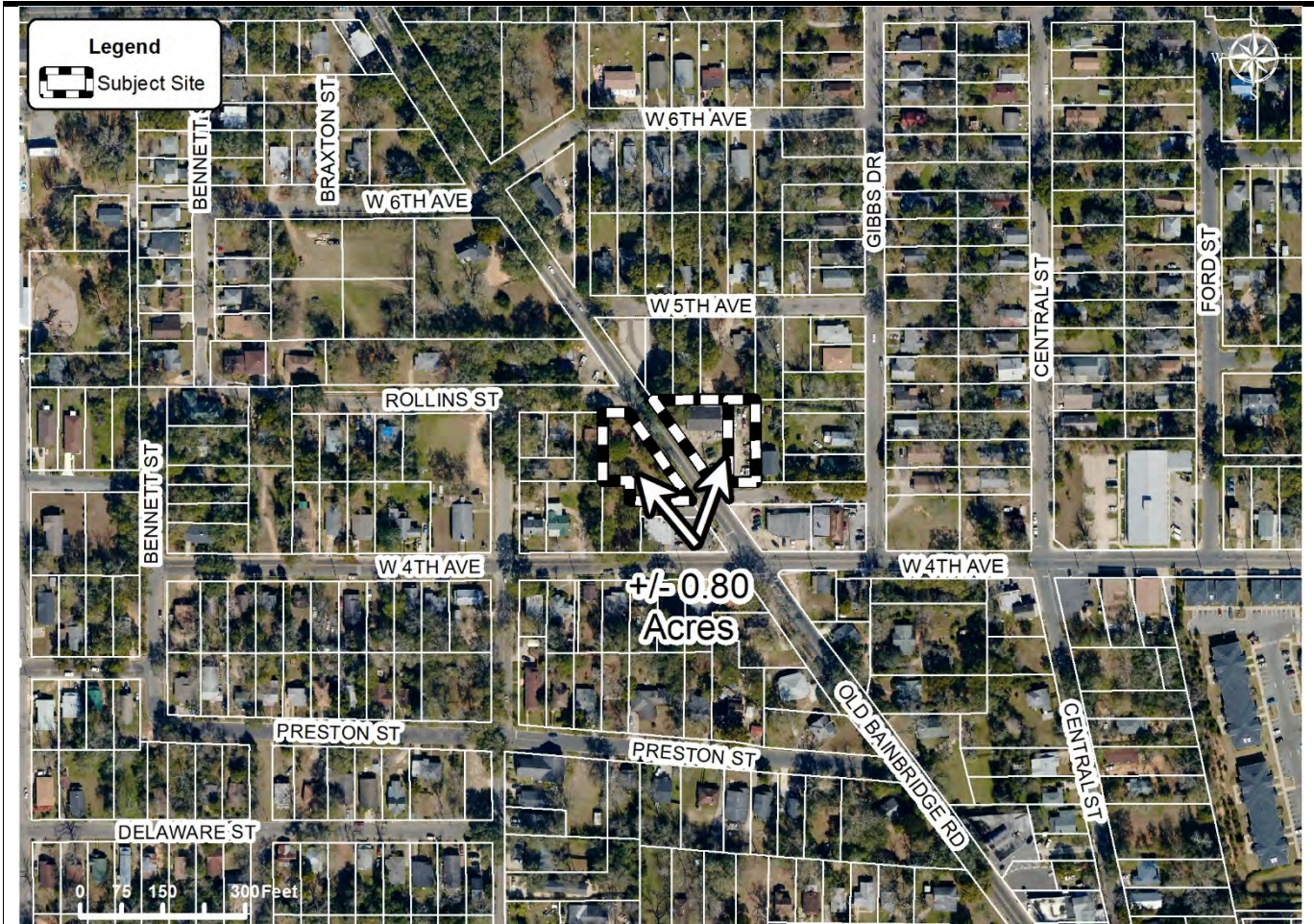
Previous Future Land Use Map Designation



Adopted Future Land Use Map Designation



**ATTACHMENT #4
OTHER SUPPORTING
INFORMATION**



SUMMARY

| Property Owners: | Property Location: | TLCPD Recommendation: |
|---|---|----------------------------|
| Sheffield Body Shop, Inc. | Old Bainbridge Road north of W 4 th Ave. and Alice Jackson Lane. | Approve |
| Applicant: Roderick Sheffield | | |
| TLCPD Staff: | Current Future Land Use & Zoning: | LPA Recommendation: |
| Artie White | <u>Future Land Use:</u> Residential Preservation (RP) <u>Zoning:</u> Residential Preservation-2 (RP-2) | Approve |
| Contact Information: | Proposed Future Land Use & Zoning: | |
| Artie.White@Talgov.com 850-891-6432 | <u>Future Land Use:</u> Suburban (SUB) <u>Zoning:</u> Office Residential-3 (OR-3) and General Commercial (C-2) | |
| Date: 10/22/2019 | Updated: 4/22/2020 | |

A. REASON FOR REQUESTED CHANGE

The applicant, Roderick Sheffield, has requested this proposed land use amendment to change three parcels totaling approximately 0.8 acres currently designated Residential Preservation (RP) on the Future Land Use Map (FLUM) to Central Urban (CU). The applicant is the sole registered agent for the property owner of the four parcels, Sheffield Body Shop, Inc., and is the sole registered Officer/Director of the corporation.

The applicant's stated reason for requesting the proposed change is that the two properties east of Old Bainbridge Road are currently being used to support the body shop and have been for quite some time. The applicant also stated that these properties were historically zoned commercial but have since had their land use and zoning changed. Additionally, the applicant highlights adjacent properties that are designated Central Urban on the Future Land Use Map and CU-45 Zoning designation as a reason for the requested change.

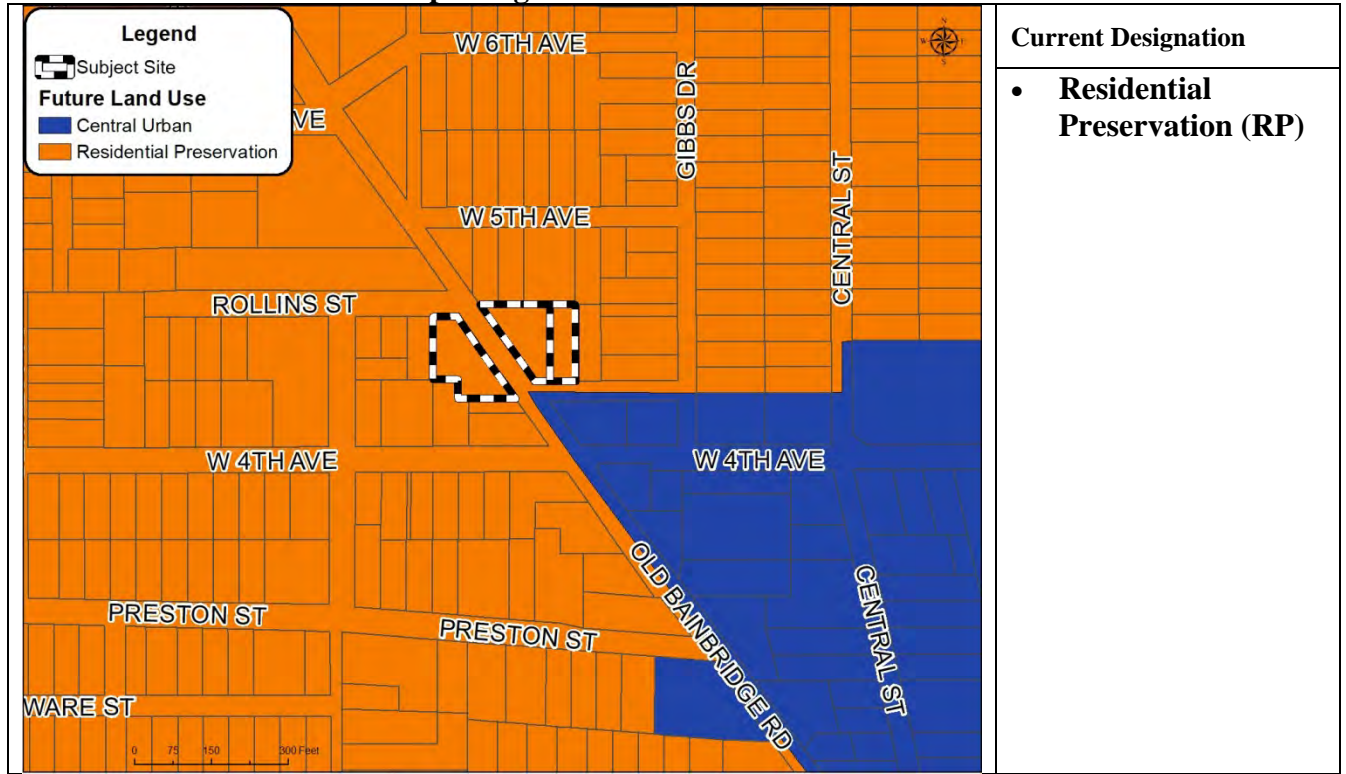
The applicant initially requested an amendment to change the Future Land Use Map designation on the property to Central Urban Land Use with CU-45 zoning district, but has changed their request to the Suburban (SUB) land use category with General Commercial (C-2) and Office Residential-3 (OR-3) Zoning Districts.

B. CURRENT AND PROPOSED FUTURE LAND USE DESIGNATION

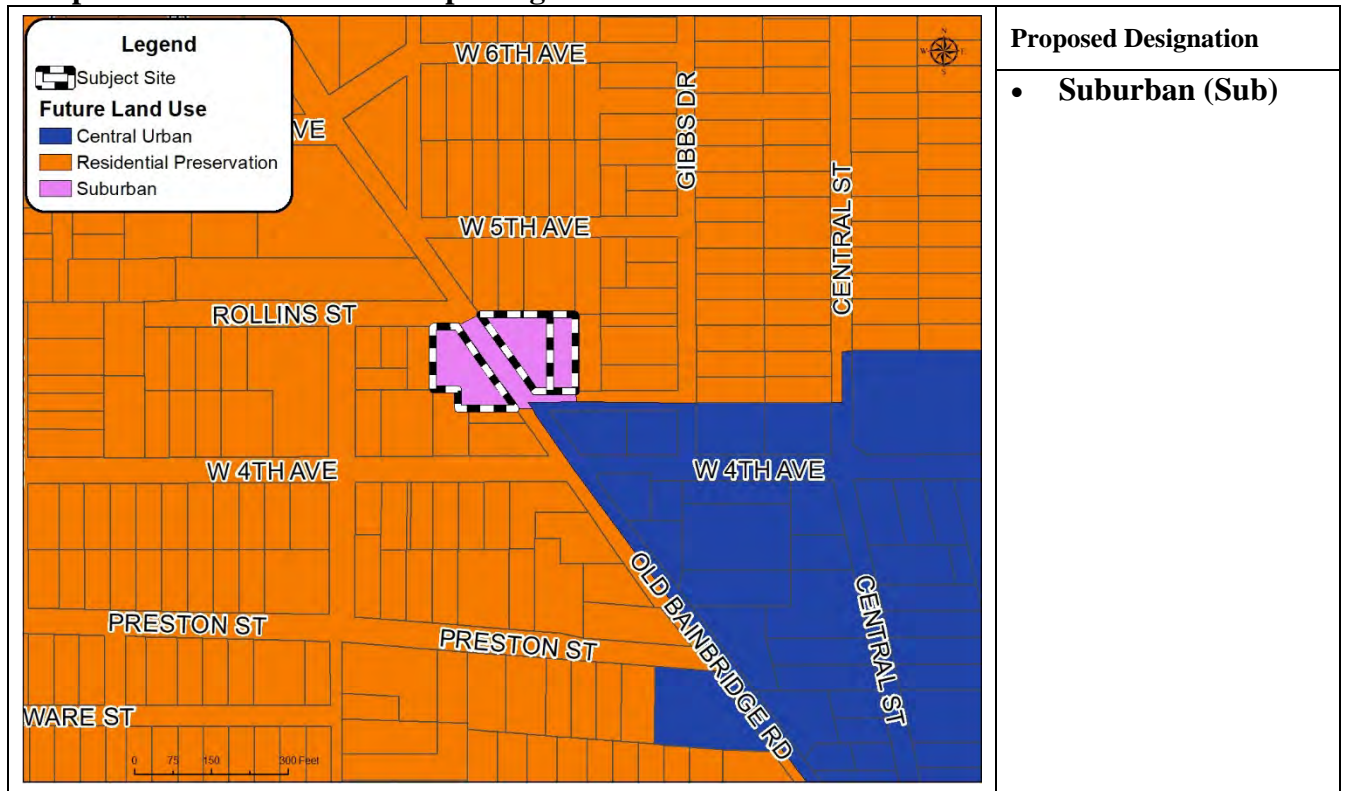
The Subject Area is currently designated Residential Preservation (RP) on the FLUM. The proposed amendment would change the FLUM designation of the area to Suburban (SUB).

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

Current Future Land Use Map Designation



Proposed Future Land Use Map Designation



C. STAFF RECOMMENDATION

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

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

D. LOCAL PLANNING AGENCY (LPA) RECOMMENDATION

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

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

E. SUMMARY OF FINDINGS

Staff presents the following findings of fact:

1. The subject site is not consistent with the intent of Policy 2.2.3 [L] and therefore a Residential Preservation designation is not appropriate.
2. The subject site is consistent with the intent of Policy 2.2.5 [L] that describes land uses that create employment and commercial opportunities within close proximity to low to medium density residential uses. The subject site has non-residential uses and is surrounded by other non-residential uses, low density residential uses, and medium density residential uses.
3. Based on the language of Policy 2.2.5 [L], the existing land use of a site should be a major determining factor as to whether the Suburban Land Use category designation is appropriate. As there is a mix of non-residential and residential land uses in close proximity to one another, designating the subject site as Suburban would be consistent with this policy's intent.
4. The land uses and development patterns of the subject properties and surrounding areas are inconsistent with the intent and allowable uses of the RP-2 zoning district. Additionally, the average densities of the residential properties in the surrounding area exceed 6 dwelling units per acre.
5. The subject properties and potential development and intended redevelopment of the applicant are consistent with the intent of Section 10-252 and 10-256 of the land development code for the Office Residential-2 and General Commercial Zoning Districts.

6. Based on the Residential Preservation Analysis below, Residential Preservation is not a land use category that is consistent with the land uses on the subject site. Specifically, the subject site is not homogeneously low-density residential development fronting local streets and there is a low degree of home-ownership (19%)
7. The proposed amendment is not anticipated to have significant adverse impacts on public facilities.

F. STAFF ANALYSIS

History and Background

The parcels proposed for this land use amendment are comprised of a warehouse located at 1115 Old Bainbridge Rd. (Parcel No. 212522 B0010), a vacant parcel immediately to the west of this address (Parcel No. 212522 B0030), and a parcel directly across Old Bainbridge Rd. from 1115 Old Bainbridge (Parcel No. 212534 B0040). The first two parcels, located on the east side of Old Bainbridge Rd. are part of the ACME Gardens Subdivision, which was established in 1927. The parcel located on the west side of Old Bainbridge Rd. is part of the Harlem Subdivision which was established in 1943.

The majority of the buildings in the immediate vicinity were built in the 1940s, 50s, and 60s, though some were built much earlier (1916) and others more recently (2004). A number of buildings in the immediate vicinity are used for commercial purposes, and according to the applicant, the area has historically been a commercial hub for the surrounding neighborhoods.

Before the current Tallahassee-Leon County Comprehensive Plan, Parcel Nos. 212522 B0010, 212522 B0030, and portions of Parcel No. 212534 B0040 were zoned Commercial-2 (C-2) with the remaining portion of the property zoned as RM-3. With the Tallahassee-Leon County Comprehensive Plan and FLUM, these areas were designated Residential Preservation, which created the nonconformities that this amendment seeks to correct. A historic zoning atlas is included as Attachment #3.

Current and Proposed Future Land Use Categories

The complete comprehensive plan policies for **Residential Preservation (Policy 2.2.3: [L])**, **Central Urban (Policy 2.2.8: [L])**, and **Suburban (Policy 2.2.5 [L])** are included as Attachment #1.

Residential Preservation (Current)

The Residential Preservation Future Land Use Category (FLUC) is characterized by existing homogeneous residential areas within the community which are predominantly accessible by local streets. The primary function is to protect existing stable and viable residential areas from incompatible land use intensities and density intrusions. Commercial land uses are prohibited.

For many years, several of the subject parcels have operated as commercial uses, which were previously allowed. Along Old Bainbridge Road (which two of the subject parcels front), and in the surrounding area, there is a mixture of single family residential, multifamily residential, retail, warehouse, nonprofit, religious, and vacant uses; with the predominant use in the neighborhoods to the east and west of Old Bainbridge Road being single family residential.

Central Urban (Original Request)

The Central Urban FLUC 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. Central Urban is intended to provide a variety of residential types (up to 45 DU/AC), employment (includes light manufacturing), office and commercial activities. Infill and potential redevelopment and/or rehabilitation activity should be encouraged. For reasons outlined in the Zoning section below, Central Urban is not a viable option for the subject site based on the applicant's desired use of the property.

Suburban (Revised Request)

The intent of the Suburban FLUC 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.

Consistency with Comprehensive Plan

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

Policy 2.2.3 [L] prohibits commercial land uses within the Residential Preservation land use category. Two of the subject parcels, along with several other nearby parcels currently designated as RP are "non-conforming" commercial land uses that have existed in place since before the current iteration of the Comprehensive Plan.

Policy 2.2.3 [L] states that the Residential Preservation is characterized by existing homogenous residential areas within the community which are predominantly accessible by local streets. The subject site is in an area that is not homogeneously residential and is primarily served by a minor arterial and a major/minor collector. Similar to above, this policy's intent does not match what is on the ground at the subject site; therefore, keeping the site designated as Residential Preservation would be inconsistent with the intent of this policy.

Policy 2.2.5 [L] states that the Suburban land use category is intended to create an environment for economic investment or reinvestment through the mutually advantageous placement of employment and shopping opportunities with convenient access to low to medium density residential land uses. As illustrated in the existing land use map below, the subject site contains several non-residential uses, within close walking distance to low and medium density residential land uses, which would be

brought into conformity and make them options for investment or reinvestment to create further employment and commercial opportunities.

Policy 2.2.5 [L] states that the Suburban Land Use category is most suitable for those areas outside of the Central Core, but additional areas inside the Central Core may be designated as appropriate based on existing land use patterns. This indicates that a major factor in considering the designation of the Suburban land use category is the existing land use of a subject site. As outlined extensively below, the subject site is located in an area with a mixture of residential, non-residential, and vacant land uses, further illustrating that it is an ideal location for investment and reinvestment to create additional employment opportunities near to residential uses.

Zoning

The Land Development Code sections for **Residential Preservation-2 (Sec. 10-170)**, **Central Urban District-45 (Sec. 10-239.4.)**, **Office Residential-3 (Sec. 10-253)**, and **General Commercial (Sec. 10-256)** zoning categories are included as Attachment #2.

Section 10-170 of the Tallahassee Land Development Code, the RP-2 District is intended to apply to residential development in areas designated "Residential Preservation" on the Future Land Use Map, preserving the low density residential character of single-family, two-unit townhouse, and duplex residential development, protecting from incompatible land uses, and prohibiting densities in excess of six (6.0) dwelling units per acre. The subject site consists of non-residential uses and is located in an area with retail and other non-residential uses, and residential densities that exceed 6 dwelling units per acre, including multifamily. As such, the subject site is inconsistent with the intent of Section 10-170.

The applicant initially requested a change in zoning from RP-2 to CU-45. While several of the parcels would be consistent with the Central Urban Land Use category and currently are operating as uses allowed under CU-45, the Sec. 10-239.4 of the City of Tallahassee Land Development Code indicates that CU-45 is not intended to be located adjacent to areas designated Residential Preservation on the Future Land Use Map. As such, these properties may not be rezoned CU-45. Staff has conferred with the applicant and is proposing the alternate rezoning of C-2 on the parcels to the east of Old Bainbridge, and of OR-3 to the west of Old Bainbridge.

Under Section 10-256, the C-2 district is intended to be located on sites with direct access to major collector or arterial roadways located within convenient traveling distance to several neighborhoods wherein small groups of retail commercial activities are permitted in order to provide goods and services that people frequently use in close proximity to their homes.

The applicant currently owns a property zoned CU-45 across Alice Jackson Lane from the subject site, on which they operate an automotive repair center. He has indicated he wishes to expand operations onto two parcels of the subject site. General Commercial (C-2) would allow for automotive repair services to occur on this property. Additionally, the subject site is primarily sited on Old Bainbridge Road, a minor arterial.

Section 10-253 indicates the Office Residential-3 district is intended to be located within areas designated suburban on the future land use map of the comprehensive plan in areas where

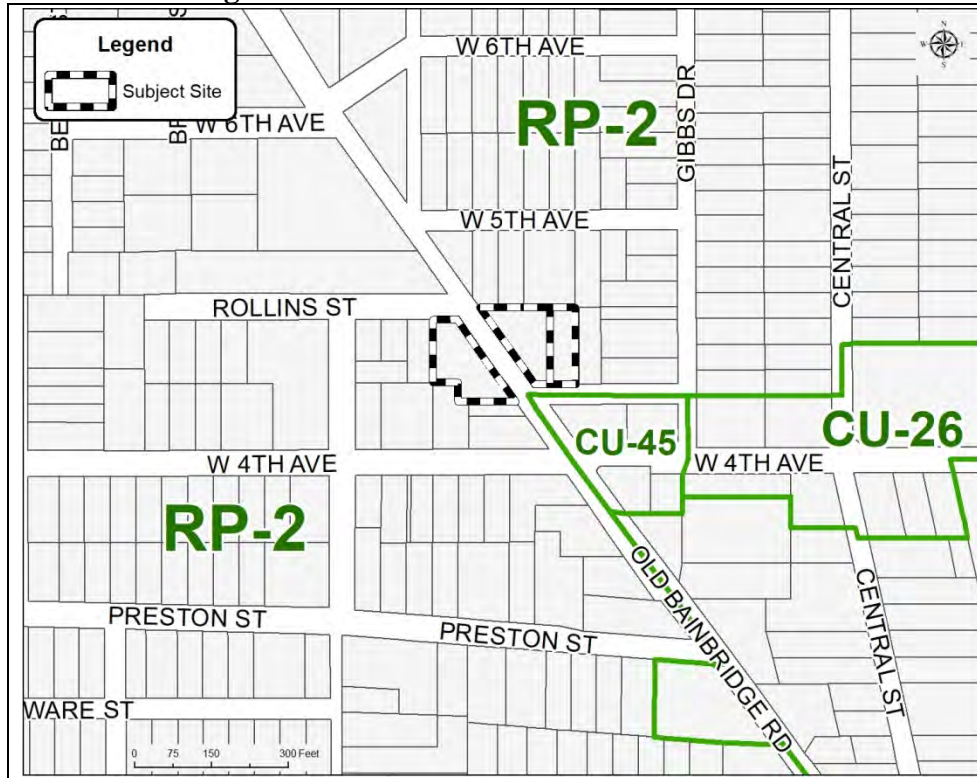
employment and residential uses are encouraged to locate in close proximity to each other. The provisions of this district are intended to promote urban density and intensity of residential and office uses and the mixing of permitted uses to promote the use of public transit and the efficient use of public infrastructure. A variety of housing types, compatible non-retail activities of moderate intensity, retail commercial activities (limited to the ground floor), and certain community and recreational facilities related to office or residential uses are permitted in the OR-3 district.

On the west side of Old Bainbridge Road, the applicant owns a parcel that he wishes to redevelop into either residential or non-residential uses. The Office Residential-3 District would allow for the non-residential uses allowed under the Neighborhood Commercial (C-1) or General Commercial (C-2) District along with some additional uses that the applicant is potentially interested in redeveloping the property to accommodate. The OR-3 category would provide a transition from the CU-45 and C-2 uses and the Harlem subdivision.

Because the Subject Site is located within the Multimodal Transportation District, the development and redevelopment on the Subject Site will be subject to the development standards for this district. If the Land Use Amendment and Rezoning is approved, the portion of the Subject Site with the C-2 zoning will have to meet the T4: General Urban standards and the portion of the Subject Site with the OR-3 zoning will have to meet the T5: Urban Center standards.

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

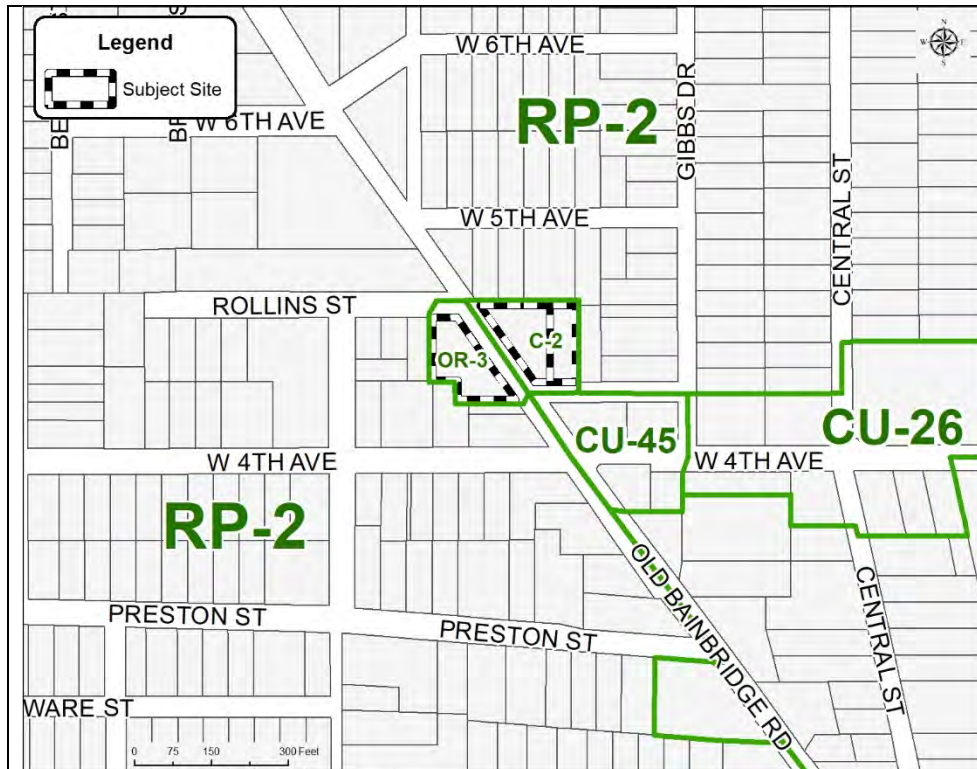
Current Zoning



Current District

- Residential Preservation-2

Proposed Zoning



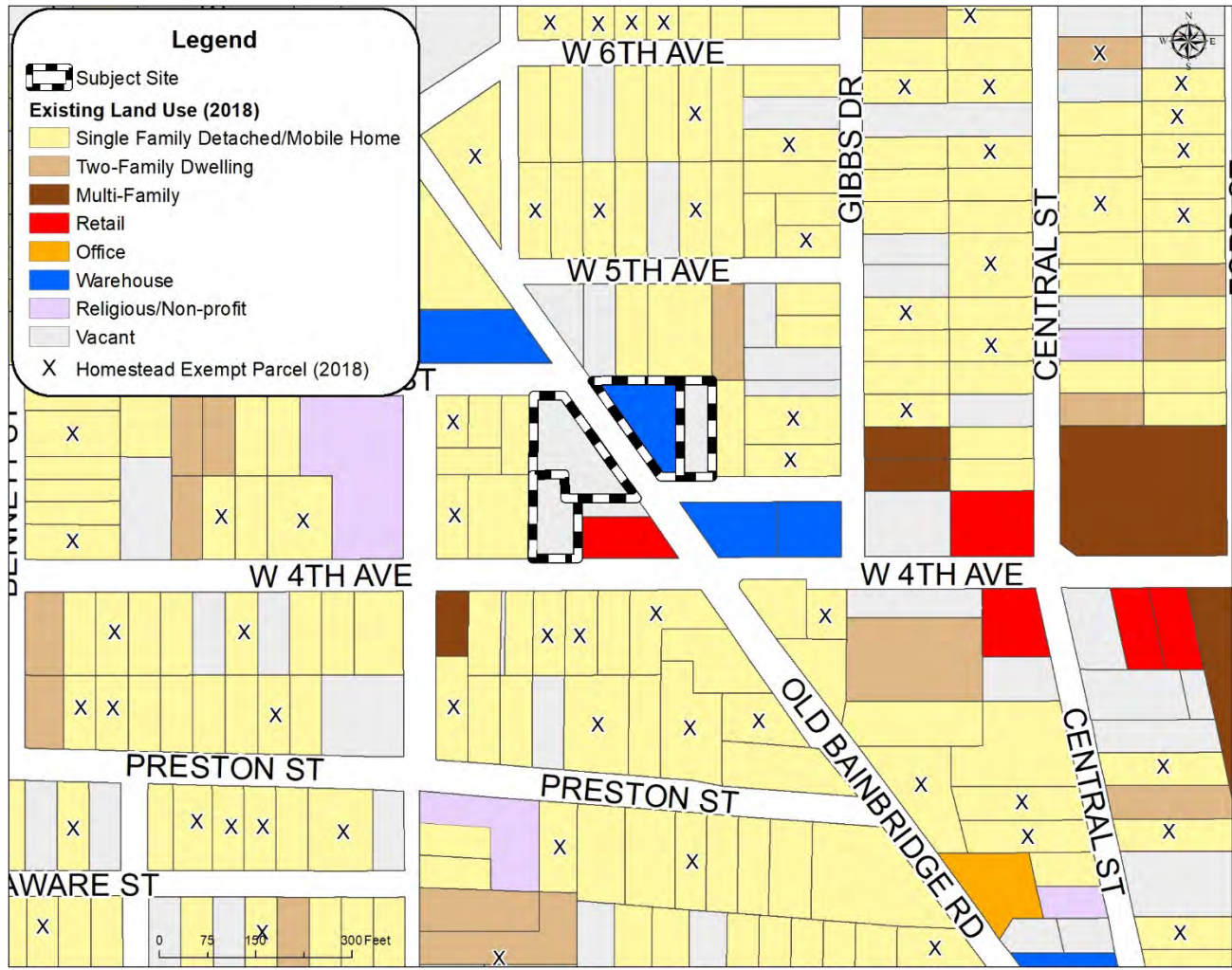
Proposed District

- General Commercial (C-2) & Office Residential-3 (OR-3)

Existing Land Uses

The existing land uses on the subject site are warehouse and vacant. Immediately adjacent to the subject parcels are land uses of warehouse, retail, and single-family residential. Within the near vicinity (2-4 blocks) of the subject site there are duplexes, multifamily residential, retail, warehouse, vacant, and religious/non-profit.

Existing Land Use Map



Residential Preservation Analysis

The following analysis evaluates whether the subject site is consistent with the characteristics of the Residential Preservation Land Use category. There are limited characteristics of the subject site that are consistent with Residential Preservation and there are numerous characteristics of the subject site that are not consistent with the intent and description of Residential Preservation as laid out in Policy 2.2.3 [L].

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

Analysis: While neighborhoods to the east and west of the subject parcels are predominantly residential, the immediate vicinity of the four subject parcels is a mixture of residential, non-residential, and vacant uses.

B) Majority of traffic is local in nature.

i) Predominance of residential uses front on local streets.

Analysis: The subject properties are north and east of the intersection of Old Bainbridge Road (a minor arterial) and W 4th Ave (a major collector to the east of Old Bainbridge and minor collector to the west). Old Bainbridge and 4th Ave are fronted by both residential and non-residential uses. Alice Jackson Lane, which two parcels front, is a local street that has both residential and non-residential uses fronting onto it.

ii) Relatively safe internal mobility.

Analysis: The subject site is located primarily along Old Bainbridge Road, a minor arterial with pedestrian facilities only on the west side of the road. Old Bainbridge Road sees a moderately-high volume of commuter traffic (adjusted volume of approx. 18,000 vehicles as of 2017) and is rated low comfort by the Bike Tallahassee Network. W 4th Avenue, to the south of the subject site is a major collector to the east of Old Bainbridge Road, has pedestrian facilities on the south side of the road, and is rated High Comfort by the Bike Tallahassee Network. Gibbs Drive which runs north/south to the east of the subject properties is also a local street and has pedestrian facilities on the west side of the road. Gibbs Drive is rated Low Comfort by the Bike Tallahassee Network. The mobility near the subject site is not as safe as you would expect from a homogeneously residential neighborhood primarily sited on local streets.

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

Analysis: The average density of the residential land uses within the ACME Gardens subdivision is 6.53 DU/AC, with 22% of these properties having a density greater than 6 DU/AC. Across Old Bainbridge Road in the Harlem subdivision, the average density of the residential properties is 7.77 DU/AC with 74% of these properties having a density greater than 6 DU/AC. Immediately to the east of the ACME Gardens subdivision, is the Cherokee subdivision; the average density of the residential properties in this subdivision is 8.43 DU/AC. 84% of the residential properties in the Cherokee subdivision have a density greater than 6 DU/AC. The densities in the area surrounding the subject site are generally slightly higher than 6 DU/AC.

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

Analysis: The subject site has an existing land use classified as warehouse and vacant. Immediately adjacent to the subject parcels are land uses of warehouse, retail, and single-family residential. Within the near vicinity (2-4 blocks) of the subject site there are duplexes, multifamily residential, retail, warehouse, vacant, and religious/non-profit. The densities of properties within 2-4 blocks ranges from 1 DU/AC to 36 DU/AC. While the majority land use is single family residential, the nearby densities and land uses are not homogenous.

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

i) Degree of home ownership.

Analysis: Of the 154 residential properties in the ACME Gardens, Cherokee, Harlem, and Gibbs Trace subdivisions that surround the subject site, only 29 (~19%) have homestead exemptions.

ii) Existence of neighborhood organizations.

Analysis: There is a Frenchtown Working Group/Neighborhood Association that has created a Frenchtown Placemaking Plan. The Griffin Heights Neighborhood (west of Old Bainbridge Road) has a Neighborhood Association that is in the process of putting together a Neighborhood First Plan. To the east of the subject site is the Levy Park Neighborhood, which has a Neighborhood Association, as well.

Infrastructure Analysis

Water/Sewer

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

Schools

The Subject Area is zoned for Rudiger and Riley Elementary Schools, Raa and Griffin Middle Schools, and Leon High School.

The Leon County School Board approved this amendment at its November 19, 2019 meeting. The School Impact Analysis form approved by the Board indicates that this proposed amendment would have no negative impact to Leon County Schools.

Roadway Network

The subject site is served by Old Bainbridge Road, a minor arterial, as well as several local streets and 4th Ave which is a major collector east of Old Bainbridge and a minor collector to the west. The subject site is located within the Multimodal Transportation network (MMTD). The goal of the MMTD is to facilitate the use of multiple modes of transportation, leading to a reduction in automobile use and vehicle miles traveled.

Pedestrian and Bicycle Network

The site is not entirely immediately accessible by sidewalks; the parcels to the west of Old Bainbridge have access to a sidewalk that runs along the west side of Old Bainbridge Road. There are sidewalks running along the south side of W 4th Ave, and the west side of Gibbs Dr. There are no bike lanes in the immediate area; Old Bainbridge Road and Gibbs Drive are rated as Low Comfort on the Bike Tallahassee Network, while W 4th Ave is rated as High Comfort.

Transit Network

The subject site is served by the Moss StarMetro Route on weekdays with stops at Old Bainbridge Road and on W 4th Ave. Buses run every 30 minutes. On weekends, the Moss Route runs every 60 minutes.

Environmental Analysis

The subject site is located in the Urban Services Area and in the Multimodal Transportation District. Two of the parcels are currently in use, while one is vacant. One of the parcels is listed in the Urban Forest Master Plan Edge Category; one parcel is identified as a Very High Priority Planting Area. The Subject Site is within the Lake Munson Drainage Basin.

F. PUBLIC OUTREACH AND NOTIFICATION

An initial mailing was sent to **609** property owners and tenants within 1,000 feet of Subject Site.

| Public Outreach | | Date | Details |
|-----------------|---|-------------------|--|
| X | Mail Notification of Proposed Changes | December 6, 2019 | Notices Mailed to Property Owners within 1000 feet |
| X | Notice of Proposed Land Use Change and Rezoning | December 9, 2019 | Two signs providing details of proposed land use and zoning changes posted on subject site |
| X | Public Open House | December 17, 2019 | 5:30 PM, Second Floor, Frenchtown Renaissance Center |
| X | Staff Reports Available Online | January 27, 2020 | Email Subscription Notice sent to all users of service |

Public Open House – December 17, 2019: 24 citizens attended the open house to discuss the 2020 Cycle amendments. None of the attendees had questions regarding this proposed amendment.

G. STAFF REPORT UPDATE

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

| Cycle 2020 Meetings | | Dates | Time and Locations |
|---------------------|---------------------------------------|-------------------|--|
| X | Local Planning Agency Workshop | January 7, 2020 | 6:00 PM, Second Floor, Frenchtown Renaissance Center |
| X | Local Planning Agency Public Hearing | February 4, 2020 | 6:00 PM, Second Floor, Frenchtown Renaissance Center |
| X | Joint City-County Commission Workshop | February 25, 2020 | 1:00 PM, Fifth Floor, Leon County Courthouse |
| X | City Adoption Public Hearing | April 22, 2020 | 6:00 PM, Fifth Floor, Leon County Courthouse |

Local Planning Agency Workshop – January 7, 2020: A workshop was held on January 7, 2020 to discuss the proposed 2020 Cycle amendments. The LPA asked staff to look for options in addition to homestead exemption for determining whether a homeowner occupies a residential property.

Local Planning Agency Public Hearing – February 4, 2020: The Local Planning Agency voted to recommend approval of the proposed map amendment and rezoning. There were no citizen speakers on this amendment or rezoning.

Joint City-County Commission Workshop – February 25, 2020: A joint workshop was held on February 25, 2020 to discuss the proposed 2020 Cycle amendments. Commissioners did not have any questions for staff on the proposed amendment.

H. ATTACHMENTS

- Attachment #1: Comprehensive Plan policies for Residential Preservation (Policy 2.2.3: [L]), Central Urban (Policy 2.2.8: [L]), and Suburban (Policy 2.2.5 [L])
- Attachment #2: Land Development Code sections for Residential Preservation-2 (Sec. 10-170), Central Urban District-45 (Sec. 10-239.4.), Office Residential-3 (Sec. 10-253), and General Commercial (Sec. 10-256)
- Attachment #3: Copy of the historic zoning atlas from 1990 showing the subject area zoned C-2 and RM-3.

Attachment #1

Policy 2.2.3: [L] Residential Preservation

(EFF. 7/16/90; REV. EFF. 7/26/06; RENUMBERED 4/10/09)

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

For Residential Preservation areas outside the Urban Service area the density of the residential preservation area shall be consistent with the underlying land use category.

The Residential Preservation category shall be based on the following general criteria. For inclusion, a residential area should meet most, but not necessarily all of these criteria.

- 1) Existing land use within the area is predominantly residential
- 2) Majority of traffic is local in nature
 - a) Predominance of residential uses front on local street
 - b) Relatively safe internal pedestrian mobility
- 3) Densities within the area generally of six units per acre or less
- 4) Existing residential type and density exhibits relatively homogeneous patterns
- 5) Assessment of stability of the residential area, including but not limited to:
 - a) Degree of home ownership
 - b) Existence of neighborhood organizations

In order to preserve existing stable and viable residential neighborhoods within the Residential Preservation land use category, development and redevelopment activities in and adjoining Residential Preservation areas shall be guided by the following principles:

- a) The creation of transitional development area (TDA) for low density residential developments.

Higher density residential developments proposed for areas adjoining an established neighborhood within the residential preservation land use category shall provide a transitional development area along the shared property line in the higher density residential development. The development density in the transitional development area shall be the maximum density allowed in the Residential Preservation land use category. Development within the transitional development area shall be designed, sized and scaled to be compatible with the adjoining residential preservation area.

Transitional development areas shall be non-mapped areas and shall be approved at the time of site plan approval. The factors cited in paragraph (e) below shall be considered when determining the size of transitional development areas. The land development regulations shall specify development thresholds for the implementation of transitional development areas.

- b) Limitation on future commercial intensities adjoining low density residential preservation neighborhoods.

New or redeveloped commercial uses adjoining residential preservation designated areas shall mitigate potential impacts by providing a transitional development area between the commercial uses and residential preservation uses and only those commercial activities which are compatible with low density residential development in terms of size and appearance shall be allowed. The factors cited in paragraph (e) below shall be used when determining the compatibility, design techniques and the size of transitional development areas. The design and layout of adjoining commercial uses shall be oriented to place the section of the development with the least potential negative impacts next to the residential preservation area.

- c) Limitations on existing light industry adjoining residential preservation neighborhoods.

New, expanding or redeveloped light industrial uses adjoining low density residential areas within the residential preservation land use category shall mitigate potential negative impacts by providing a transitional development area between the light industrial uses and the low and medium density residential uses. The factors cited in paragraph (e) below shall be considered when determining compatibility, design techniques and the size of the transitional development area.

The design and layout of adjoining light industrial uses shall be oriented to place the section of the development with the least potential negative impacts in the area next to the existing and/or future low density residential area in the residential preservation land use category. New light industrial land uses shall not be designated next to a residential preservation area.

- d) Additional development requirements for allowed community facilities when adjoining low density residential areas, except for cemeteries or religious facilities to be used solely for religious functions. Such development requirements will also apply to ancillary facilities when proposed in conjunction with religious facilities, and are to result in effective visual and sound buffering (either through vegetative buffering or other design techniques) between the community facilities and the adjoining residential preservation area.

- e) Land use compatibility with low density residential preservation neighborhoods

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

locations; operating hours; noise; and odor. These factors shall also be used to determine the size of transitional development areas.

f) Limitations on Planned Unit Developments in the Residential Preservation land use category.

Planned Unit Developments proposed within the interior of a Residential Preservation designated recorded or unrecorded subdivisions shall be generally consistent with the density of the existing residential development in the recorded or unrecorded subdivision. Parcels abutting arterial roadways and/or major collectors may be permitted to achieve six dwelling units per acre.

The existing predominant development density patterns in Residential Preservation are listed in paragraph (g) below. Within 18 months of adoption, the PUD regulations shall be amended to include provisions addressing the preservation of established residential preservation designated areas. Said provisions shall address any proposed increase in density and the factors cited in paragraph (e) above.

g) Limitations on resubdivision of lots within established Residential Preservation designated areas.

To protect established single family neighborhoods from density intrusions, consistency within the recorded or unrecorded subdivision shall be the primary factor in granting approval for development applications. Consistency for the purposes of this paragraph shall mean that parcels proposed for residential development shall develop consistent with the lot size and density of the recorded or unrecorded subdivision.

1. Guidance on the resubdivision of lots in recorded and unrecorded single family subdivisions shall be provided in the Land Development Code.
2. Parcels proposed for residential development shall develop at densities generally consistent with the density of existing residential development in the recorded or unrecorded subdivision with the exception of parcels abutting arterial and/or major collector roadways which may be permitted up to six dwelling units per acre.

There may be two distinct density patterns in the Residential Preservation land use category as shown below:

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

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

Policy 2.2.5: [L]

SUBURBAN *(Effective 3/14/07)*

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

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

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

Suburban Intensity Guidelines (Effective 3/14/07; Rev. Effective 7/14/14)

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

Notes:

- (1) 8 units/acre minimum for exclusively residential;
- (2) Hospitals up 176,000 sq ft/acre;
- (3) 20 units/acre and 40,000 sq ft/acre for multiple use development; Combined residential and non-residential development may have up to 40,000 SF and up to a six story building. Residential use, office use and commercial use is allowed.
- (4) Low Density Residential and Residential Office development patterns can have a minimum of 1 unit per acre if water and sewer are not available.
- (5) The maximum square footage is increased to 12,500 SF if the project is a mixed-use development.
- (6) The maximum square footage increases to 40,000 SF per acre and maximum height increases to six stories if 50% of parking is structured. This provision only applies to areas previously designated as Mixed Use C
- (7) 250,000 SF of total development permitted on 20 to 30 acre centers.
- (8) Storage areas may be 50,000 SF per acre. Office and Retail is allowed.
- (9) Storage areas may be 50,000 SF per acre.

While mixed land uses are encouraged in the Suburban Future Land Use Category, the more prevalent pattern will be a compatibly integrated mix of single-use developments that include low and medium density residential, office, retail and light industrial development. Allowed land uses within the Suburban Future Land Use Category shall be regulated by zoning districts which implement the intent of this category, and which recognize the unique

land use patterns, character, and availability of infrastructure in the different areas within the Suburban Future Land Use Category. In those areas lacking the necessary infrastructure, the Land Development Regulations may designate a low intensity interim use. Any evaluation of a proposed change of zoning to a more intensive district shall consider, among other criteria, the availability of the requisite infrastructure.

Policy 2.2.8: [L] CENTRAL URBAN

(REV. EFF. 6/07/01; REV. EFF. 7/26/06; RENUMBERED 3/14/07; REV. EFF. 6/6/08)

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. Intended to provide a variety of residential types (up to 45 DU/AC), employment (includes light manufacturing), office and commercial activities. Infill and potential redevelopment and/or rehabilitation activity should be encouraged. Actual siting of land uses within the category are dependent on implementing zoning districts. Roadway access standards are determined by application of land development regulations. 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.

Tallahassee Land Development Regulations

Sec. 10-170. Residential Preservation District

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

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

- c. The RP-MH District is intended to apply to residential development in areas designated "Residential Preservation" on the Future Land Use Map, preserving the low density residential character of manufactured home, mobile home, and conventional single-family and duplex residential development, providing protection from incompatible land uses and intensities, and prohibiting densities in excess of six (6.0) dwelling units per acre.
 - d. The RP-UF District is intended to apply to residential development in areas designated as both "Urban Fringe" and "Residential Preservation" on the Future Land Use Map, preserving the low intensity residential character of conventional single-family residential and manufactured home, mobile home, development, protecting from incompatible land uses and intensities, preventing the premature development of land at intensities not supportable by existing infrastructure or services, and prohibiting densities in excess of three and six-tenths (3.6) dwelling units per acre in platted subdivisions, one (1.0) dwelling unit per acre (net) for clustered developments on unplatted lots, or one (1.0) unit per three (3) acres, for all other developments.
 - e. The RP-R District is intended to apply to residential development in areas designated as both "Rural" and "Residential Preservation" on the Future Land Use Map, preserving the very low density rural residential character of conventional single-family residential and manufactured home, mobile home, development, protecting from incompatible land uses and intensities, preventing inefficient development patterns, and prohibiting densities in excess of three and six-tenths (3.6) dwelling units per acre in platted subdivisions, or one (1.0) dwelling unit per ten (10) acres on unplatted lots.
- (4) Applications for rezoning to any and all of the residential preservation districts shall include review to ensure compatibility with existing and surrounding residential type and density.
- (b) *Allowable Uses.* For the purpose of this chapter, the following land use types are allowable in the RP-1, RP-2, RP-MH, RP-UF and RP-R zoning districts and are controlled by the Land Use Development Standards of this chapter, the Comprehensive Plan and Schedules of Permitted Uses.
- (1) Low Density Residential
 - (2) Passive Recreation
 - (3) Active Recreation
 - (4) Community Services
 - (5) Light Infrastructure
- (c) *List of Permitted Uses.* See Schedules of Permitted Uses, subsections 10-241(a) and (b). Some of the uses on these schedules are itemized according to the Standard Industrial

Code (SIC). Proposed activities and uses are indicated in the schedules. The activity or use may be classified as permitted, restricted or permitted through special exception, or not allowed. Restricted and Special Exception Uses must meet the criteria in article VII of this chapter. Chapter 9, article III of this Code sets forth the development approval process required for allowable uses.

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

SECTION 10-241 RESIDENTIAL PRESERVATION

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

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

| SIC CODE | RESIDENTIAL PRESERVATION - 2 NAME OF USE | LAND USE TYPE | | | | |
|----------|--|---------------|----|----|----|----|
| | | LR | PR | AR | CS | LI |
| | RESIDENTIAL | | | | | |
| | Dwelling, One-Family | P | | | | |
| | Dwelling, Two-Family (Rooming Houses are prohibited) | P | | | | |
| | Dwelling, 2-Unit Townhouses | P | | | | |
| | SERVICES | | | | | |
| 821 | Elementary and secondary schools | | | | S | |
| 866 | Religious Organizations | | | | S | |
| | RECREATION | | | | | |
| | Hiking and Nature Trails | | P | | | |
| | Picnicking | | P | | | |
| | Canoe Trails | | P | | | |
| | Bicycle Trails | | P | | | |
| | Horseback Riding Trails | | P | | | |
| | Tot Lots | | | P | | |
| | Court Sports | | | R | | |
| | Field Sports | | | R | | |
| | PUBLIC ADMINISTRATION | | | | | |
| | Police Protection | | | | S | |
| | Fire Protection | | | | S | |
| | Public Order and Safety | | | | S | |

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

| DEVELOPMENT TYPE | | | | |
|---|--|---|--|---|
| RESIDENTIAL PRESERVATION-2 | SINGLE FAMILY & 2 UNIT-TOWNHOUSE RESIDENTIAL UNITS NON-CLUSTERED | SINGLE FAMILY RESIDENTIAL UNITS CLUSTERED | DUPLEX RESIDENTIAL UNIT NON-CLUSTERED | COMM. SERVICES;ACTIVE REC.; PUBLIC, PRIMARY & SECONDARY SCHOOLS |
| MINIMUM SETBACKS (FT) | | | | |
| Front Yard | | Perimeter Setback | | |
| Building | 15 | 25 | 20 | 25 |
| Parking | — | — | — | 20 |
| Corner Yard | | Perimeter Setback | | |
| Building | 15 | 25 | 20 | 25 |
| Parking | — | — | — | 20 |
| Interior Side Yard | | Perimeter Setback | | |
| Building* | 7.5 | 15 | 7.5 | 20 |
| Parking | — | — | — | 20 |
| Rear Yard | | Perimeter Setback | | |
| Building | 25 | 25 | 25 | 25 |
| Parking | — | — | — | 10 |
| MAXIMUM % OF IMPERVIOUS SURFACE AREA | 40 | 40 (of net area) | 40 | 40 |
| MAX. HEIGHT FEET | 35 | 35 | 35 | 35 |
| | 7,260 SQ. FT. AVG OF ALL LOTS CREATED WITH A MINIMUM LOT SIZE OF NO LESS THAN 6,000 SQ. FT. | THE NET DENSITY OF THE PROJECT SITE (CLUSTERED) DEVELOPMENT AND REQUIRED OPEN SPACE) MAY BE NO GREATER THAN 3.6 UNITS PER ACRE | 14,520 SQ. FT AVG OF ALL LOTS CREATED WITH A MINIMUM LOT SIZE OF NO LESS THAN 7,500 SQ. FT. | 1/2 ACRE |
| MIN. LOT AREA (ACRES) | | | | |
| MINIMUM LOT FRONTAGE (FEET) | 15 | 15 | 15 | — |

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

Sec. 10-239.4 CU-45 Central Urban District.

| PERMITTED USES* | | | |
|--|--|--|---|
| 1. District Intent | 2. Principal Uses | | 3. Accessory Uses |
| <p>The CU-45 district is intended to:</p> <ul style="list-style-type: none"> ▪ Provide for medium and high density residential development with densities ranging from a minimum of 4 dwelling units per acre to a maximum of 45 dwelling units per acre; ▪ Provide for office development (up to 60,000 square feet per acre); ▪ Provide access to major shopping and businesses opportunities (up to 60,000 square feet per acre); ▪ Promote infill and redevelopment of urban areas with sufficient supporting infrastructure, accessibility to services, and proximity to the Downtown and Universities; ▪ Promote compatibility with adjacent land uses through limitations on development intensity and use of development and design standards; ▪ Allow residential development at the densities necessary to support the use of public transit and ▪ Promote pedestrian and bicycle mobility through design requirements. <p>The CU-45 district may only be utilized in the Central Urban Comprehensive Plan Category. The CU-45 zoning district is not subject to the Tallahassee Land Use Development Matrix found in Section I-16 of the Tallahassee/Leon County Comprehensive Plan. Minimum density requirements do not apply to mixed-use projects. The provisions of this district are intended to facilitate co-location of residential, office, and commercial land uses within the same development or close proximity, with an emphasis on compatible scale and design.</p> | <ol style="list-style-type: none"> 1) Active and passive recreational activities. 2) Antique shops. 3) Automotive rental (limited to passenger vehicles). 4) Automotive service and repair, including automated car wash. 5) Automotive: retail parts, accessories, tires, etc. 6) Bait and tackle shops. 7) Banks and other financial institutions without drive through facilities. 8) Banks and other financial institutions with drive-through facilities (Only allowed on parcels fronting West Tennessee Street between Buena Vista Drive and 166 feet east of its intersection with Wadsworth Street and on parcels fronting South Monroe Street between Orange Avenue and 125 feet south of its intersection with East Magnolia Drive). 9) Bed and breakfast inns; as governed by Section 10-412. 10) Camera and photographic stores. 11) Cocktail lounges and bars. 12) Community facilities related to the permitted principal uses, including libraries, religious facilities, police/fire stations, and elementary, middle, high, and vocational schools. Other community facilities may be allowed in accordance with Section 10-413 of these regulations. 13) Day care centers. 14) Gift, novelty, and souvenir shops. 15) Government offices and services. 16) Hotels, motels, inns, SRO hotels, boarding houses. 17) Indoor amusements (bowling, billiards, skating, etc.). 18) Indoor theaters (including amphitheatres). 19) Laundromats, laundry and dry cleaning pick-up stations without drive through facilities. 20) Laundromats, laundry and dry cleaning pick-up stations with drive-through facilities (Only allowed on parcels fronting West Tennessee Street between Buena Vista Drive and 166 feet east of its intersection with Wadsworth Street and on parcels fronting South Monroe Street between Orange Avenue and 125 feet south of its intersection with East Magnolia Drive). 21) Live-work units. | <ol style="list-style-type: none"> 37) Retail department, apparel, and accessory stores. 38) Retail drug store without drive-through facilities. 39) Retail drug store with drive-through facilities (Only allowed on parcels fronting West Tennessee Street between Buena Vista Drive and 166 feet east of its intersection with Wadsworth Street and on parcels fronting South Monroe Street between Orange Avenue and 125 feet south of its intersection with East Magnolia Drive). 40) Retail florist. 41) Retail food and grocery. 42) Retail furniture, home appliances, accessories. 43) Retail home/garden supply, hardware and nurseries. 44) Retail jewelry store. 45) Retail needlework shops and instruction. 46) Retail newsstand, books, greeting cards. 47) Retail office supplies. 48) Retail optical and medical supplies. 49) Retail package liquors. 50) Retail pet stores. 51) Retail picture framing. 52) Retail sporting goods, toys. 53) Retail trophy store. 54) Social, fraternal and recreational clubs and lodges, including assembly halls. 55) Structured parking, when combined with a principal use. 56) Studios for photography, music, art, dance, and voice. 57) Tailoring. 58) Veterinary services, including veterinary hospitals. 59) Warehouses, mini-warehouses, and self-storage; legally established and in existence on 11-25-2008. | <p>(1) Use or structure on the same lot with, and of a nature customarily incidental and subordinate to, the principal use or structure and which comprises no more than 33 percent of the floor area or cubic volume of the principal use or structure, as determined by the Land Use Administrator.</p> <p>(2) Light infrastructure and/or utility services and facilities necessary to serve permitted uses, as determined by the Land Use Administrator.</p> <p>4.Special Exception Use</p> <p>Off-street parking facilities (applicable to properties in the Downtown Overlay).</p> |

| | | | |
|---|---|---|--|
| <p>This district is not intended to be located adjacent to areas designated Residential Preservation on the Future Land Use Map except at rear lot lines in the Providence Neighborhood Overlay.</p> <p>To encourage pedestrian-oriented redevelopment, innovative parking strategies, mixed use development, and other urban design features within the Central Core, a 25 percent density bonus is available subject to the provisions of Sec. 10-289 of the Code. A 35 percent bonus is available with an Urban Planned Unit Development as found in Sec. 10-200.</p> <p>Development standards for this zoning district are established within Division 4 applicable to the MMTD.</p> | <ul style="list-style-type: none"> 22) Medical and dental offices, services, laboratories, and clinics. 23) Mortuaries. 24) Motor vehicle fuel sales. 25) Non-medical offices and services, including business Non-store retailers. 26) Nursing homes and other residential care facilities. 27) Personal Services. 28) Pet day care. 29) Photocopying and duplicating services. 30) Rental of tools, small equipment, or party supplies. 31) Repair services, non-automotive. 32) Residential – any unit type 33) Restaurants without drive through facilities. 34) Restaurants with drive-through facilities (Only allowed on parcels fronting West Tennessee Street between Buena Vista Drive and 166 feet east of its intersection with Wadsworth Street and on parcels fronting on South Monroe Street between Orange Avenue and 125 feet south of its intersection with East Magnolia Drive). 35) Retail bakeries 36) Retail computer, video, record, and other electronics. | <p>60) Other uses, which in the opinion of the Land Use Administrator, are of a similar and compatible nature to those uses described in this district.</p> <p>* NOTE: Additional requirements for properties in Providence Neighborhood Overlay (See Section 10-168 (c))</p> | |
|---|---|---|--|

Section 10-253 OR-3 Office Residential District

The following applies to the OR-3 Office Residential District:

| PERMITTED USES | | | |
|--|---|--|---|
| 1. District Intent | 2. Principal Uses | 3. Accessory Uses | |
| <p>The OR-3 district is intended to be located within areas designated Suburban on the Future Land Use Map of the Comprehensive Plan in areas where employment and residential uses are encouraged to locate in close proximity to each other. The provisions of this district are intended to promote urban density and intensity of residential and office uses and the mixing of permitted uses to promote the use of public transit and the efficient use of public infrastructure. Off-street parking facilities in the OR-3 district shall be located and designed to promote convenient access to pedestrian and mass transit facilities. A variety of housing types, compatible non-retail activities of moderate intensity, retail commercial activities (limited to the ground floor), and certain community and recreational facilities related to office or residential uses are permitted in the OR-3 district. The maximum gross density allowed for new residential development in the OR-3 district is 20 dwelling units per acre, while the minimum gross density allowed is 8 dwelling units per acre, unless constraints of concurrency or preservation and/or conservation features preclude the attainment of the minimum densities.</p> <p>Development standards for properties located within the MMTD are established within Division 4 of this Code.</p> | <ul style="list-style-type: none"> (1) Banks and other financial institutions. (2) Broadcasting studios. (3) Community facilities related to office or residential facilities, including libraries, religious facilities, vocational, police/fire stations, elementary, middle, and high schools. Other community facilities may be allowed in accordance with Section 10-413 of these regulations. (4) Day care centers. (5) Golf courses. (6) Hotels and motels, including bed and breakfast inns. (7) Medical and dental offices and services, laboratories, and clinics. (8) Multiple-family dwellings. (9) Non-medical offices and services, including business and government offices and services. (10) Nursing homes, including other residential care facilities. (11) Off-street parking facilities. | <ul style="list-style-type: none"> (12) Passive and active recreational facilities. (13) Personal services. (14) Rooming Houses. (15) Single-family attached dwellings. (16) Single-family detached dwellings. (17) Social, fraternal, recreational clubs and lodges, and assembly halls. (18) Studios for photography, music, art, dance, drama, and voice. (19) Two-family dwellings. (20) Veterinary services, including veterinary hospitals. (21) Zero-lot line single-family detached dwellings. (22) Any use permitted in the C-1 & C-2 districts with the exception of Billboards (and is not listed in uses 1-21 above), provided that the use is on the first floor of a multi-story building containing office and/or residential uses on any of the floors above the first floor. | <ul style="list-style-type: none"> (1) A use or structure on the same lot with, and of a nature customarily incidental and subordinate to, the principal use or structure and which comprises no more than 33 percent of the floor area or cubic volume of the principal use or structure, as determined by the Land Use Administrator. (2) Light infrastructure and/or utility services and facilities necessary to serve permitted uses, as determined by the Land Use Administrator. |

| DEVELOPMENT STANDARDS | | | | | | | | | |
|--|--|--|--------------|------------------------------|---|--------------------|---------|---|---|
| Use Category | 4. Minimum Lot or Site Size | | | 5. Minimum Building Setbacks | | | | 6. Maximum Building Restrictions | |
| | a. Lot or Site Area | b. Lot Width | c. Lot Depth | a. Front | b. Side-Interior Lot | c. Side-Corner Lot | d. Rear | a. Building Size (excluding gross building floor area used for parking) | b. Building Height (excluding stories used for parking) |
| Single-Family Detached Dwellings | 5,000 square feet | 50 feet | 100 feet | 15 feet | 7.5 feet on each side; or any combination of setbacks that equals at least 15 feet, provided that no such setback shall be less than 5 feet | 15 feet | 25 feet | not applicable | 3 stories |
| Two-Family Dwellings | 8,500 square feet | 70 feet | 100 feet | 15 feet | same as single-family above | 15 feet | 25 feet | not applicable | 3 stories |
| Single-Family Attached Dwellings | 1,600 square feet; avg. of 2,000 square feet | 16 feet | none | 15 feet | none | 15 feet | 25 feet | not applicable | 3 stories |
| Rooming Houses | 5,000 square feet | 50 feet | 100 feet | 15 feet | 7.5 feet on each side; or any combination of setbacks that equals at least 15 feet, provided that no such setback shall be less than 5 feet | 15 feet | 25 feet | not applicable | 3 stories |
| Multiple-Family Dwellings | 10,000 square feet | 80 feet | 100 feet | 15 feet | 15 feet on each side | 15 feet | 10 feet | not applicable | 3 stories |
| Zero-Lot Line Single-Family Detached Dwellings | 3,750 square feet | 30 feet interior lot; 40 feet corner lot | 100 feet | 20 feet | 0 feet one side; 5 feet other side | 15 feet | 25 feet | not applicable | 3 stories |
| Any Permitted Principal Non-Residential Use | 12,000 square feet | 60 feet | 100 feet | 15 feet | 15 feet on each side | 15 feet | 10 feet | 20,000 square feet of gross building floor area per acre (SEE NOTE 4) | 3 stories (SEE NOTE 4) |
| <p>7. Street Vehicular Access Restrictions: Properties in the OR-3 zoning district may have vehicular access to any type of street. However, in order to protect residential areas and neighborhoods from non-residential traffic, vehicular access to a local street is prohibited for C-2 uses, not specifically listed as one of the principal uses above, if one of the following zoning districts is located on the other side of the local street: RA, R-1, R-2, R-3, R-4, R-5, MH, MR-1, RP-1, RP-2, RP-MH, RP-UF, and RP-R.</p> | | | | | | | | | |

GENERAL NOTES:

1. If central sanitary sewer is not available, residential development is limited to a minimum of 0.50 acre lots and non-residential development is limited to a maximum of 2,500 square feet of building area. Community service facilities are limited to a maximum of 5,000 square feet of building area or a 500 gallon septic tank. Also, refer to Sanitary Sewer Policy 2.1.12 of the Comprehensive Plan for additional requirements.
2. Refer to chapter 5, environmental management for information pertaining to the regulation of environmental features (preservation/conservation features), stormwater management requirements, etc.
3. Refer to chapter 4, concurrency management for information pertaining to the availability of capacity for certain public facilities (roads, parks, etc.).
4. In properties formerly designated as Mixed Use C in the Future Land Use Map, the maximum non-residential gross building floor area is 40,000 square feet per acre and the maximum building height is six stories, if parking structures are provided for at least 50% of the parking spaces.

Section 10-256. C-2 General Commercial District

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

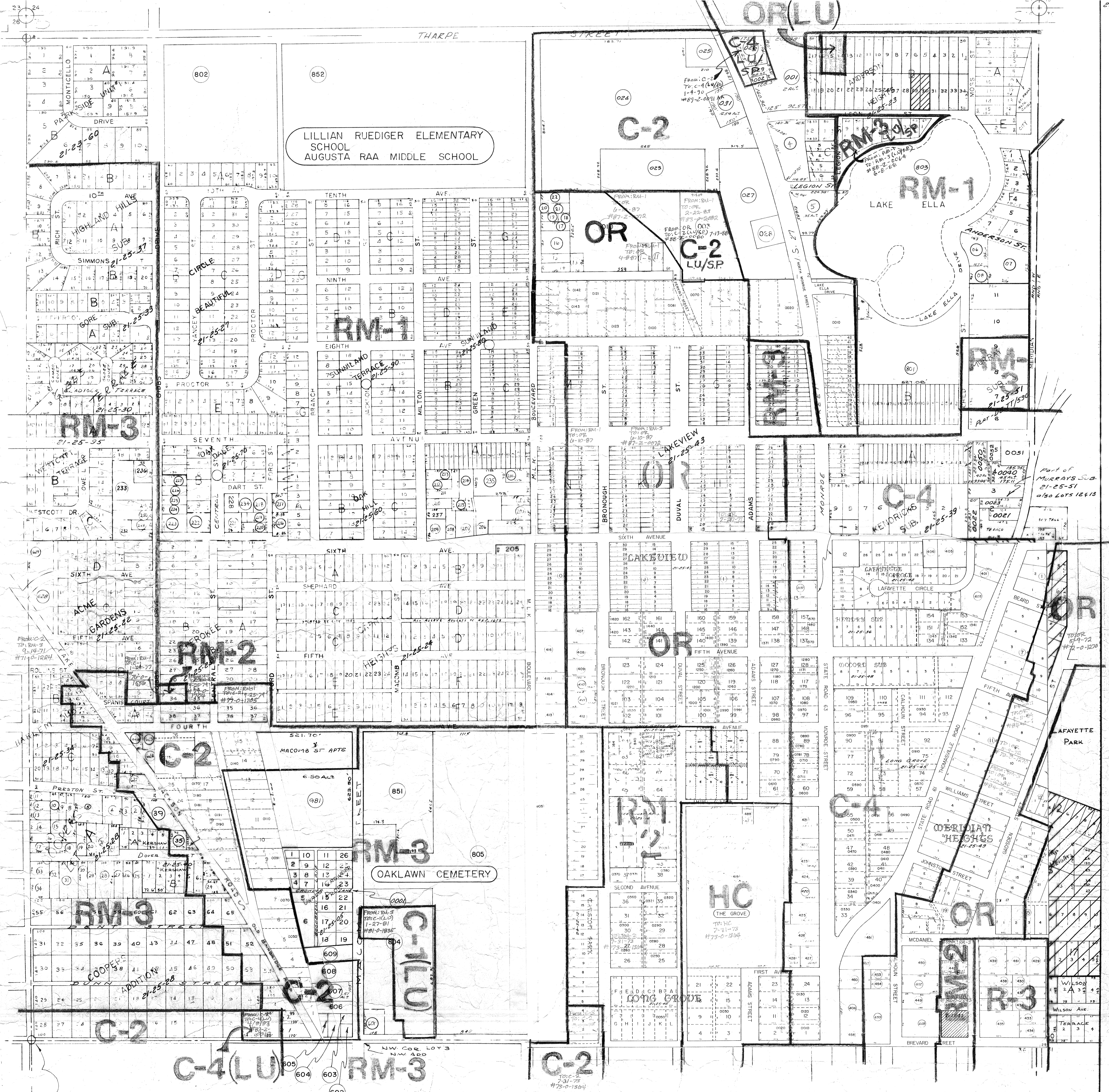
| 1. District Intent | PERMITTED USES | |
|--|--|---|
| | 2. Principal Uses | 3. Accessory Uses |
| <p>The C-2 district is intended to be located in areas designated Suburban on the Future Land Use Map of the Comprehensive Plan and shall apply to areas with direct access to major collectors or arterial roadways located within convenient traveling distance to several neighborhoods, wherein small groups of retail commercial, professional, office, community and recreational facilities and other convenience commercial activities are permitted in order to provide goods and services that people frequently use in close proximity to their homes. The C-2 district is not intended to accommodate large scale commercial or service activities or other types of more intensive commercial activity. The maximum gross density allowed for new residential development in the C-2 district is 16 dwelling units per acre, with a minimum gross density of 8 dwelling units per acre, unless constraints of concurrency or preservation and/or conservation features preclude the attainment of the minimum density. The residential uses are required to be located on the second floor or above a building containing commercial or office uses on the first floor. Mixed use projects in the C-2 district are encouraged, but are not required.</p> <p>Development standards for properties located within the MMTD are established within Division 4 of this Code.</p> | <p>(1) Antique shops. (2) Automotive service and repair, including car wash. (3) Bait and tackle shops. (4) Banks and other financial institutions. (5) Camera and photographic stores. (6) Cocktail lounges and bars. (7) Community facilities related to the permitted principal uses, including libraries, religious facilities, police/fire stations. Elementary, middle, and high schools are prohibited. Other community facilities may be allowed in accordance with Section 10-413. (8) Day care centers. (9) Gift, novelty, and souvenir shops. (10) Indoor amusements (bowling, billiards, skating, etc.). (11) Indoor theaters (including amphitheaters). (12) Laundromats, laundry and dry cleaning pick-up stations. (13) Mailing services. (14) Medical and dental offices, services, laboratories, and clinics. (15) Motor vehicle fuel sales. (16) Non-medical offices and services, including business and government offices and services. (17) Non-store retailers. (18) Passive and active recreational facilities. (19) Personal services (barber shops, fitness clubs etc.). (20) Pet day care centers (21) Photocopying and duplicating services. (22) Rental and sales of dvds, video tapes and games. (23) Rental of tools, small equipment, or party supplies.</p> | <p>(27) Retail bakeries. (28) Retail computer, video, record, and other electronics. (29) Retail department, apparel, and accessory stores. (30) Retail drug store. (31) Retail florist. (32) Retail food and grocery. (33) Retail furniture, home appliances, accessories. (34) Retail home/garden supply, hardware and nurseries. (35) Retail jewelry store. (36) Retail needlework shops and instruction. (37) Retail newsstand, books, greeting cards. (38) Retail office supplies. (39) Retail optical and medical supplies. (40) Retail package liquors. (41) Retail pet stores. (42) Retail picture framing. (43) Retail sporting goods, toys. (44) Retail trophy store. (45) Shoes, luggage, and leather goods. (46) Social, fraternal and recreational clubs and lodges, including assembly halls. (47) Studios for photography, music, art, dance, and voice. (48) Tailoring. (49) Veterinary services, including veterinary hospitals. (50) Other uses, which in the opinion of the Land Use Administrator, are of a similar and compatible nature to those uses described in this district.</p> <p>(1) A use or structure on the same lot with, and of a nature customarily incidental and subordinate to, the principal use or structure and which comprises no more than 33 percent of the floor area or cubic volume of the principal use or structure, as determined by the Land Use Administrator. (2) Light infrastructure and/or utility services and facilities necessary to serve permitted uses, as determined by the Land Use Administrator.</p> |

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

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

GENERAL NOTES:

1. If central sanitary sewer is not available, residential development is limited to a minimum of 0.50 acre lots and non-residential development is limited to a maximum of 2,500 square feet of building area. Community service facilities are limited to a maximum of 5,000 square feet of building area or a 500 gallon septic tank. Also, refer to Sanitary Sewer Policy 2.1.12 of the Comprehensive Plan for additional requirements.
2. Refer to chapter 5, pertaining to environmental management, for information pertaining to the regulation of environmental features (preservation/conservation features), stormwater management requirements, etc.
3. Refer to chapter 4, pertaining to concurrency management, for information pertaining to the availability of capacity for certain public facilities (roads, parks, etc.).
4. For cluster development standards, refer to Section 10-426.



LILLIAN RUEDIGER ELEMENTARY SCHOOL
 AUGUSTA RAA MIDDLE SCHOOL

OAKLAWN CEMETERY

LAKE ELLA

PART OF MURRAY'S SUB.
 21-25-51
 ALSO LOTS 12 & 13

TO: OR
 519-72
 #72-0-1078

C-1(LU)

SEE INSERT SHEET 11-30-D

SEE INSERT SHEET 21-25-E

This map has been compiled from the most authentic information available. The Leon County Property Appraisers Office is not responsible for any omission or errors contained hereon.

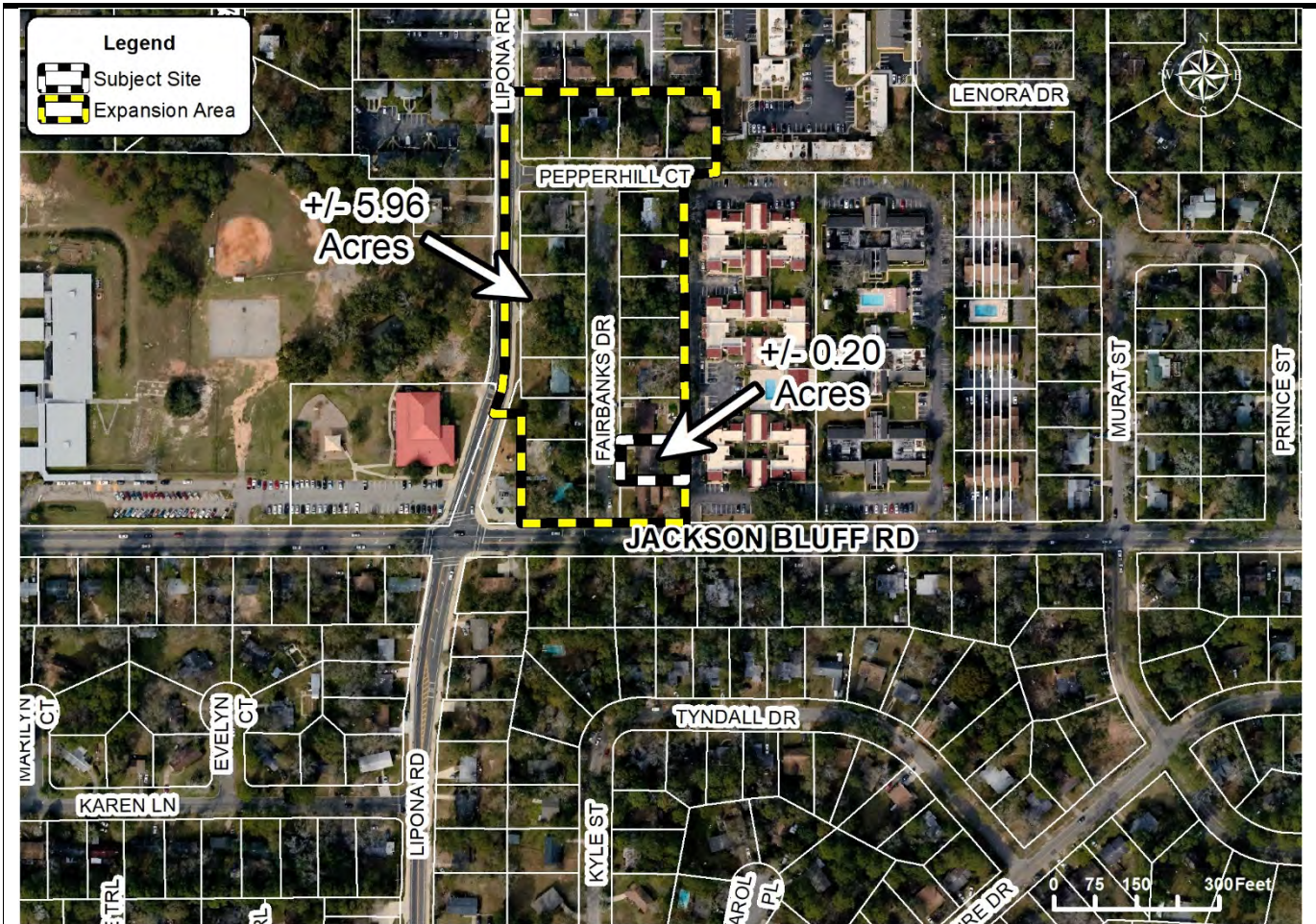
REVISIONS

| DATE | BY |
|------|----|
| | |

LEON COUNTY, FLORIDA
 C.C. "DICK" BRAND, JR.
 PROPERTY APPRAISER

SECTION: 25
 TOWNSHIP: 1N
 RANGE: 1W

SHEET NUMBER
 21-25
 SCALE: 1" = 200'



SUMMARY

| | | |
|--|--|--|
| Property Owners: Kendra Stevens Barry | Property Location: One parcel on the east side of Fairbanks Drive Expansion area includes entire subdivision | TLCPD Recommendation: Approve with expansion area |
| Applicant: Kendra Stevens Barry | | |
| TLCPD Staff: Sean Reiss | Current Future Land Use & Zoning: Future Land Use: Urban Residential 2 Zoning: Single Family Detached Residential (R-2) | LPA Recommendation: |
| Contact Information: Sean.Reiss@talgov.com 850-891-6438 | Proposed Future Land Use & Zoning: Future Land Use: University Transition Zoning: University Transition | Approve with expansion area |
| Date: 10/24/2019 | Updated: 4/22/2020 | |

A. REASON FOR REQUESTED CHANGE

The subject site is located north of Jackson Bluff Road on Fairbanks Drive in the Fairbanks Court Subdivision. The applicant, Kendra Stevens Barry, has requested an amendment to the Future Land Use Map (FLUM) to change the designation of the subject property from Urban Residential-2 (UR-2) to University Transition (UT).

Since 2003, the applicant has used the property, which was a registered rooming house, as a rental property. The applicant's rooming house registration lapsed, which has prompted the proposed amendment so that the applicant can maintain the option to rent to students. Currently, the residential units of the neighborhood are predominantly rental housing, not single-family owned residences. The neighborhood is an enclave of UR-2 surrounded by UT. The proposed UT category allows a mixture of office, commercial uses, and residential densities that are not allowed under the current zoning designation, Single Family Detached Residential (R-2). The proposed amendment is intended to recognize the rental uses of the neighborhood and the proximity to the universities and college.

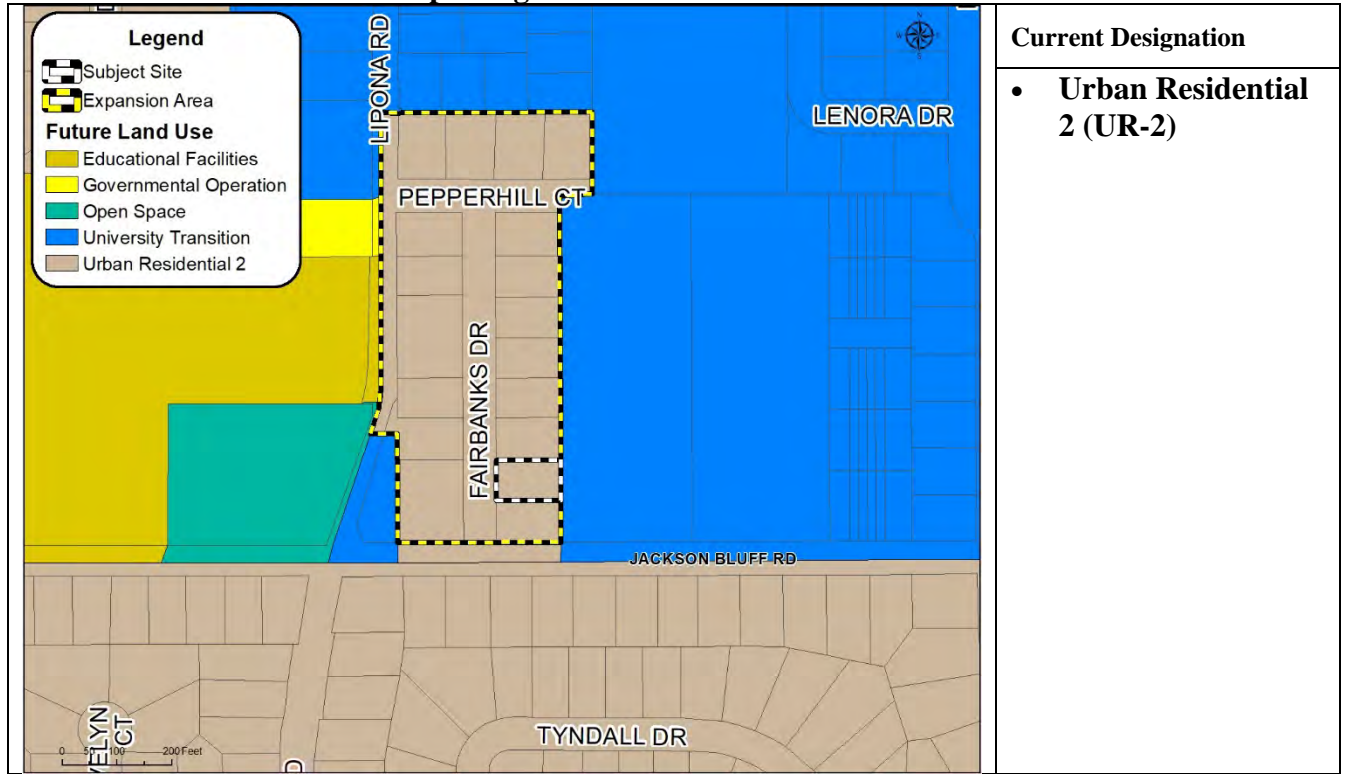
Upon analyzing the proposed amendment, staff recommends that the requested FLUM change be applied to the entirety of the Fairbanks Court Subdivision ("expansion area").

B. CURRENT AND PROPOSED FUTURE LAND USE DESIGNATION

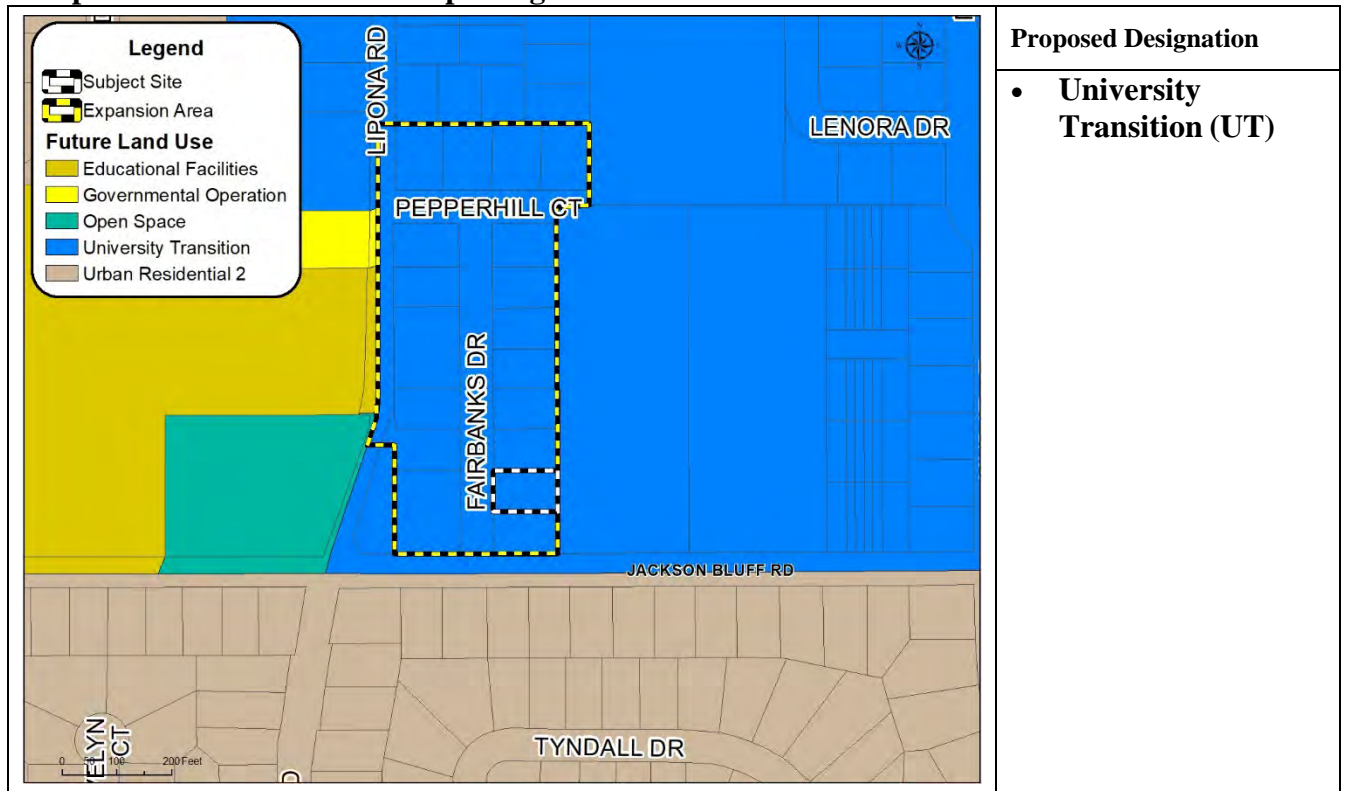
The Subject Site is currently designated Urban Residential 2 on the Future Land Use Map (FLUM). The proposed amendment would change the FLUM designation of the area to University Transition.

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

Current Future Land Use Map Designation



Proposed Future Land Use Map Designation



C. STAFF RECOMMENDATION

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

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

D. LOCAL PLANNING AGENCY (LPA) RECOMMENDATION

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

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

E. SUMMARY OF FINDINGS

Staff presents the following findings of fact:

1. The subject site is located near Florida State University, Florida A&M University, and Tallahassee Community College, within the geographic boundary identified in the Comprehensive Plan as being appropriate for the University Transition future land use and is predominantly surrounded by University Transition on the Future Land Use Map.
2. The subject site is primarily comprised of rental units; only one of the 18 parcels 0.06% of the proposed expansion area claim homestead exemption. Based on the existing land use, the proposed amendment would not encourage or facilitate the premature conversion of existing viable single-family residential neighborhoods as the neighborhood has already converted to rental uses and rooming houses.
3. The subject property and expansion area are in the Multi-Modal Transportation District (MMTD), which promotes the use of alternative transportation. Approval of this amendment would further the goal of the MMTD by promoting mixed use development and higher densities, a prerequisite for successful mass transit and other alternative modes of transportation.
4. The proposed amendment is not anticipated to have significant adverse impacts on public facilities.

F. STAFF ANALYSIS

History and Background

The applicant's property consists of one parcel totaling 0.20 +/- acres. The lot is currently occupied by a single-family detached residential home constructed in 1959. The parcel is located within the 5.96 +/- acre Fairbanks Court Subdivision. The staff recommendation is that the entire subdivision be included in the amendment.

The development pattern within the subdivision is composed of single story, detached homes built mostly in the 1950s and 1960s. The surrounding development pattern consists of a combination of townhomes, duplexes, apartments, and single-family housing. Many of the single-family residences in the area surrounding the applicant's property are in use as rooming houses and student rental housing. Similarly, in the Fairbanks Court subdivision, only one of the 18 parcels is owner occupied. The likelihood of the neighborhood reestablishing itself as an owner-occupied, single-family neighborhood is low given that the current surrounding land use patterns are intended to serve the nearby universities. The area's proximity to multiple campuses makes it an ideal location for residents that are affiliated with local universities.

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

In the past five years, the City has had several FLUM amendments in the area to change the future land use to UT to better reflect the character of the area. Those amendments include an amendment in the neighboring Murat Subdivision (TMA 2019 002), the Chapel Ridge neighborhood (PCM 2018 04), and the Fairmeadow neighborhood (PCM 2016 01).

Current and Proposed Future Land Use Categories

The complete comprehensive plan policies for Urban Residential 2 (Policy 2.2.24 [L]) and University Transition (Policy 2.2.17 [LU]) are included as Attachment #1.

Urban Residential 2 (Current)

The Comprehensive Plan addresses the Urban Residential 2 future land use category in Policy 2.2.24, which states the Urban Residential 2 land use category "is to be applied only within the Urban Services Area, is to encourage a range of density (20 dwelling units per acre) housing, thereby promoting infill development, reducing urban sprawl, and maximizing the efficiency of infrastructure. Urban Residential 2 may serve as a transition category between lower density residential categories and more intensive development such as higher density residential and/or office land uses or major roadways where alternative modes of transportation are available to support the increased residential densities."

University Transition (Proposed)

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

Consistency with Comprehensive Plan

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

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

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

Policy 2.2.17 [L] states that University Transition is not intended to “encourage or facilitate the premature conversion of existing viable single-family residential neighborhoods.” In a review of the Leon County Property Appraiser’s data, only one (1) parcel of the total 18 parcels in the Fairbanks Court subdivision claims homestead exemption. The principal use of the neighborhood’s residential units is as rentals. Based on this analysis, the proposed amendments would not likely be considered “the premature conversion of existing viable single-family residential neighborhoods.” The locations of the properties qualifying for homestead exemption are shown on the Existing Land Uses map below.

Policy 1.1.2 [M] provides direction to “Designate energy efficiency districts in areas that are intended for greater densities and intensities to support frequent transit service and where primary priority is to be placed on providing a safe, comfortable and attractive environment for pedestrians and cyclists.” The subject site is located within the Multimodal Transportation District (Policy 1.1.9 [M]). The goal of the MMTD is to facilitate the use of multiple modes of transportation, leading to a reduction in automobile use and vehicle miles traveled. Policy 1.1.11 [M] also provides direction to “review the Future Land Use Map and land development regulations within the district boundary(ies) and modify them as necessary to provide for appropriate densities, intensities and mixture of land uses to support 18-hour activity and multimodal transportation.” The proposed amendment would support compact, walkable, mixed-use development within the MMTD.

Policy 1.5.5 [M] established level of service standards and performance targets “to create community design that supports mobility.” These performance targets include “50% of students at

Florida State University (FSU), Florida A&M University (FAMU), and Tallahassee Community College (TCC) commute to campus via non-auto modes.” The proposed amendment would provide for student housing options in a location where non-automobile modes of transportation are viable.

Zoning

The Land Development Code sections for the R-2 Single-Family Detached Residential District and University Transition District are included as Attachment #2.

The intent of the current R-2 district is to be located in areas designated Urban Residential 2 or Suburban on the Future Land Use Map which exhibit a predominant existing development pattern of residential, single-family detached housing with development standards similar to the development standards of the R-2 district. The maximum gross density allowed for new residential development in the R-2 district is 4.84 dwelling units per acre. Certain community and recreational facilities related to residential uses are also permitted.

The intent of the proposed UT district is to:

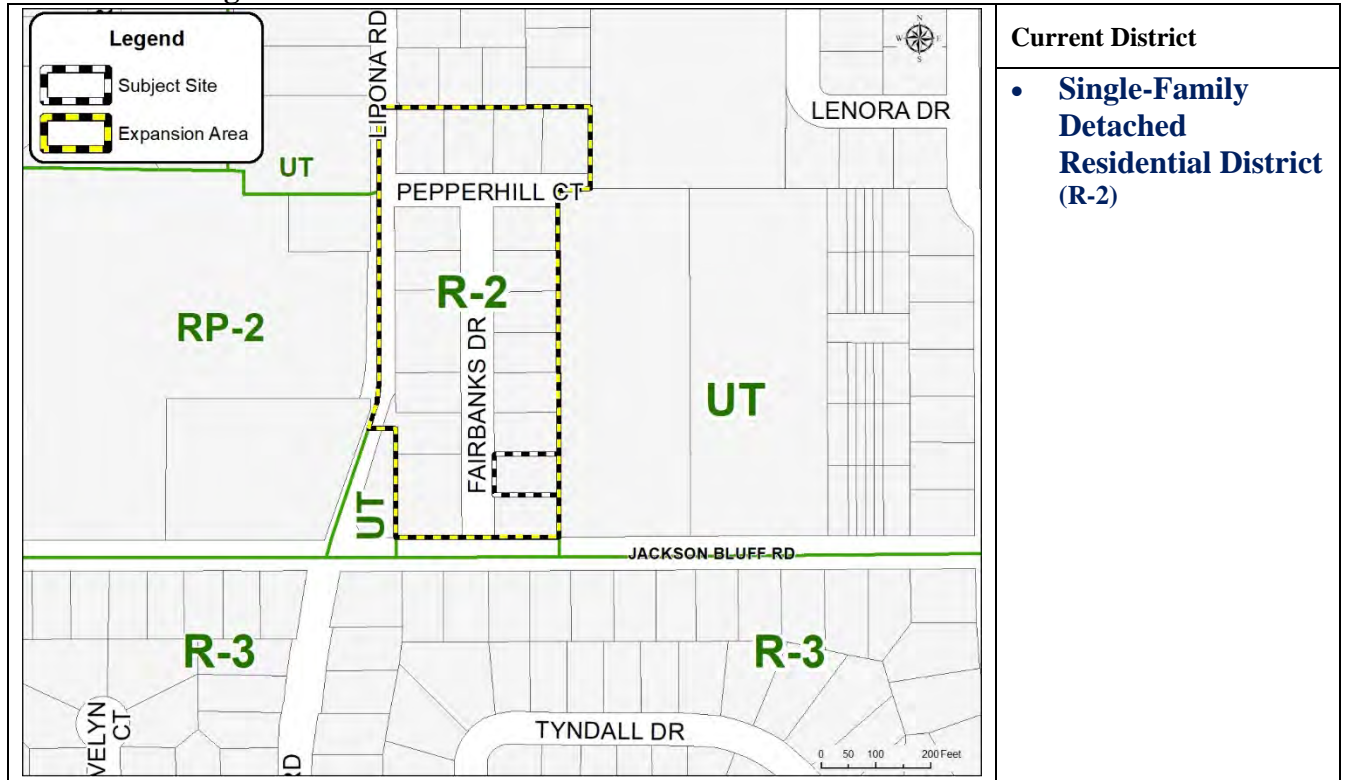
- be a compact land use category that provides higher density residential opportunities and student oriented services near the campuses;
- protect existing residential neighborhoods located away from the campuses from student housing encroachment; and
- transition industrial and lower density residential uses to vibrant urban areas

The proposed zoning district is compatible with the adjacent districts. Although the zoning district to the west of the subject site is Residential Preservation-2 (RP-2), the actual use of the property is institutional, as the site is the location of SAIL High School and the Palmer Munroe Teen Center. Since the use is not residential, density intrusions and incompatible land uses are not a problem.

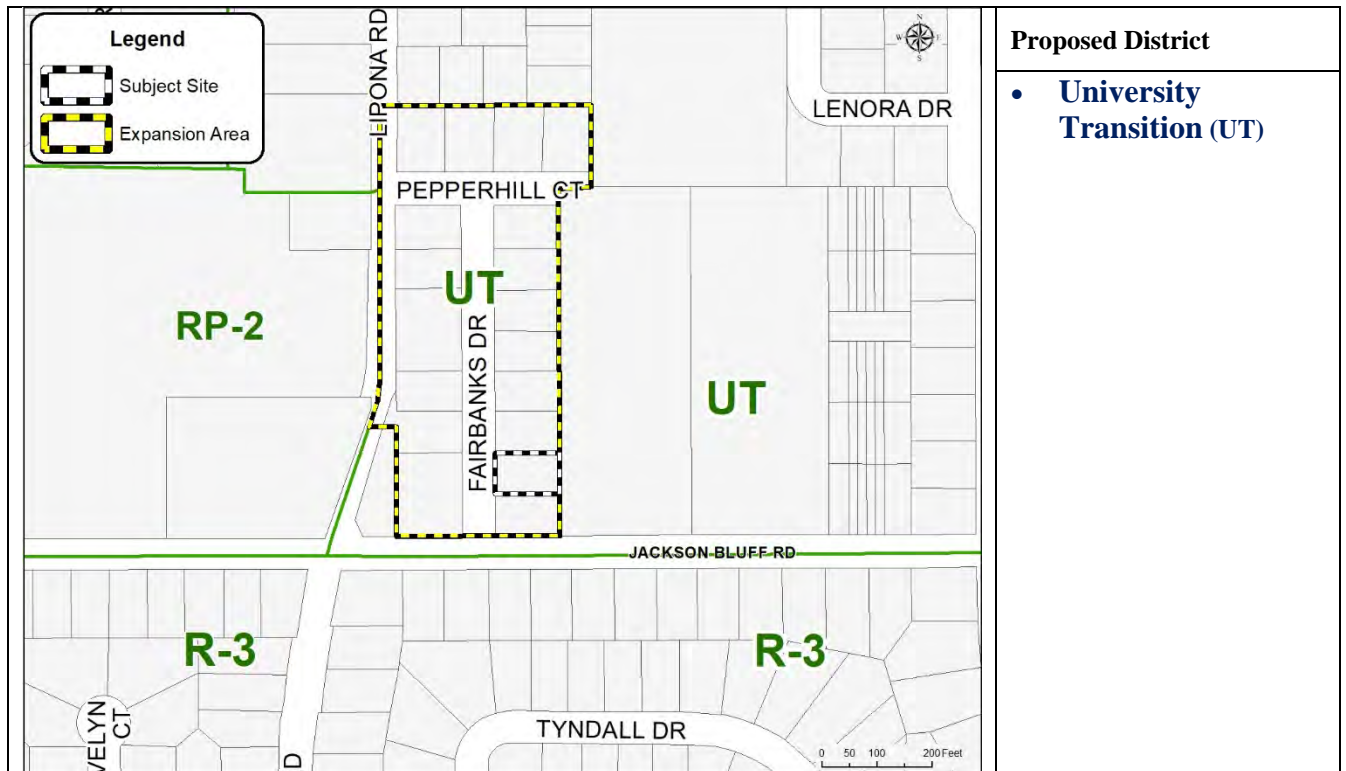
The R-3 Single Family Detached zoning district to the south does not present compatibility issues as the R-3 district is technically not considered an adjoining property, as the *Tallahassee Land Development Code* states that a property shall not be considered adjoining if it is separated by a major collector or arterial roadway. Jackson Bluff Road is functionally classified as a major collector and provides separation between the two land uses. Moreover, the proposed frontage would mirror the frontage directly to the east of the subject site and the R-3 properties along Jackson Bluff Road are predominantly rental housing with low percentages of owner-occupied units. The proposed zoning district is consistent with the area’s existing zoning.

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

Current Zoning



Proposed Zoning



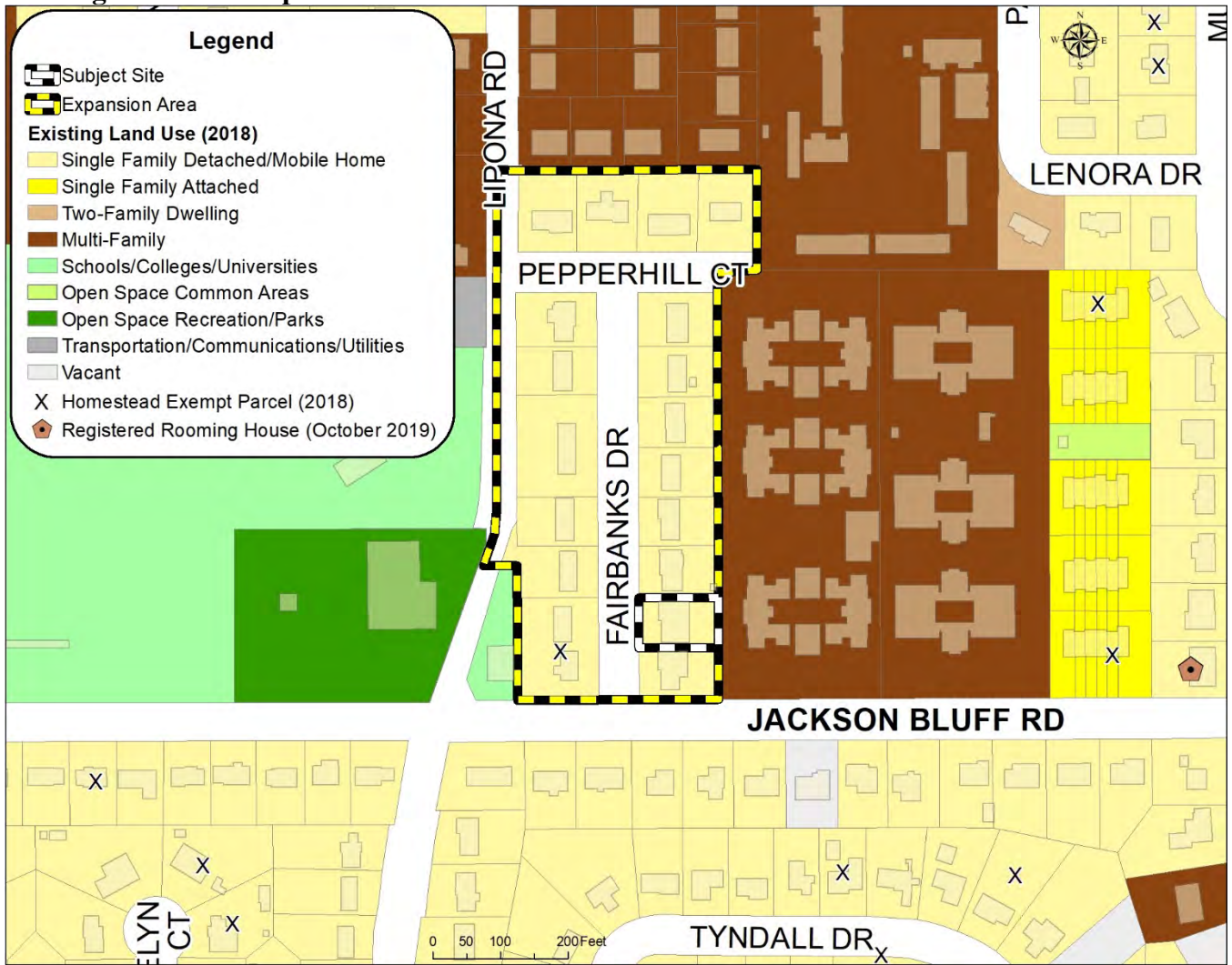
Existing Land Uses

The applicant’s parcel is a single-family detached house in use as rental housing. The surrounding properties in the Fairbanks Subdivision are also single-family detached houses; only one (1) property in the subdivision is owner occupied. Due to the similar changed conditions along the entire street, it is recommended that the applicant’s proposed amendment be expanded to include the entire Fairbanks Court Subdivision. This subject site is comprised of single-family detached houses and bounded by University Transition on two sides (north, and east) which consist of multi-family apartments. To the west, along South Lipona Road, there are Multi-family apartments adjacent to Pepperhill Court, Sail High School, a Day Care center, and a small enclave of Government Operational for an electric substation. To the south, along Jackson Bluff Road, the existing land use is single-family detached houses.

| Location | Future Land Use | Zoning | Existing Use |
|---------------------|--------------------|----------------|--|
| <i>SUBJECT SITE</i> | <i>UR-2</i> | <i>R-2</i> | <i>Single family detached</i> |
| <i>NORTH</i> | <i>UT</i> | <i>UT</i> | <i>Multi-family</i> |
| <i>EAST</i> | <i>UT</i> | <i>UT</i> | <i>Multi-family</i> |
| <i>SOUTH</i> | <i>UR-2</i> | <i>R-3</i> | <i>Single-family detached</i> |
| <i>WEST</i> | <i>UT/EF/OS/GO</i> | <i>UT/RP-2</i> | <i>Education Facilities/ Daycare Center/ Multi-family/Light infrastructure</i> |

The properties to the west of the subject site that zoned RP-2 are designated as Educational Facilities, Government Operational, and Recreation/Open Space on the Future Land Use Map and are the sites of the School for Arts & Innovative Learning (SAIL) High School, a utilities substation, and the Palmer Munroe Teen Center.

Existing Land Use Map



Infrastructure Analysis

Water/Sewer

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

Schools

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

The Leon County School Board found no negative impacts to Leon County Schools.

Roadway Network

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

Pedestrian and Bicycle Network

The roads within the Fairbanks Subdivision have sidewalks, but do not have bicycle facilities. Jackson Bluff Road has a sidewalk and shared lane markings (sharrows) and South Lipona Road has sidewalks and designated bike lanes. The St. Marks Trail is nearby and provides connectivity between the subject site and both Florida State University and Florida A&M University and is accessible via an underground pedestrian/bicycle tunnel connection on nearby Hayden Road. The Collegiate Tour Bike Route, part of the Leon County Bike Route Network, provides options that connect the subject site to Florida A&M University, as well as Florida State University and Tallahassee Community College. The Campus to the Rez route provides connectivity to Florida State University and Florida State University's Intramural Fields and Reservation. The Huntington to Lake Elberta Route provides connectivity between the Lake Jackson Mounds State Park and the Lake Bradford corridor/St. Marks Trail.

Transit Network

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

Environmental Analysis

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

F. PUBLIC OUTREACH AND NOTIFICATION

An initial mailing was sent to 1,107 property owners within 1,000 feet of Subject Site.

| Public Outreach | | Date | Details |
|-----------------|---|-------------------|--|
| X | Mail Notification of Proposed Changes | December 6, 2019 | Notices Mailed to Property Owners within 1000 feet |
| X | Notice of Proposed Land Use Change and Rezoning | | Two signs providing details of proposed land use and zoning changes posted on subject site |
| X | Public Open House | December 17, 2019 | 5:30 PM, Second Floor, Frenchtown Renaissance Center |
| X | Staff Reports Available Online | January 27, 2020 | Email Subscription Notice sent to all users of service |

Public Open House – December 17, 2019: 24 citizens attended the open house to discuss the 2020 Cycle amendments. Citizens generally asked about the details of the amendment. No attendees spoke in favor nor opposition to the proposed amendment.

G. STAFF REPORT UPDATE

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

| Cycle 2019 Meetings | | Dates | Time and Locations |
|---------------------|---------------------------------------|-------------------|--|
| X | Local Planning Agency Workshop | January 7, 2020 | 6:00 PM, Second Floor, Frenchtown Renaissance Center |
| X | Local Planning Agency Public Hearing | February 4, 2020 | 6:00 PM, Second Floor, Frenchtown Renaissance Center |
| X | Joint City-County Commission Workshop | February 25, 2020 | 1:00 PM, Fifth Floor, Leon County Courthouse |
| X | City Adoption Public Hearing | April 22, 2020 | 6:00 PM, Fifth Floor, Leon County Courthouse |

Local Planning Agency Workshop – January 7, 2020: A workshop was held on January 7, 2020 to discuss the proposed 2020 Cycle amendments. The LPA asked staff to look for options in addition to homestead exemption for determining homeowner occupancy.

Local Planning Agency Public Hearing – February 4, 2020: The Local Planning Agency voted to recommend approval of the proposed map amendment and rezoning. There were no citizen speakers on this amendment.

Joint City-County Commission Workshop – February 25, 2020: Staff presented the proposed amendment to the Commissioners. There were no questions of staff on the proposed amendment.

H. ATTACHMENTS

Attachment #1: Comprehensive Plan policies 2.2.17 [L] and 2.2.24 [L].

Attachment #2: Land Development Code sections 10-245 and 10-242.

Attachment #1

Policy 2.2.24: [L] Urban Residential 2

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

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

Policy 2.2.17: [L] University Transition

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

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

Higher density residential redevelopment of up to 50 DU/AC is allowed to provide housing for students and close in housing opportunities to the downtown for professionals. Retail commercial limited to a smaller scale classification to provide essential services to immediate residents and ancillary needs of universities such as book stores and photo copying establishments may be permitted. State and private

offices properly designed and scaled to surrounding uses may be permitted as well as central parking facilities, artistic studios and workshops. Restaurants, movie theaters, lounges and other entertainment commercial uses shall be permitted as commercial. Development regulations which allow flexibility in their design and operation to permit such uses as outdoor cafe and gardens shall be incorporated into zoning code. Pedestrian pathways and access systems shall be designed to connect universities, downtown, civic/arts center, and residential and commercial areas to cut down on dependence of automobile travel. Design controls shall be employed to provide land use compatibility by offsetting potential negative impacts.

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

Attachment #2

Zoning Districts Charts referenced in the report:

- University Transition (Section 10-242)
- R-2 Single Family Detached Residential (Section 10-245)

Section 10-245. R-2 Single-Family Detached Residential District.

The following applies to the R-2 Single-Family Detached Residential District:

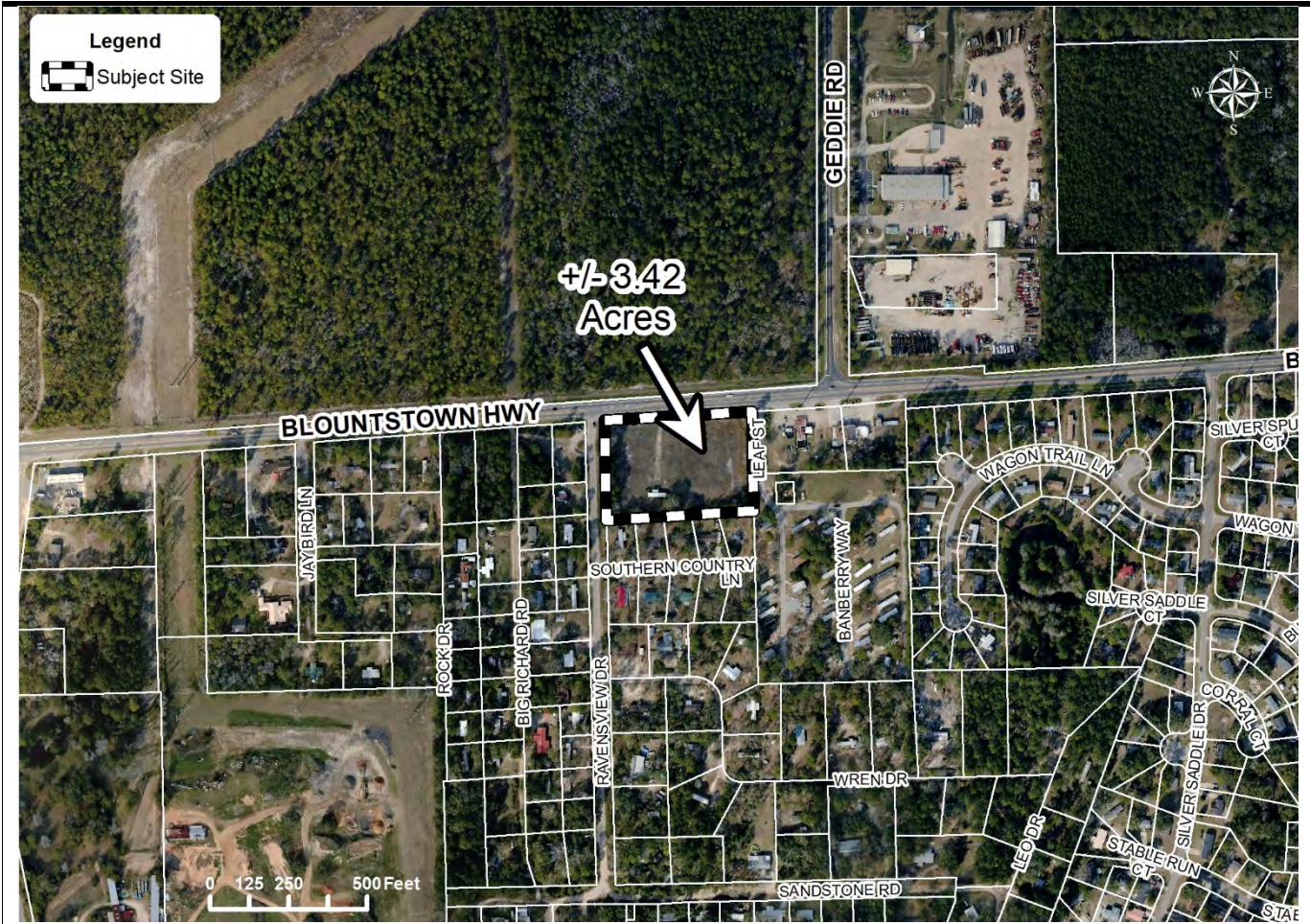
| 1. District Intent | PERMITTED USES | | | | | | | | |
|---|---|---------------------|---------------------|-------------------------------------|--|---------------------------|----------------|--|--|
| | 2. Principal Uses | | | | 3. Accessory Uses | | | | |
| <p>The R-2 district is intended to be located in areas designated Urban Residential 2 or Suburban on the Future Land Use Map which exhibit a predominant existing development pattern of residential, single-family detached housing with development standards similar to the development standards of the R-2 district. The maximum gross density allowed for new residential development in the R-2 district is 4.84 dwelling units per acre. Certain community and recreational facilities related to residential uses are also permitted.</p> <p>Development standards for properties located within the MMTD are established within Division 4 of this Code.</p> | <p>(1) Community facilities related to residential uses including religious facilities, police/fire stations, and elementary and middle schools. Libraries, vocational and high schools are prohibited, except in the MMTD where high schools are a principal permitted use. Other community facilities may be allowed in accordance with Section 10-413 of these regulations.</p> <p>(2) Golf courses.</p> <p>(3) Passive and active recreational facilities.</p> <p>(4) Single-family detached dwellings (rooming houses are prohibited).</p> | | | | <p>(1) A use or structure on the same lot with, and of a nature customarily incidental and subordinate to, the principal use or structure and which comprises no more than 33 percent of the floor area or cubic volume of the principal use or structure, as determined by the Land Use Administrator.</p> <p>(2) Light infrastructure and/or utility services and facilities necessary to serve permitted uses, as determined by the Land Use Administrator.</p> | | | | |
| DEVELOPMENT STANDARDS | | | | | | | | | |
| Use Category | 4. Minimum Lot or Site Size | | | 5. Minimum Building Setbacks | | | | 6. Maximum Building Restrictions | |
| | a. Lot or Site Area | b. Lot Width | c. Lot Depth | a. Front | b. Side-Interior Lot | c. Side-Corner Lot | d. Rear | a. Building Size (excluding gross building floor area used for parking) | b. Building Height (excluding stories used for parking) |
| Single-Family Detached Dwellings | 9,000 square feet | 60 feet | 100 feet | 25 feet | 7.5 feet on each side; or any combination of setbacks that equals at least 15 feet, provided that no such setback shall be less than 5 feet | 15 feet | 25 feet | not applicable | 3 stories |
| Any Permitted Principal Non-Residential Use | 18,000 square feet | 80 feet | 100 feet | 25 feet | 7.5 feet on each side; or any combination of setbacks that equals at least 15 feet, provided that no such setback shall be less than 5 feet | 15 feet | 25 feet | 10,000 square feet of gross building floor area per acre | 3 stories |

GENERAL NOTES:

1. If central sanitary sewer is not available, nonresidential development is limited to a maximum of 2,500 square feet of building area. Community service facilities are limited to a maximum of 5,000 square feet of building area or a 500 gallon septic tank. Also, refer to Sanitary Sewer Policy 2.1.12 of the Comprehensive Plan for additional requirements.
2. Refer to chapter 5, environmental management for information pertaining to the regulation of environmental features (preservation/conservation features), stormwater management requirements, etc.
3. Refer to chapter 4, concurrency management for information pertaining to the availability of capacity for certain public facilities (roads, parks, etc.).
4. For cluster development standards, refer to Section 10-426.

Section 10-242 UT University Transition District.

| PERMITTED USES | | |
|--|--|---|
| 1. District Intent | 2. Principal Uses | 3. Accessory Uses |
| <p>University Transition is intended to;</p> <ul style="list-style-type: none"> • be a compact land use category that provides higher density residential opportunities and student oriented services near the campuses; • protect existing residential neighborhoods located away from the campuses from student housing encroachment; and • transition industrial and lower density residential uses to vibrant urban areas. <p>Higher density residential development of up to 50 du/ac to provide housing opportunities for students and downtown professionals. Smaller scale retail commercial shall provide essential services to immediate residents and ancillary needs of universities. Pedestrian pathways, trails, and transit facilities shall be designed to connect universities, downtown, civic/arts center, and residential and commercial areas to reduce automobile dependence. Pedestrian oriented design controls shall be employed to provide land use compatibility. The University Transition zoning district is allowed in the UT Future Land Use Map area, located generally within the rectangle created by the Florida State Univ. main campus, Florida A&M Univ., Tallahassee Community College/Lively Technical Institute campuses, and Innovation Park. The Gaines Street Revitalization Plan study area is excluded from this area.</p> <p>To encourage pedestrian-oriented redevelopment, innovative parking strategies, mixed use development, and other urban design features within the Central Core (defined in Comprehensive Plan), a 25% density bonus is available subject to the provisions of Sec. 10-289 of this code.</p> <p>Development standards for this zoning district are established within Division 4 applicable to the MMTD.</p> | <ol style="list-style-type: none"> 1) Advertising agencies. 2) Antique shops 3) Beauty & barber shops. 4) Book & stationary stores. 5) Banks, credit unions, financial institutions without drive through facilities. 6) Banks, credit unions, financial institutions with drive-through facilities (only allowed on parcels fronting West Pensacola St. between Cactus Drive and Lipona Road). 7) Camera & photographic supply stores. 8) Civic & social associations. 9) Colleges & universities – educational facilities, administrative offices, athletic & intramural fields and stadiums. 10) Commercial art & graphic design. 11) Community facilities related to residential uses, including religious facilities, police/fire stations, elementary and secondary schools, and, libraries. Other community facilities may be allowed in accordance with Section 10-413 of these regulations. 12) Computer & data processing services. 13) Dance studio, schools, halls. 14) Day care centers. 15) Employment agencies. 16) Gift, novelty, souvenir shops. 17) Hobby, toy, game stores. 18) Hotels, motels, bed & breakfasts. 19) Indoor amusements (bowling, billiards, arcades). 20) Laundromats, laundry, & dry cleaning services without drive through facilities. 21) Laundromats, laundry, & dry cleaning services with drive-through facilities (Only allowed on parcels fronting West Pensacola St. between Cactus Drive and Lipona Road). 22) Live-work units. 23) Mailing and postal services. 24) Medical & dental offices, clinics, laboratories. 25) Mortgage brokers. 26) Movie theaters and amphitheaters. 27) Museums & art galleries. 28) Musical instrument stores. 29) News dealers and newsstands. 30) Non-medical offices & services, including business, insurance, real estate, and governmental. 31) Non-store retail. 32) Optical goods stores. 33) Passive and active recreation. 34) Personal services (barber, spa, etc.) 35) Photocopying & duplicating services. | <ol style="list-style-type: none"> 1) A use or structure on the same lot with, and of a nature customarily incidental and subordinate to, the principal use or structure and which comprises no more than 33 percent of the floor area or cubic volume of the principal use or structure, as determined by the Land Use Administrator. 2) Light infrastructure and/or utility services and facilities necessary to serve permitted uses, as determined by the Land Use Administrator. |
| | | <ol style="list-style-type: none"> 36) Photographic studios, portrait. 37) Physical fitness, gyms. 38) Public community center/meeting building (non-commercial use only). 39) Radio and Television broadcasting. 40) Rental and sales of home movies & games. 41) Repair services, non-automotive. 42) Residential – any type. 43) Restaurants and drinking establishments without drive through facilities 44) Restaurants with drive-through facilities (Only allowed on parcels fronting West Pensacola St. between Cactus Drive and Lipona Road). 45) Retail establishments – bakeries, computer, clothing & accessories, video, records/compact discs, electronics, drug store without drive-through facilities, drug store with drive-through facilities. (Only allowed on parcels fronting West Pensacola St. between Cactus Drive and Lipona Road). florist, food & grocery, furniture, home appliances, home/garden supply, hardware, jewelry, needlework/knitting, newsstands, books, greeting cards, package liquor, picture framing, trophy stores, shoes, luggage, leather goods, used goods. 46) Security & commodity brokers. 47) Sewing & needlework goods. 48) Shoe repair, shoe shine parlors. 49) Sporting goods and bicycle shops. 50) Social, fraternal, recreational clubs/assemblies. 51) Structured parking, with active uses located along a minimum of 75 percent of all walls adjacent to public streets and pedestrian areas. 52) Studios: photography, music, art, drama, voice. 53) Tailoring. 54) Travel agencies. 55) Veterinary services. 56) Vocational schools. 57) Watch, clock, jewelry repair. 58) Existing drive-through uses and existing motor vehicle fuel sales which were legally established and in existence on 11-20-2007. 59) Other uses, which in the opinion of the Land Use Administrator, are of a similar or compatible nature to the uses and intent described in this district. |



SUMMARY

| | | |
|--|---|------------------------------|
| Property Owners: | Property Location: | TLCPD Recommendation: |
| Secon Recovery & Towing, LLC | 7601 Blountstown Highway, between Ravensview Drive and Leaf Street | Approve |
| Applicant: | | |
| Teramore Development, LLC | | |
| TLCPD Staff: | Current Future Land Use & Zoning: | LPA Recommendation: |
| Anne Rokyta | <u>Future Land Use:</u> Urban Fringe <u>Zoning:</u> Urban Fringe | Approve |
| Contact Information: | Proposed Future Land Use & Zoning: | |
| anne.rokyta@talgov.com 850-891-6436 | <u>Future Land Use:</u> Suburban <u>Zoning:</u> C-2 General Commercial | |
| Date: November 1, 2019 | Updated: April 28, 2020 | |

A. REASON FOR REQUESTED CHANGE

The applicant, Teramore Development, LLC, is a potential buyer of a 3.34+/- acre site located at 7601 Blountstown Highway (SR 20) and proposes a FLUM amendment from Urban Fringe to Suburban to allow for the development of a freestanding commercial structure intended for use as a neighborhood retail store. A preliminary site plan attached to the application shows an 8,960 square foot retail structure on the western portion of the site. The anticipated tenant offers an assortment of consumable basic merchandise including health and beauty aids, packaged food products, home cleaning supplies, housewares, stationery, seasonal goods, basic clothing and domestics. In general, most new stores of this type also offer coolers that have perishable items such as meats, dairy and frozen items such as vegetables, etc.

The site's current FLUM designation, Urban Fringe, allows for appropriately sized minor commercial and office. The Urban Fringe designation is implemented by the Urban Fringe (UF) zoning district (Sec. 10-6.613) which allows for Minor Commercial uses based on locational standards. The proposed retail store exceeds the 5,000 square foot maximum for a single structure under the Minor Commercial use.

The requested change to the Suburban land use category and concurrent rezone to the General Commercial (C-2) district would allow 12,500 square feet per acre, which would allow up to 41,750 square feet of non-residential development on the subject site. However, central sanitary sewer is not available to the site, limiting non-residential development to a maximum of 2,500 square feet. It may be possible to request a deviation from this limitation if it can be shown the proposed development does not exceed 900 gallons of wastewater flow per day per Comprehensive Plan Sanitary Sewer Policy 1.2.3.

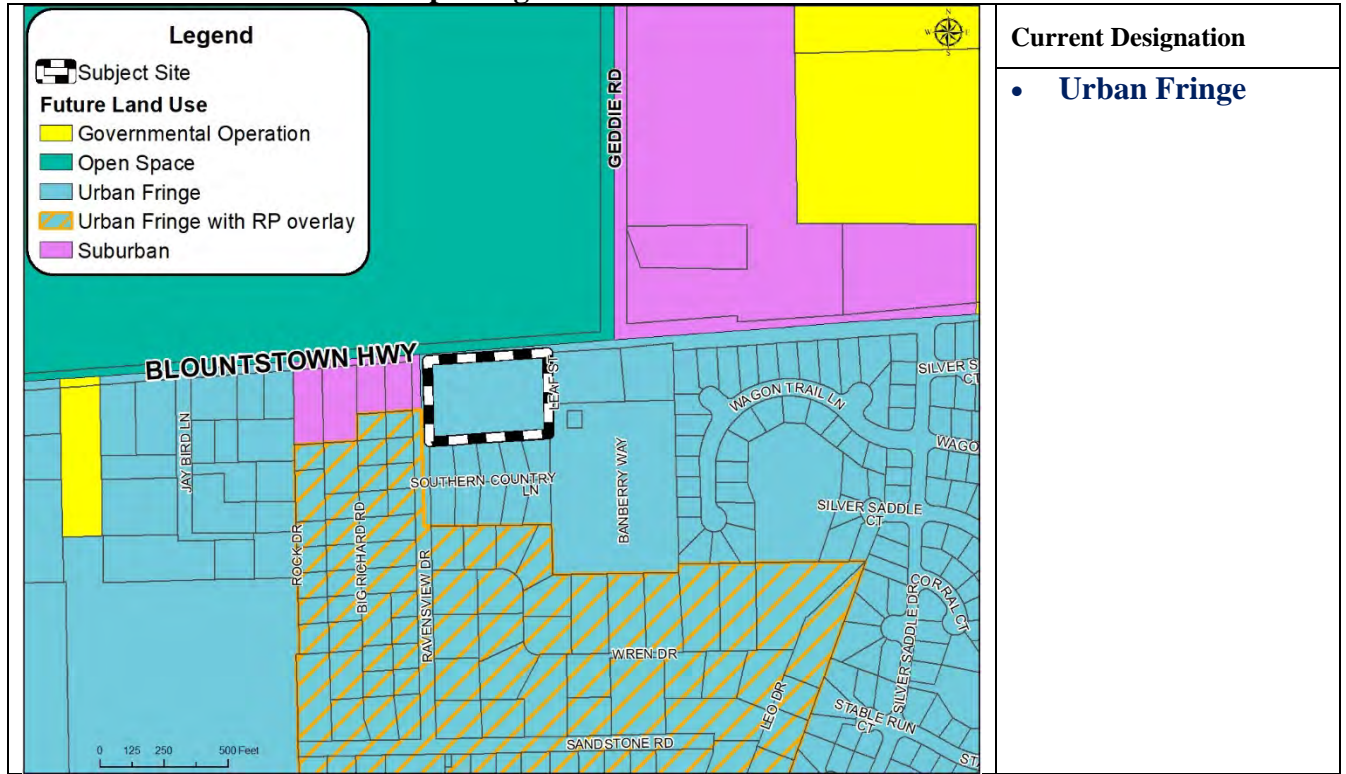
B. CURRENT AND PROPOSED FUTURE LAND USE DESIGNATION

The Subject Site is currently designated Urban Fringe on the Future Land Use Map (FLUM). The proposed amendment would change the FLUM designation of the site to Suburban.

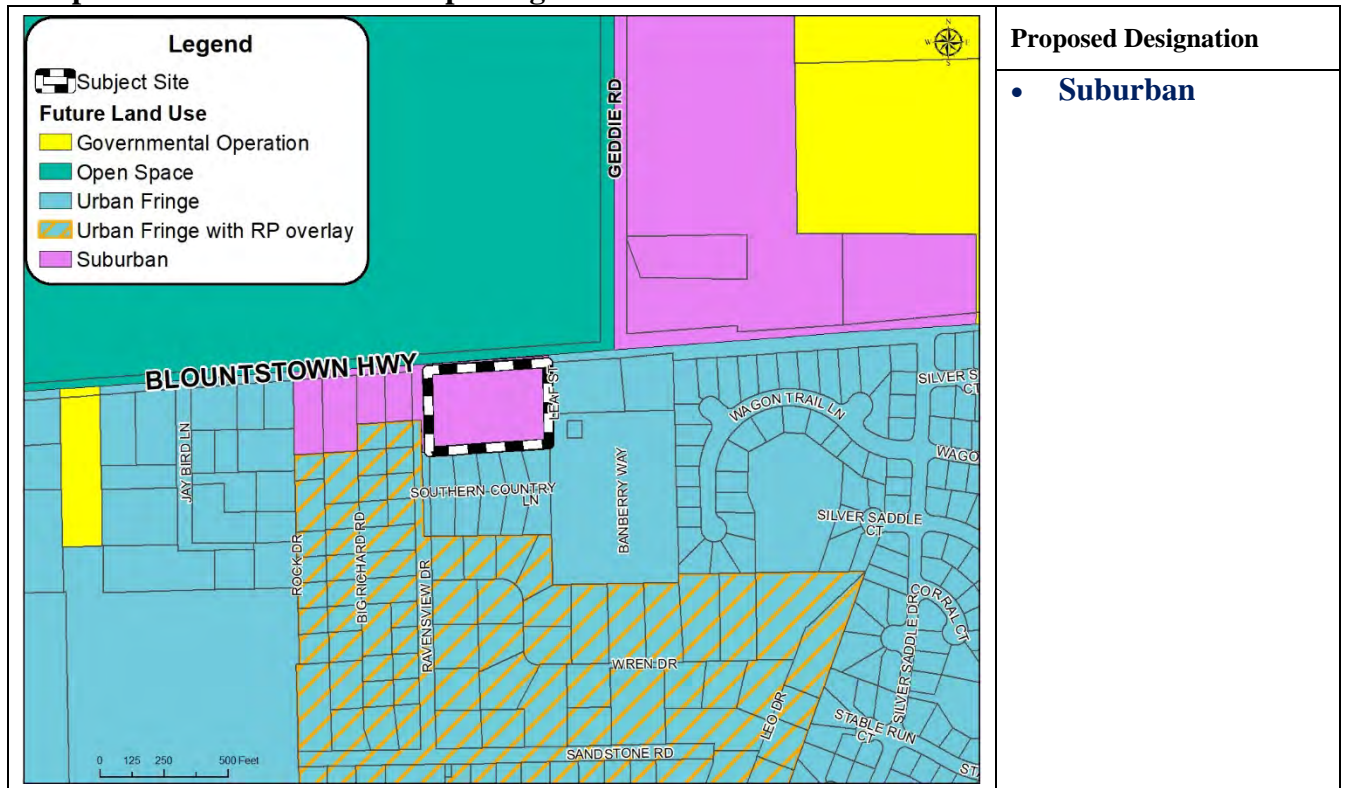
The current FLUM designation, Urban Fringe, is characterized by very low-density residential areas mixed with open space and agricultural activity on the periphery of the Urban Service Area and allows for appropriately sized minor commercial and office. The proposed Suburban FLUM designation provides for reinvestment in residential, office, and retail development with convenient access to low and medium density residential land uses.

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

Current Future Land Use Map Designation



Proposed Future Land Use Map Designation



C. STAFF RECOMMENDATION

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

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

D. LOCAL PLANNING AGENCY (LPA) RECOMMENDATION

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

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

E. SUMMARY OF FINDINGS

Staff presents the following findings of fact:

1. The subject site is currently used for a towing and recovery business, a use that is not permitted in the current Urban Fringe (UF) zoning district and was illegally established. Compliance is being sought under code enforcement case #LEC190250. This application is made by a potential buyer as part of the process to relocate the current use.
2. The proposed development qualifies for Minor Commercial uses based on its location at an intersection of an arterial with a local street, but would exceed the maximum 5,000 square foot limitation for Minor Commercial single structures.
3. The subject site is eligible for designation from Urban Fringe (Policy 2.2.2 [L]) to a more dense or intense land use category because it is within the Urban Service Area.
4. The subject site is suitable for non-residential uses because:
 - The site is located near an intersection of major roadways in a suburban to rural setting, falling within a natural node.
 - Development of the site will have little environmental impact because the site is flat, largely cleared of vegetation, and is not identified as having environmental concerns.
 - The large-lot site provides a transition of uses and a buffer from heavy traffic between Blountstown Highway (a Principal Arterial) and residential lots to its south.
 - Historically, the site has been zoned and used for non-residential uses. It was zoned C-4 Automotive Commercial District in 1987 by a limited use site plan adopted by Leon County Ordinance 87-48. With the adoption of the 1990 Comprehensive Plan it was zoned to Urban Fringe, which allows Minor and Neighborhood commercial. The property was used as a manufactured homes sales lot from 1987 to 2006.

5. The Suburban category (Policy 2.2.5 [L]) is appropriate for the proposed retail use because:
 - the intent of the Suburban category is for “advantageous placement of employment and shopping opportunities”,
 - “the category predominantly consists of single-use projects that are interconnected whenever feasible”, and
 - “business activities are not intended to be limited to serve area residents”.
6. The subject site is appropriately situated for designation as Suburban (Policy 2.2.5 [L]) because the site is:
 - located adjacent to lands already within the Suburban category,
 - has “convenient access to low to medium density residential land uses” by way of its adjacency to Blountstown Highway (a principal arterial),
 - oriented such that interconnection between single-use projects is feasible,
 - located outside the Central Core
 - in close proximity to residential uses “to reduce automobile dependency of residents and employers” and
 - located such that “[b]usiness 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.”
7. Expansion of the Suburban FLUM category (Policy 2.2.5 [L]) is compatible with the adjacent Urban Fringe FLUM category (Policy 2.2.2 [L]) because the existing residential development pattern exceeds the maximum residential density allowed by the Urban Fringe category (1 unit per 3 acres). The existing development patterns (generally 0.25 to 0.50 acre lots) are more consistent with the intended development patterns of the Suburban category (0 to 20 units per acre) than with Urban Fringe category.
8. Inability to connect to central sanitary sewer does not necessarily preclude designation of the site to the Suburban category, however intensity of non-residential development will be limited according to the following policies:
 - In the Suburban category “areas lacking the necessary infrastructure, the Land Development Regulations may designate a low intensity interim use” (Policy 2.2.5 [L]),
 - “any non-residential development that is calculated to generate a wastewater flow in excess of 900 gallons per day must be connected to a central sanitary sewer service.” (Policy 1.2.3 [SS]), and
 - requirements that anticipate future connection to sanitary sewer for any development using septic tanks within the Urban Service Area are established by Policy 2.1.12 [SS].
 - If rezoned to C-2 General Commercial as requested, “non-residential development is limited to a maximum of 2,500 square feet of building area” if central sanitary sewer is not available. (Leon County Code of Ordinances Sec. 10-6.647, General Note (1)).

- Development may be eligible for a deviation to the above referenced square footage limitation in Sec. 10-6.647 if it can be demonstrated that the use complies with Policy 1.2.3 [SS] limiting non-residential uses connected to septic systems to 900 gallons of wastewater per day.
9. The concurrent request to rezone the subject site to the C-2 General Commercial Zoning District (Leon County Code of Ordinances Sec. 10-6.647) is consistent with the request to designate the site Suburban.
- “The C-2 district is intended to be located in areas designated [...] Suburban [...] on the future land use map of the Comprehensive Plan.”
 - The C-2 zone “shall apply to 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 or service activities or other types of more intensive commercial activity.”
 - “C-2 districts shall not be located closer than one-quarter mile to other C-2 or C-1 districts or to parcels of land containing commercial developments including more than 20,000 gross square feet of floor area and shall not exceed 30 acres in size.”

F. STAFF ANALYSIS

History and Background

The subject site is currently used for vehicle storage and an office by the current owners of the property, Secon Recovery & Towing, LLC. The property was conveyed to the current owners on September 7, 2016 (Leon County Clerk of Courts Official Record BK: 4970 PG: 1709). Leon County Permitted Use Verification VC1900036, issued March 18, 2019, found that the use was not lawfully established. As such, there is an active zoning code enforcement case (#LEC190250). The owner is in the process of relocating. This application is made by a prospective buyer in coordination with the property owner.

The site was previously utilized for a commercial mobile home sales business between 1987 and 2006. According to Leon County Residential Compliance Certificate VC160131, issued November 11, 2016, a mobile home and septic tank were permitted on the property in 1987. The mobile home was permitted to be used as an office for a commercial mobile home sales business that same year. Based on aerial and street view imagery, it appears this business operated until 2006.

Prior to 1990 the property was zoned Automotive Commercial C-4 with a Limited Use Site Plan established by Leon County Ordinance 87-48 wherein it was rezoned from Agricultural 2. A retail use was consistent with the limited use site plan. The subject site has been designated and zoned Urban Fringe (UF) since the adoption of the 1990 Comprehensive Plan.

The four parcels directly to the west of the subject site are currently designated Suburban and zoned C-2 General Commercial. These four parcels were designated Residential Preservation by the 1990 Comprehensive Plan, but were previously zoned C-1. A FLUM amendment to Mixed Use B was approved in 2000 and was concurrently rezoned to C-2 General Commercial. The Mixed Use B designation was updated to Suburban in 2007 with adoption of a Comprehensive Plan Update to more specific categories.

Current and Proposed Future Land Use Categories

The complete comprehensive plan policies for Urban Fringe (Land Use Policy 2.2.2) and Suburban (Land Use Policy 2.2.5) are included as Attachment #1.

Urban Fringe (Current)

The site is currently designated Urban Fringe, which 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. The designation also provides for appropriately sized minor commercial and office activities. More intense commercial, office, and industrial uses are prohibited due to lack of infrastructure and potential environmental impacts. The maximum residential density allowed is one unit per three acres. Lands designated Urban Fringe shall not be converted to a more dense or intense land use category unless lands are within the Urban Service Area.

The site is located within the Urban Services Area and is eligible for conversion to a more dense or intense land use category. The residential uses within the Urban Fringe category surrounding the site are more dense than allowed by the category.

Suburban (Proposed)

The proposed FLUM designation, Suburban, is intended to create an environment of 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. Business activities are not intended to be limited to serve area residents; and as a result may attract shoppers from throughout larger portions of the community.

Allowed land uses within the Suburban Future Land Use Category are regulated by zoning districts that implement the intent while recognizing the unique context of different areas. Any proposed change to a more intensive district shall consider availability of infrastructure. In areas lacking the necessary infrastructure, low intensity interim uses may be permitted.

Consistency with Comprehensive Plan

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

1. Policy 2.2.2 [L] states “the Urban Fringe category is intended to provide the opportunity for very low-density residential areas” and residential “may be permitted at a density of up to one unit per three acres.”

The areas surrounding the subject site are developed at densities exceeding one unit per three acres. The residential development surrounding the subject site are generally single family detached homes on lots ranging from approximately 0.25 acre to 0.50 acre.

2. Policy 2.2.2 [L] states that “no additional lands designated [...] Urban Fringe as of August 26, 2006 shall be converted to a more dense or intense land use category unless adjoining lands are also within the designated Urban Service Area boundary.”

The subject site is within the Urban Service Area.

3. Policy 2.2.5 [L] states that the Suburban future land use category is intended for “shopping opportunities with convenient access to low to medium density residential land uses.” Table 4 defines low density residential as 0-8 units per acre and medium density as 8-16 units per acre.

Although the subject site is located adjacent to areas designated Recreation/Open Space and Urban Fringe that allow no to very low density (1 unit per 3 acres) residential uses, the surrounding existing development pattern is low density.

Blountstown Highway, a Principal Arterial, is the primary vehicular circulation route for several residential subdivisions. The subject site’s location on Blountstown Highway makes it convenient to these residential uses.

4. Policy 2.2.5 [L] states that the Suburban future land use category “predominantly consists of single-use projects that are interconnected whenever feasible.”

The preliminary site plan indicates that only a portion of the subject site will be used for the proposed single-use project, presumably allowing for other, interconnected, development on the site.

5. Policy 2.2.5 [L] states that the Suburban future land use category “is most suitable for those areas outside of the Central Core.”

The subject site is well outside the Central Core.

6. Policy 2.2.5 [L] states that the Suburban future land use category intends “to reduce automobile dependency of residents and employers” and “to complement the residential aspects of this development pattern [...] commercial goods and services should be located nearby.”

The subject site’s location directly adjacent to developed residential areas provides shopping opportunities within walking or biking distance. The site’s location at the periphery of the Urban Service Area provides an opportunity for residents further afar to reduce automobile miles traveled to reach shopping.

7. Policy 2.2.5 [L] states that business activities within the Suburban future land use category “are not intended to be limited to serve area residents; and as a result may attract shoppers from throughout larger portions of the community.”

The subject site’s location on Blountstown Highway provides an optimal location to serve shoppers from the greater area in a manner that limits impacts to area residents.

8. Policy 2.2.5 [L] states within Suburban future land use category “those areas lacking the necessary infrastructure, the Land Development Regulations may designate a low intensity interim use” and “[a]ny evaluation of a proposed change of zoning to a more intensive district shall consider, among other criteria, the availability of the requisite infrastructure.”

The subject site lacks access to central sewer services. The proposed General Commercial (C-2) zoning district implements the Suburban FLUM category and limits non-residential uses to a maximum of 2,500 square feet of building area if central sanitary sewer is not available (General note (1) to Sec. 10-6.647).

9. Policy 1.2.3 [SS] addressing septic tank regulation, states “any non-residential development that is calculated to generate a wastewater flow in excess of 900 gallons per day must be connected to a central sanitary sewer service. For the purposes of administering this specific policy, Rule 64E-6.008 F.A.C. shall be used in calculating estimated sewage flows attributable to various types of non-residential development.”

The wastewater flow per day will be calculated at the time of site plan submittal and this Policy will be administered by the Leon County Development Support and Environmental Management department.

10. Policy 2.1.12 [SS] establishes requirements that anticipate future connection to sanitary sewer for any development using septic tanks within the Urban Service Area.

The proposed C-2 General Commercial zoning district (Sec. 10-6.647) references this Comprehensive Plan policy in General note (1) to be applied at site plan review.

Zoning

The Land Development Code sections for Urban Fringe Zoning District (Leon County Code of Ordinances Sec. 10-6.613) and C-2 General Commercial Zoning District (Leon County Code of Ordinances Sec. 10-6.647) are included as Attachment #2.

Urban Fringe (UF) (Current)

The purpose of the Urban Fringe zoning district is 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. The district allows for residential development of no greater than one unit on three acres of land. Smaller scale, low-intensity commercial development is permitted to conveniently serve area residents. Commercial uses are allowed within the UF Zone based on locational standards found in Sec. 10-6.619. The subject site, located at the intersection of an arterial with a local street qualifies for Minor Commercial, which allows for “miscellaneous general merchandise stores” and is limited to a maximum of 5,000 square feet per structure.

The proposed 8,960 square foot retail store exceeds the maximum 5,000 square foot per structure allowed in the UF Zone.

C-2 General Commercial (C-2) (Proposed)

The proposed rezoning is consistent with the following intent and standards of the C-2 Zoning District (Leon County Code of Ordinances Sec. 10-6.647).

1. The C-2 district is intended “to be located in areas designated [...] Suburban [...] on the future land use map of the Comprehensive Plan” and “shall apply to areas with direct access to major 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 or service activities or other types of more intensive commercial activity.”

The proposed Suburban FLUM category is appropriately implemented by the proposed C-2 Zone. The subject site’s location meets the access criteria to an arterial roadway and is within convenient traveling distance to several neighborhoods.

2. Sec. 10-6.647 of the Leon County Code of Ordinances limits the maximum density for residential development to 16 units per acre and requires residential uses to be located above the non-residential uses on the first floor.

The proposed development does not include residential uses.

3. Sec. 10-6.647 of the Leon County Code of Ordinances states “[i]n order to maintain compact and nonlinear characteristics, C-2 districts shall not be located closer than one-quarter mile to other C-2 or C-1 districts or to parcels of land containing commercial developments including more than 20,000 gross square feet of floor area and shall not exceed 30 acres in size.”

The proposed rezone to C-2 General Commercial zoning district will join with an existing C-2 zone, resulting in a C-2 Zone of approximately 6 acres. The particular zone will take on a

somewhat linear quality because it is across Blountstown Highway from the conservation land of Lake Talquin State Forest but will create a commercial node around the intersection of Blountstown Highway with Ravensview Drive. The length of the proposed C-2 district will be approximately 1,000 feet along Blountstown Highway.

The nearest other C-1 or C-2 zoning district is over 6,000 feet (1.13 miles) away. Existing commercial development on two parcels to the east, within the Urban Fringe designation and zone, total to approximately 8,250 square feet based on Property Appraiser information.

4. Sec. 10-6.647(6)(a) of the Leon County Code of Ordinances limits the maximum gross non-residential floor area to 12,500 square feet per acre and a maximum gross 200,000 square feet for each district containing 20 acres or less.

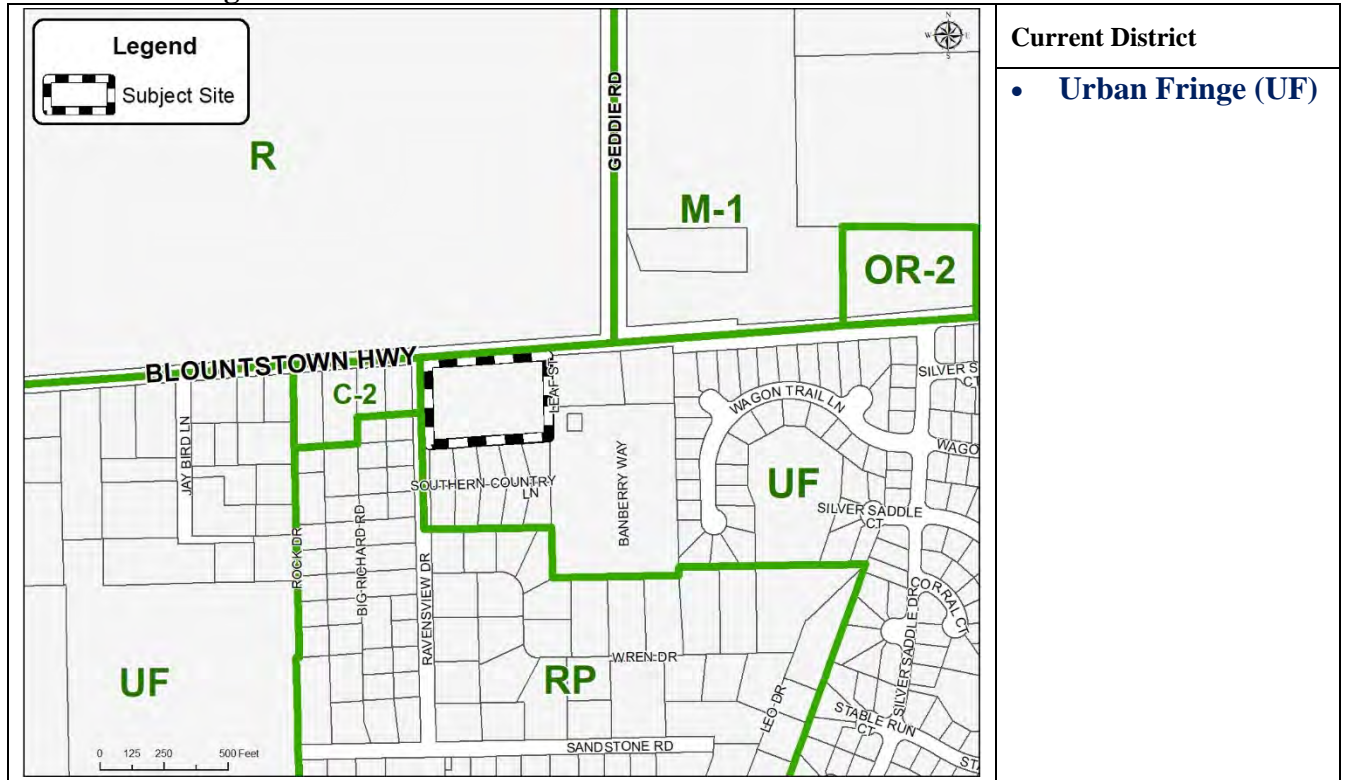
If the subject property is designated Suburban and rezoned to C-2, the 3.34+/- acre site would qualify for up to 41,750 square feet of non-residential floor area based on the maximum building restrictions. The other properties located in the proposed district are vacant and would not count against the maximum 200,000 square feet for the district.

5. General note (1) under Sec. 10-6.647 of the Leon County Code of Ordinances limits non-residential development to a maximum of 2,500 square feet of building area if central sanitary sewer is not available.

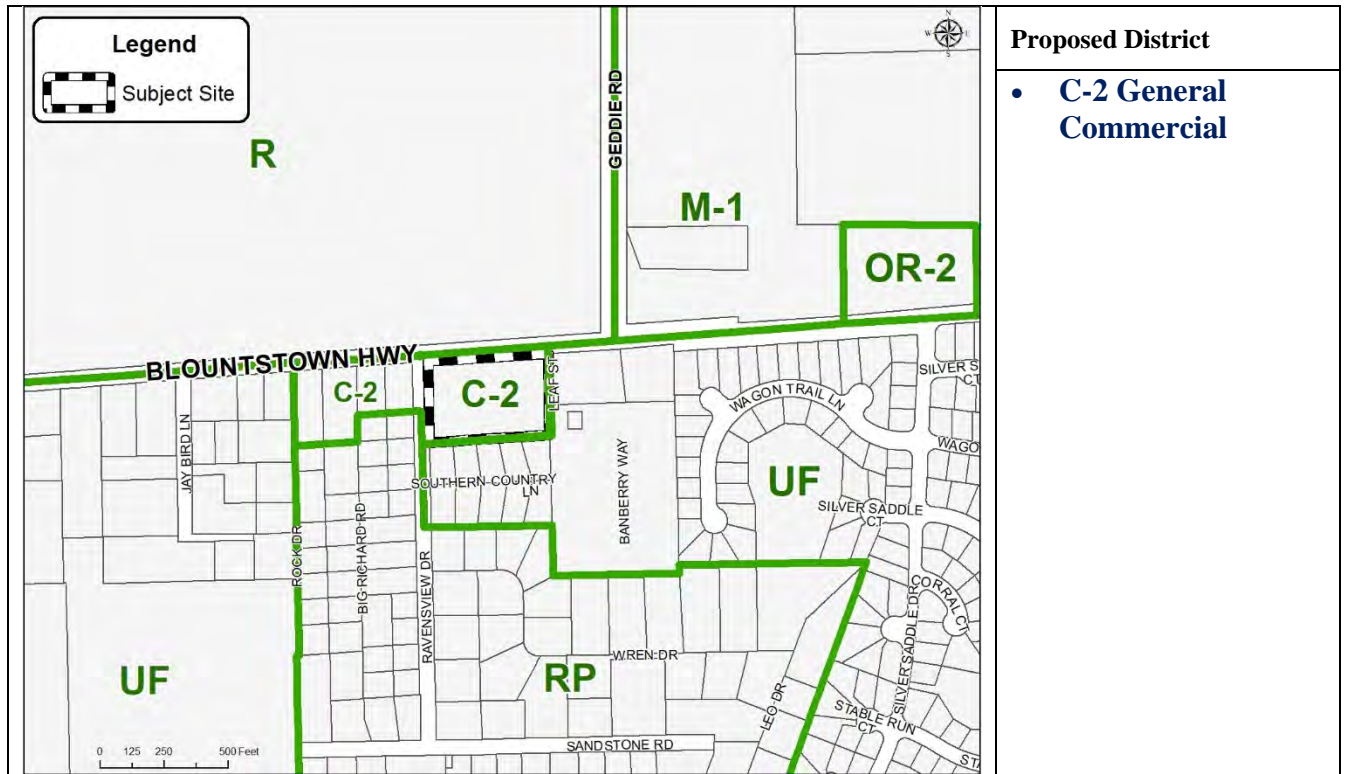
Proposed development may be eligible for a deviation to the square footage limitation for non-residential development not connected to sewer if it can be demonstrated that the use complies with Comprehensive Plan Policy 1.2.3 [SS] limiting uses using septic to 900 gallons per day.

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

Current Zoning



Proposed Zoning

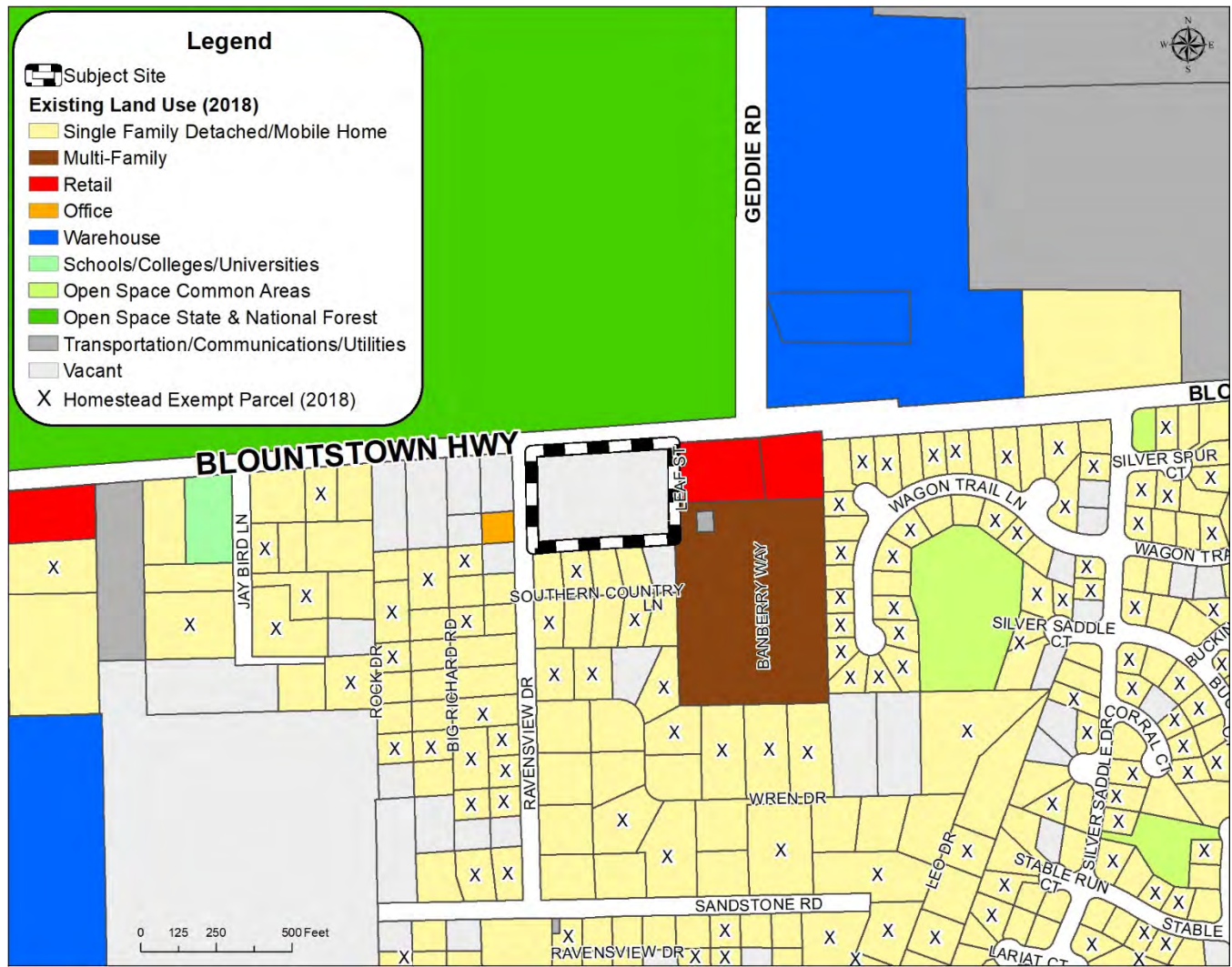


Existing Land Uses

The 3.42 +/- acre-property is currently utilized for automobile towing and is developed with a mobile home used as an office. Leon County Development Support and Environmental Management (DSEM) records do not indicate the use was lawfully established.

Surrounding uses include Lake Talquin State Forest across Blountstown Highway to the north, retail and a mobile home park across Leaf Street to the east, single-family residential to the south, and single-family and vacant commercial across Ravensview Drive to the west.

Existing Land Use Map



Infrastructure Analysis

Water/Sewer

The site is currently served by a well and septic system. Talquin Water & Wastewater, Inc. is able to serve the site with potable and irrigation water. Sewer service through the City of Tallahassee is not available at this time.

Schools

The Subject Area is zoned for Sabal Palm Elementary School, Nims Middle School, and Godby High School. School concurrency impact forms were submitted to the Leon County School Board's Division of Facilities, Construction and Maintenance and approved by the School Board on November 13, 2019.

| School Name | Sabal Palm Elementary | Nims Middle | Godby High |
|---------------------------|------------------------------|--------------------|-------------------|
| Present Capacity | 257 | 559 | 575 |
| Post Development Capacity | 246 | 554 | 570 |

The table above depicts preliminary calculations provided by School Board staff based on the maximum residential development allowed under the requested future land use category. Final school concurrency calculations will be conducted in the future when a site plan for proposed development is submitted.

Roadway Network

The site is located near the intersection of Blountstown Highway (SR 20), a principal arterial, with Geddie Road (major collector). Ravensview Drive to the west is a local County Road. Leaf Street to the east is a private street.

Pedestrian and Bicycle Network

The site and surrounding area is not served by sidewalks. Bicycle lanes are located on Blountstown Highway adjacent to the site.

Transit Network

The site is not served by transit.

Environmental Analysis

No impacts to environmental features are anticipated. The site is flat and largely cleared of vegetation. No severe slopes, drainage features, flood plains, or karst features are identified on the site. It is also not designated as a springs protection area, brownfield, or special development zone. The subject site is located within the Lake Munson Drainage Basin.

F. PUBLIC OUTREACH AND NOTIFICATION

An initial mailing was sent to 110 property owners within 1,000 feet of Subject Site.

| Public Outreach | | Date | Details |
|-----------------|---|-------------------|--|
| X | Mail Notification of Proposed Changes | December 6, 2019 | Notices Mailed to Property Owners within 1000 feet |
| X | Notice of Proposed Land Use Change and Rezoning | November 21, 2019 | Two signs providing details of proposed land use and zoning changes posted on subject site |
| X | Public Open House | December 17, 2019 | 5:30 PM, Second Floor, Frenchtown Renaissance Center |
| X | Staff Reports Available Online | January 27, 2020 | Email Subscription Notice sent to all users of service |

Public Open House – December 17, 2019: Twenty-four citizens attended the open house to discuss the 2020 Cycle amendments. The applicants for this amendment were present and discussed the issues relating to lack of sanitary sewer with staff. No property owners within 1,000 feet of the site or members of the general public had questions or comment about this amendment.

G. STAFF REPORT UPDATE

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

| Cycle 2020 Meetings | | Dates | Time and Locations |
|---------------------|---------------------------------------|-------------------|--|
| X | Local Planning Agency Workshop | January 7, 2020 | 6:00 PM, Second Floor, Frenchtown Renaissance Center |
| X | Local Planning Agency Public Hearing | February 4, 2020 | 6:00 PM, Second Floor, Frenchtown Renaissance Center |
| X | Joint City-County Commission Workshop | February 25, 2020 | 1:00 PM, Fifth Floor, Leon County Courthouse |
| X | County Adoption Public Hearing | April 28, 2020 | 3:00 PM, Fifth Floor, Leon County Courthouse |

Local Planning Agency Workshop – January 7, 2020: A workshop was held January 7, 2020 to discuss the proposed 2020 Cycle amendments. The LPA had no questions on this amendment.

Local Planning Agency Public Hearing – February 4, 2020: The Local Planning Agency voted to recommend approval of the proposed map amendment and rezoning. The applicant was available to answer questions. There were no other citizen speakers on this amendment or rezoning.

Joint City-County Commission Workshop – January 25, 2020: A workshop was held January 25, 2020 to discuss the proposed 2020 Cycle amendments. The Commissioners had no questions on this amendment.

H. ATTACHMENTS

- Attachment #1: Comprehensive Plan policies 2.2.1 and 2.2.5 of the Land Use Element
- Attachment #2: Leon County Code of Ordinances sections 10-6.613 and 10-6.647
- Attachment #3: [Citizen comments](#)

Attachment #1

Policy 2.2.2: [L] URBAN FRINGE

(REV. EFF. 8/17/92; REV. EFF. 7/26/06; REV. EFF. 4/10/09; REV. EFF. 12/24/10; REV. EFF. 12/15/11)

The Urban Fringe 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. To protect Rural areas from premature development, facilitate infill and redevelopment inside the Urban Service Area, and in recognition of the significant area already mapped as Urban Fringe, no additional lands designated Rural or Urban Fringe as of August 26, 2006 shall be converted to a more dense or intense land use category unless adjoining lands are also within the designated Urban Service Area boundary or the designated Woodville Rural Community. Conversions to the Woodville Rural Community designation shall be consistent with the Transfer of Development Units provision in Policy 4.2.5: [C].

Conventional subdivision of land in the Urban Fringe may be permitted at a density of up to one unit per three acres. To promote a mix of residential areas and perpetually protected open space and agricultural lands, Conservation Subdivision developments are allowed and encouraged. Conservation Subdivision design in Urban Fringe 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. I. Land Use Tallahassee-Leon County 2030 Comprehensive Plan (as of 2018 Amendment Cycle, eff. 8/13/18) 31 Appropriately sized minor commercial activities and minor offices are permitted. Industrial, office and more intensive commercial land uses are prohibited due to lack of present infrastructure services or potential negative environmental impacts. Present or future agricultural, silviculture and forestry activities may be allowed.

Policy 2.2.5: [L] SUBURBAN
(EFF. 3/14/07)

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

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

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

Suburban Intensity Guidelines
(EFF. 3/14/07; REV. EFF. 7/14/14; REV. EFF. 5/31/18)

Table 4: Suburban Intensity Guidelines

| Development Patterns | Allowed Land Uses | Gross Residential Density | Non-Res Intensity | Percentage Mix of Uses |
|-----------------------------------|--|-----------------------------------|---|------------------------|
| Low Density Residential | Residential, Recreation, Light Infrastructure & Community Service | 0 to 8 UNITS/ ACRE ⁽⁴⁾ | 10,000 SQ FT/ACRE | 65-80% |
| Low Density Residential Office | Residential, Office, Recreation, Light Infrastructure & Community Service | 0 to 8 UNITS/ ACRE ⁽⁴⁾ | 10,000 SQ FT/ACRE ⁽⁵⁾ | |
| Medium Density Residential | Residential, Recreation, Light Infrastructure & Community Service | 8 to 16 UNITS/ ACRE | 20,000 SQ FT/ACRE | |
| Medium Density Residential Office | Residential, Office, Ancillary 1st Floor Commercial, Recreation, Light Infrastructure, Community Service & Post-Secondary Schools | 8 to 20 UNITS/ ACRE | 20,000 SQ FT/ACRE ⁽⁶⁾ | |
| Village Center | Residential, Office, Commercial up to 50,000 SQ FT, maximum business size. Centers shall not be located closer than ¼ mile to another village center or commercial development including more than 20,000 SQ FT of floor area. | 8 to 16 UNITS/ ACRE | 12,500 SQ FT/ACRE per parcel for center 20 acres or less ⁽⁷⁾ | |

| Development Patterns | Allowed Land Uses | Gross Residential Density | Non-Res Intensity | Percentage Mix of Uses |
|-------------------------|---|------------------------------------|--|------------------------|
| Urban Pedestrian Center | Residential, Office, Commercial, Recreation, Light Infrastructure & Community Service | 6 to 16 UNITS/ ACRE ⁽³⁾ | Up to 20,000 SQ FT/ACRE ⁽³⁾ | 35-50% |
| Suburban Corridor | Residential, Office, Commercial, Recreation, Light & Heavy Infrastructure & Community Service | Up to 16 UNITS/ ACRE | Up to 25,000 SQ FT/ACRE ⁽⁸⁾ | |
| Medical Center | Residential, Office, Commercial, Recreation, Light Infrastructure & Community Service | 6 to 20 UNITS/ ACRE ⁽¹⁾ | 80,000 SQ FT/ACRE ⁽²⁾ | |
| Business Park | Office, Residential and Commercial | Up to 16 UNITS/ ACRE | 20,000 SQ FT/ ACRE | 5-10% |

Notes:

(1) 8 units/acre minimum for exclusively residential;

(2) Hospitals up 176,000 sq ft/acre;

(3) 20 units/acre and 40,000 sq ft/acre for multiple use development; Combined residential and non-residential development may have up to 40,000 SF and up to a six story building. Residential use, office use and commercial use is allowed.

(4) Low Density Residential and Residential Office development patterns can have a minimum of 1 unit per acre if water and sewer are not available.

(5) The maximum square footage is increased to 12,500 SF if the project is a mixed-use development.

(6) The maximum square footage increases to 40,000 SF per acre and maximum height increases to six stories if 50% of parking is structured. This provision only applies to areas previously designated as Mixed Use C

(7) 250,000 SF of total development permitted on 20 to 30 acre centers.

(8) Storage areas may be 50,000 SF per acre. Office and Retail is allowed.

While mixed land uses are encouraged in the Suburban Future Land Use Category, the more prevalent pattern will be a compatibly integrated mix of single-use developments that include low and medium density residential, office, and retail development. Allowed land uses within the Suburban Future Land Use Category shall be regulated by zoning districts which implement the intent of this category, and which recognize the unique land use patterns, character, and availability of infrastructure in the different areas within the Suburban Future Land Use Category. In those areas lacking the necessary infrastructure, the Land Development Regulations may designate a low intensity interim use. Any evaluation of a proposed change I. Land Use Tallahassee-Leon County 2030 Comprehensive Plan (as of 2018 Amendment Cycle, eff. 8/13/18) 37 of zoning to a more intensive district shall consider, among other criteria, the availability of the requisite infrastructure.

Attachment #2

Sec. 10-6.613. - Urban Fringe Zoning District.

- (a) *Purpose and intent.* The urban fringe district 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. The district allows for very low-density residential development of no greater than one unit on three acres of land, agricultural, and silvicultural activities. Residential development will also be allowed a gross density of one unit per three acres if developed as a conservation subdivision as described in section 10-7.204.
- (1) For sites developed under the previously available "25—75" clustering option, the remaining undeveloped portion (75 percent) may continue to be preserved as undisturbed open (green) space until such time as these sites are included in the urban service area and become eligible for development at urban densities. As an alternative, sites developed under the previously available "25—75" clustering option may seek to develop the undeveloped portion (75 percent) at the urban fringe densities described above prior to the sites inclusion in the urban service area. For either development option, review by the Board of County Commissioners shall be requested to authorize development of these undisturbed open (green) spaces.
 - (2) To conveniently serve area residents, smaller scale, low-intensity commercial development is permitted in this district. To maximize efficiency in the development of agricultural and silvicultural resources located within this zoning district and surrounding areas, agriculturally and silviculturally related industrial activities, such as milling, are permitted. Community facilities are also permitted in this district.
- (b) *Allowable uses.* For the purpose of this subdivision, the following land use types are allowable in this zoning district and are controlled by the land use development standards of this subdivision, the Comprehensive Plan and schedules of permitted uses.
- (1) Low-density residential.
 - (2) Agricultural.
 - (3) Silvicultural.
 - (4) Light industry—agriculturally and silviculturally related only.
 - (5) Passive recreation.
 - (6) Active recreation.
 - (7) Minor commercial.
 - (8) Neighborhood commercial.
 - (9) Community services.
 - (10) Light infrastructure.
 - (11) Heavy infrastructure.
- (c) *List of permitted uses.* Some of the uses on these schedules are itemized according to the Standard Industrial Code (SIC). Allowable uses, appropriate permit level and applicable development and locational standards in the urban fringe district are as follows:
-

Legend

| | |
|------------------------------|-------------------------|
| Ag = Agricultural | PR = Passive Recreation |
| MC = Minor Commercial | AR = Active Recreation |
| NC = Neighborhood Commercial | CS = Community Services |
| LR = Low-Density Residency | PS = Postsecondary |

| SIC Code | Name of Use | Development and Locational Standards | | | | | | | |
|--|--|---|----|----|----|----|----|----|----|
| | | Ag | MC | NC | LR | PR | AR | CS | PS |
| Residential | | | | | | | | | |
| | Dwelling, one-family | P | | | P | | | | |
| | Dwelling, two-family | P | | | P | | | | |
| | Dwelling, mobile home | P | | | P | | | | |
| | Mobile home park | | | | R | | | | |
| Agriculture, Forestry, and Fishing | | | | | | | | | |
| 01 | Agricultural production—crops | P | | | | | | | |
| 0181 | Ornamental nursery products | P | | | | | | | |
| 02 | Agricultural production—livestock | P | | | | | | | |
| 074 | Veterinary services | P | P | P | | | | | |
| 0781 | Landscape counseling and planning | R | | | | | | | |
| 092 | Fish hatcheries and preserves | P | | | | | | | |
| Mining | | | | | | | | | |
| 144 | Sand and gravel | S | | | | | | | |
| 145 | Clay, ceramic, and refractory minerals | S | | | | | | | |
| Manufacturing | | | | | | | | | |
| 201 | Meat products | R | | | | | | | |
| 202 | Dairy products | R | | | | | | | |
| 204 | Grain mill products | R | | | | | | | |
| 21 | Tobacco products | R | | | | | | | |
| 24 | Lumber and wood products | R | | | | | | | |
| Transportation and Public Utilities | | | | | | | | | |
| 401 | Railroads | | P | P | | | | S | |
| 43 | Postal service | | P | P | | | | | |
| 483 | Radio and television broadcasting | | | | | | | R | |
| Retail Trade | | | | | | | | | |

| | | | | | | | | | |
|--|--|--|---|---|--|---|--|---|---|
| 521 | Lumber and other building materials | | P | P | | | | | |
| 523 | Paint, glass, and wallpaper stores | | P | P | | | | | |
| 525 | Hardware stores | | P | P | | | | | |
| 526 | Retail nurseries and garden stores | | P | P | | | | | |
| 533 | Variety stores | | P | P | | | | | |
| 539 | Miscellaneous general merchandise stores | | P | P | | | | | |
| 541 | Grocery stores | | P | P | | | | | |
| 542 | Meat and fish markets | | P | P | | | | | |
| 543 | Fruit and vegetable markets | | P | P | | | | | |
| 544 | Candy, nut and confectionery stores | | P | P | | | | | |
| 545 | Dairy products stores | | P | P | | | | | |
| 546 | Retail bakeries | | P | P | | | | | |
| 553 | Auto and home supply stores | | P | P | | | | | |
| 554 | Gasoline service stations | | P | P | | | | | |
| | Convenience store | | P | P | | | | | |
| 581 | Eating and drinking places | | R | P | | | | | |
| 591 | Drugstores and proprietary stores | | P | P | | | | | |
| 592 | Liquor stores | | P | P | | | | | |
| 593 | Used merchandise stores | | P | P | | | | | |
| 5941 | Sporting goods and bicycle shops | | P | P | | | | | |
| 5943 | Stationery stores | | P | P | | | | | |
| 5961 | Catalog and mail order houses | | P | P | | | | | |
| 5983 | Fuel oil dealers | | S | | | | | | |
| 5984 | Liquefied petroleum gas dealers | | S | | | | | | |
| 5992 | Florists | | P | P | | | | | |
| 5993 | Tobacco stores and stands | | P | P | | | | | |
| 5994 | News dealers and newsstands | | P | P | | | | | |
| 5995 | Optical goods stores | | P | P | | | | | |
| 5999 | Miscellaneous retail stores, nec | | R | R | | | | | |
| Finance, Insurance, and Real Estate | | | | | | | | | |
| 6553 | Cemeteries | | P | | | | | | P |
| Services | | | | | | | | | |
| 702 | Roominghouses and boardinghouses; dorms | | | | | R | | | |
| 703 | Camps and recreational vehicle parks | | | | | | | R | |
| 721 | Laundry, cleaning, and garment services | | R | R | | | | | |
| 7215 | Coin-operated laundries and cleaning | | P | P | | | | | |

| | | | | | | | | | |
|------------------------------|--|---|---|---|--|--|---|---|---|
| 723 | Beauty shops | | P | P | | | | | |
| 724 | Barber shops | | P | P | | | | | |
| 725 | Shoe repair and shoeshine parlors | | P | P | | | | | |
| 7334 | Photocopying and duplicating services | | P | P | | | | | |
| 7335 | Commercial photography | | P | P | | | | | |
| 7336 | Commercial art and graphic design | | P | P | | | | | |
| 7353 | Heavy construction equipment rental | R | | | | | | | |
| 7359 | Equipment rental and leasing, nec | R | | | | | | | |
| 753 | Automotive repair shops | | R | R | | | | | |
| 754 | Automotive services, except repair | | P | P | | | | | |
| 762 | Electrical repair shops | | P | P | | | | | |
| 764 | Reupholstery and furniture repair | | P | P | | | | | |
| 784 | Video tape rental | | P | P | | | | | |
| 791 | Dance studios, schools, and halls | | P | P | | | | | |
| 7991 | Physical fitness facilities | | P | P | | | | | |
| 7992 | Public golf courses | | | | | | S | | |
| | Public elementary and secondary schools (that are subject to the school interlocal agreement) (excludes charter and private schools) | | | | | | | S | |
| 822 | Colleges and universities | | | | | | | | S |
| 823 | Libraries—less than 7,500 square feet | | P | P | | | | | |
| 823 | Libraries—7,500 square feet or more | | | | | | R | | |
| 824 | Vocational schools | | | | | | | | S |
| 835 | Day care services | | R | P | | | | | |
| 836 | Residential care | | R | P | | | | | |
| 841 | Museums and art galleries | | | | | | S | | |
| 842 | Botanical and zoological gardens | | | | | | S | | |
| 864 | Civic and social associations | | | | | | | P | |
| 866 | Religious organizations | | | | | | | P | |
| 6553 | Cemeteries | | P | | | | | | |
| Public Administration | | | | | | | | | |
| 922 | Public order and safety | | | | | | | | P |
| 9221 | Police protection | | | | | | | | P |
| 9223 | Correctional institutions | | | | | | | | S |
| 9224 | Fire protection | | | | | | | | P |
| Recreation | | | | | | | | | |
| | Hiking and nature trails | | | | | | P | | |
| | Picnicking | | | | | | P | | |

| | | | | | | | | |
|--|---------------------------------|--|--|--|--|---|---|--|
| | Canoe trails | | | | | P | | |
| | Bicycle trails | | | | | P | | |
| | Horseback riding trails | | | | | P | | |
| | Tot lots | | | | | | P | |
| | Court sports | | | | | | P | |
| | Field sports | | | | | | P | |
| | Boat landings | | | | | | P | |
| | Archaeological historical sites | | | | | S | | |

P = Permitted use R = Restricted use S = Special exception

(d) The maximum allowable gross square footage in the urban fringe district is as follows:

| Commercial Land Use Type | Urban Fringe |
|--------------------------|--------------|
| Minor* | |
| Total location | 20,000 |
| Single site or quadrant | 10,000 |
| Single structure | 5,000 |
| Neighborhood** | |
| Total location | 100,000 |
| Single site or quadrant | 100,000 |
| Single structure | 50,000 |

*Maximum 10,000 gross square feet, if located on a local street.

**Only one neighborhood commercial site (quadrant) will be permitted at the intersection of a major collector and arterial road. The maximum allowable commercial development permitted at the neighborhood commercial area located at the intersection of two major collectors is 50,000 square feet g.s.l.a.

(e) The minimum development standards in the urban fringe district are as follows:

| | Low Density Residential | | Commercial | | Agricultural-Related Industrial | Community Services; Active Recreation; Public, Primary and Secondary Schools | Comp. Plan Policy 2.1.9. Subdivision |
|--------------------------------|-------------------------|---------|------------|---------|---------------------------------|--|--------------------------------------|
| | Noncluster | Cluster | Noncluster | Cluster | | | |
| Minimum Setbacks (feet) | | | | | | | |
| Front yard | | | | | | | |
| Building | 30 | 30* | 30 | 25* | 50 | 30 | 25 |
| Parking | — | — | 40 | 40* | 50 | 40 | — |
| Corner yard | | | | | | | |
| Building | 30 | 30* | 30 | 25* | 50 | 30 | 25 |
| Parking | — | — | 40 | 40* | 50 | 40 | — |

| Side yard | | | | | | | |
|---|------|------|------|------|-------|------|------|
| Building | 20 | 20* | 40 | 20* | 50 | 40 | 15 |
| Parking | — | — | 40 | 20* | 50 | 40 | — |
| Rear yard | | | | | | | |
| Building | 50 | 50* | 50 | 30* | 50 | 50 | 50 |
| Parking | — | — | 40 | 10* | 50 | 50 | 50 |
| Adjoining Lower Intensity Zoning District | | | | | | | |
| Building | — | — | — | — | 100 | — | — |
| Parking | — | — | — | — | 100 | — | — |
| Maximum percent impervious surface area | 30 | 25** | 30 | 25** | 30 | — | 30 |
| Heights (feet) | | | | | | | |
| Maximum at building envelope perimeter | 35 | 35 | 35 | 35 | 35 | 35 | 35 |
| Maximum additional height/additional zoning setback | 1'1' | 1'1' | 1'1' | 1'1' | 1'1' | 1'1' | 1'1' |
| Total maximum height | — | 35 | 45 | 45 | 45*** | 45 | — |
| Minimum lot frontage | 15 | 15 | 40 | 40 | 100 | — | 15 |
| Minimum lot area | 3.0 | 0.5 | 3.0 | 0.5 | 10.0 | — | 0.5 |

*This number applies to the perimeter setback only.

**Maximum percent impervious area of developable portion of site.

***This height applies to habitable portion of an industrial structure.

- _____
- (f) *Development standards.* All proposed development shall meet the commercial site location standards (section 10-6.619); buffer zone standards (section 10-7.522); and the parking and loading requirements (subdivision 3, division 5, article VII of this chapter).
- (g) *Restricted uses and special exception uses.* If uses are restricted or are special exception uses according to the schedule of permitted uses, they will not be allowed unless they follow the general development guidelines for restricted uses or for special exceptions as provided in this subdivision. Specific restricted uses are addressed below.
- (1) *Eating and drinking establishments (SIC 581).* No drive-in or drive-thru facilities are permitted within this district.
 - (2) *Laundry, cleaning and garment services (SIC 721).* Does not include dry cleaning plant operations; pick-up stations only.
 - (3) *Funeral services and crematoriums (SIC 726).* This use requires 100 percent opacity buffer surrounding perimeter with exception of access point.
 - (4) *Camps and recreational vehicle parks (SIC 703).* A site plan shall be submitted demonstrating protection of adjacent properties and public interest which shall include, but not be limited to the following
 - a. Sanitary facilities shall be provided.

- b. Not more than ten campsites per acre shall be provided.
 - c. Individual campsites, roadways, and accessory structures shall be located to meet the minimum building setback standards from the exterior property lines of the campground.
- (5) *Heavy construction equipment rental and equipment rental and leasing (SIC 7353 and 7359)*. A plan must be submitted demonstrating protection of adjacent properties and public interest which shall include, but not be limited to the following:
- a. Such equipment rental and leasing must be associated with timbering and/or agribusiness.
 - b. A plan of vehicular access to and from the site demonstrating that heavy trucks and equipment will not travel on that portion of a local or minor collector street with frontage containing residential land use, zoned for residential land use, or containing subdivision lots intended primarily for residential land use. For purposes of this requirement, local and minor collector streets shall be those identified in the Comprehensive Plan and the Tallahassee-Leon County Long Range Transportation Plan.
- (6) *Mining activities*.
- a. All mining activities as defined on the schedule of permitted uses must meet the specific development standards, as follows upon review and approval by the Board of County Commissioners following a duly noticed public hearing. This includes SIC items 144 and 145.
 - b. A plan must be submitted demonstrating protection of adjacent properties and public interest which shall include, but not be limited to the following:
 1. The mining activity, all accessory uses and structures, internal roadways, and driveways onto the adjacent streets shall be setback a minimum of 100 feet from the perimeter property boundaries or 200 feet from the nearest off-site residence, residential zoning district, or subdivision intended primarily for residential land use, whichever distance is greater. This setback standard may be reduced if less of a setback is approved in writing by the adjacent property owner prior to site plan approval or if the adjacent property is also used as a mining activity.
 2. A plan of vehicular access to and from the site demonstrating that heavy trucks and equipment will not travel on that portion of a local or minor collector street with frontage containing residential land use, zoned for residential land use, or containing subdivision lots intended primarily for residential land use. For purposes of this requirement, local and minor collector streets shall be those identified in the local government Comprehensive Plan and the Tallahassee-Leon County Long Range Transportation Plan.
 3. A land reclamation plan shall be submitted demonstrating that upon termination of the activity the land shall be returned to a condition that will allow an effective reuse comparable to surrounding properties.
 4. Fencing requirement. All areas proposed for use, currently used, or previously used, in open-pit mining operations and/or construction and demolition debris disposal must be secured by a fence, unless the area is determined to be a reclaimed open-pit mine by the County Administrator or designee. The fence must be at least four feet in height with openings that will reject the passage of a seven-inch diameter sphere. The fence must be equipped with a gate which shall remain locked when workers or employees of the land owner or mining company are not present at the site. At every gate or access point, at least one sign must be posted which states, in at least four-inch tall letters, "Danger," "Keep Out," "No Trespassing," or similar language to indicate that there may be hazardous conditions on the premises.

(Code 1992, § 10-6.613; Ord. No. 07-20, § 2, 7-10-2007; Ord. No. 08-17, § 3, 7-22-2008; Ord. No. 09-02, § 2, 1-15-2009; Ord. No. 09-12, § 4, 3-19-2009; Ord. No. 12-01, § 1, 1-24-2012; Ord. No. 16-07, § 2, 5-10-2016)

Sec. 10-6.647. - C-2 General Commercial District.

| 1. District Intent | Permitted Uses | |
|---|--|---|
| | 2. Principal Uses | 3. Accessory Uses |
| <p>The C-2 district is intended to be located in areas designated Bradfordville Mixed Use, Suburban or Woodville Rural Community on the future land use map of the Comprehensive Plan shall apply to 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.</p> <p>The C-2 district is not intended to accommodate large scale commercial or service activities or other types of more intensive commercial activity.</p> <p>The maximum gross density allowed for new residential development in the C-2 district is 16 dwelling units per acre, with a minimum gross density of 8 dwelling units per acre, unless constraints of concurrency or preservation and/or conservation features preclude the attainment of the minimum density.</p> <p>The residential uses are required to be located on the second floor or above of a building containing commercial or office uses on the first floor.</p> <p>Mixed use projects in the C-2 district are encouraged, but are not required.</p> <p>In order to maintain compact and nonlinear characteristics, C-2 districts shall not be located closer than one-quarter mile to other C-2 or C-1 districts or to parcels of land containing commercial developments including more than 20,000 gross square feet of floor area and shall not exceed 30 acres in size.</p> | <p>(1) Antique shops. (2) Automotive service and repair, including car wash. (3) Bait and tackle shops. (4) Banks and other financial institutions. (5) Camera and photographic stores. (6) Cocktail lounges and bars. (7) Community facilities related to the permitted principal uses, including libraries, religious facilities, police/fire stations, elementary, middle and high schools. Other community facilities may be allowed in accordance with section 10-6.806. (8) Day care centers. (9) Gift, novelty and souvenir shops. (10) Indoor amusements (bowling, billiards, skating, etc.). (11) Indoor theaters (including amphitheaters). (12) Laundromats, laundry and dry cleaning pick-up. (13) Mailing services. (14) Medical and dental offices, services, laboratories and clinics. (15) Motor vehicle fuel sales. (16) Nonmedical offices and services, including business and government offices and services. (17) Nonstore retailers. (18) Passive and active recreational facilities. (19) Personal services (barber shops, fitness clubs, etc.). (20) Photocopying and duplicating services. (21) Rental and sales of DVDs, video tapes and games.</p> | <p>(24) Residential (any type), provided that it is located on the second floor or above a building containing commercial or office uses on the first floor. (25) Restaurants, with or without drive-in facilities. (26) Retail bakeries. (27) Retail computer, video, record and other electronics. (28) Retail department, apparel and accessory stores. (29) Retail drug stores. (30) Retail florists. (31) Retail food and grocery. (32) Retail furniture, home appliances, accessories. (33) Retail home/garden supply, hardware and nurseries. (34) Retail jewelry store. (35) Retail needlework shops and instruction. (36) Retail newsstand, books, greeting cards. (37) Retail office supplies. (38) Retail optical and medical supplies. (39) Retail package liquors. (40) Retail pet stores. (41) Retail picture framing. (42) Retail sporting goods, toys. (43) Retail trophy store. (44) Shoes, luggage and leather goods.</p> <p>(1) A use or structure on the same lot with, and of a nature customarily incidental and subordinate to, the principal use or structure an which comprises no more than 33 percent of the floor area or cubic volume of the principal use or structure, as determined by the County Administrator or designee. (2) Light infrastructure and/or utility services and facilities necessary to serve permitted uses, as determined by the County Administrator or designee.</p> |

| | | | |
|--|--|--|--|
| | (22) Rental of tools, small equipment or party supplies. (23) Repair services, nonautomotive. | (45) Social, fraternal and recreational clubs and lodges, including assembly halls. (46) Studios for photography, music, art, dance and voice. (47) Tailoring. (48) Veterinary services, including veterinary hospitals. (49) Other uses, which in the opinion of the County Administrator or designee, are of a similar and compatible nature to those uses described in this district. | |
| For additional development standards, see below | | | |

| Development Standards | | | | | | | | | |
|------------------------------|------------------------------------|---------------------|---------------------|-------------------------------------|-----------------------------|---------------------------|----------------|--|--|
| | 4. Minimum Lot or Site Size | | | 5. Minimum Building Setbacks | | | | 6. Maximum Building Restrictions | |
| Use Category | a. Lot or Site Area | b. Lot Width | c. Lot Depth | a. Front | b. Side-Interior Lot | c. Side-Corner Lot | d. Rear | a. Building Size (excluding gross building floor area used for parking) | b. Building Height (excluding stories used for parking) |
| Any Permitted Principal Use | None | None | None | 25 feet | 15 feet on each side | 25 feet | 10 feet | Except for properties within the Woodville Rural Community, 12,500 square feet of non-residential gross building floor area per acre and commercial and/or office uses not to exceed 200,000 square feet of gross building floor area for each district containing 20 acres or less. 12,500 square feet of non-residential gross building floor area per acre and commercial and/or office uses not to exceed maximum of 250,000 square feet of non-residential gross building area per district for districts containing more than 20 acres to 30 acres. Individual buildings may not exceed 50,000 gross square feet. Within the Woodville Rural Community, 12,500 square feet of non-residential gross building area | 3 stories |

| | | | | | | | | |
|--|--|--|--|--|--|--|--|--|
| | | | | | | | | per acre and commercial uses not to exceed 50,000 square feet of gross building floor area per parcel. |
|--|--|--|--|--|--|--|--|--|

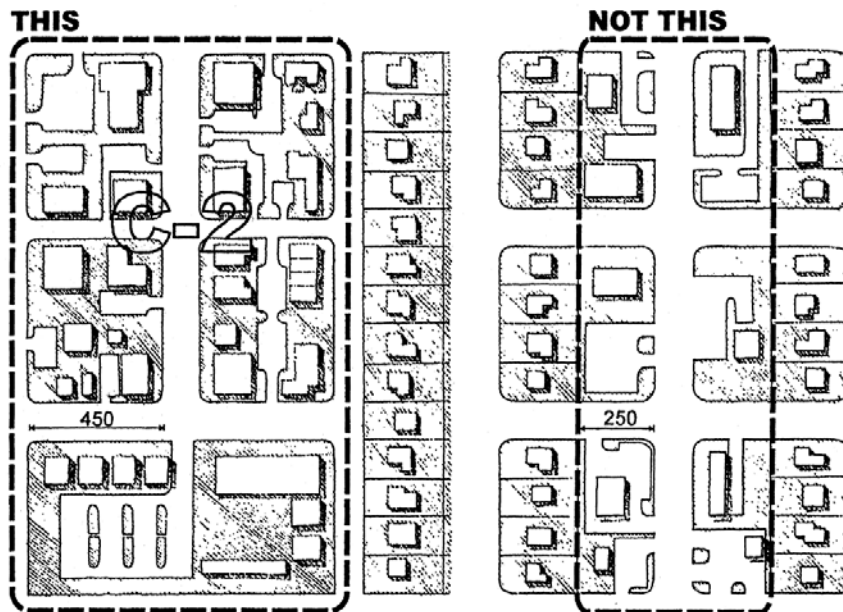
7. Street Vehicular Access Restrictions: Properties in the C-2 zoning district shall be located on a major collector or arterial street, but may have additional vehicular access to any type of street. However, in order to protect residential areas and neighborhoods from non-residential traffic, vehicular access to a local street is prohibited if one of the following zoning districts is located on the other side of the local street: RHA, R-1, R-2, R-3, R-4, R-5, MH and RP.

General notes:

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

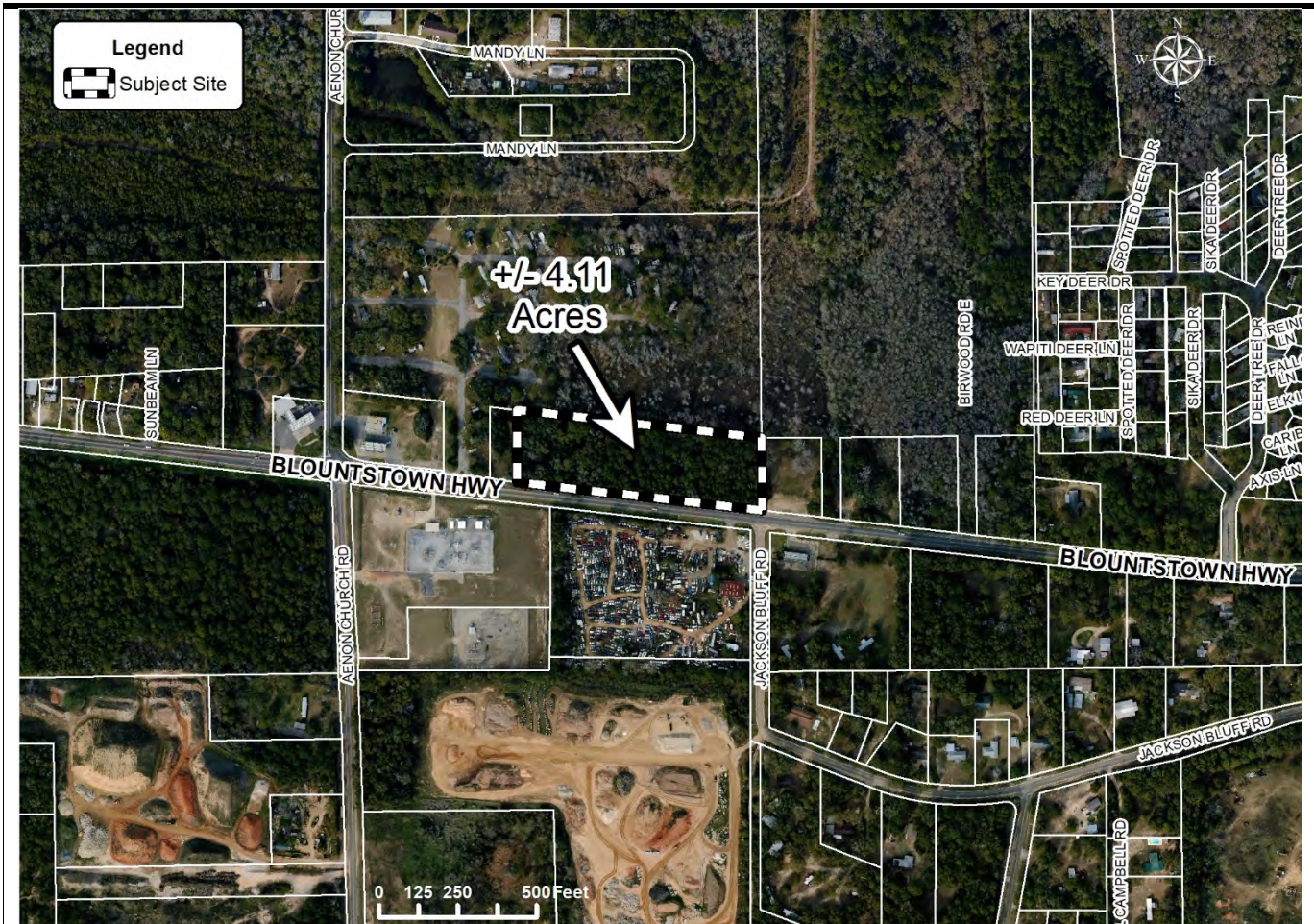
C-2 - Neighborhood Commercial District -

The Neighborhood Commercial district limits arterial street frontage to 100 feet per acre. This provision is intended to promote "nodes" of commercial development rather than "strip" commercial development along arterial streets.



C-2 - Neighborhood Commercial District - THIS and NOT THIS illustrations

(Code 1992, § 10-6.647; Ord. No. 07-20, § 2, 7-10-2007; Ord. No. 09-13, § 4, 3-19-2009; Ord. No. 09-33, § 3, 10-13-2009; Ord. No. 16-07, § 10, 5-10-2016)



SUMMARY

| | | |
|---|--|------------------------------|
| Property Owners: | Property Location: | TLCPD Recommendation: |
| James H. Bailey | North side of Highway 20 (Blountstown Highway) east of Aenon Church Road | Approve |
| Applicant: James H. Bailey | | |
| TLCPD Staff: | Current Future Land Use & Zoning: | LPA Recommendation: |
| Stephen M. Hodges | <u>Future Land Use:</u> UR-2 Urban Residential - 2 <u>Zoning:</u> R-5 Manufactured Home and Single-Family Detached District | Approve |
| Contact Information: | Proposed Future Land Use & Zoning: | |
| Stephen.Hodges@talgov.com (850) 891-6408 | <u>Future Land Use:</u> Industry and Mining <u>Zoning:</u> M-1 Light Industrial | |
| Date: November 11, 2019 | Updated: April 28, 2020 | |

A. REASON FOR REQUESTED CHANGE

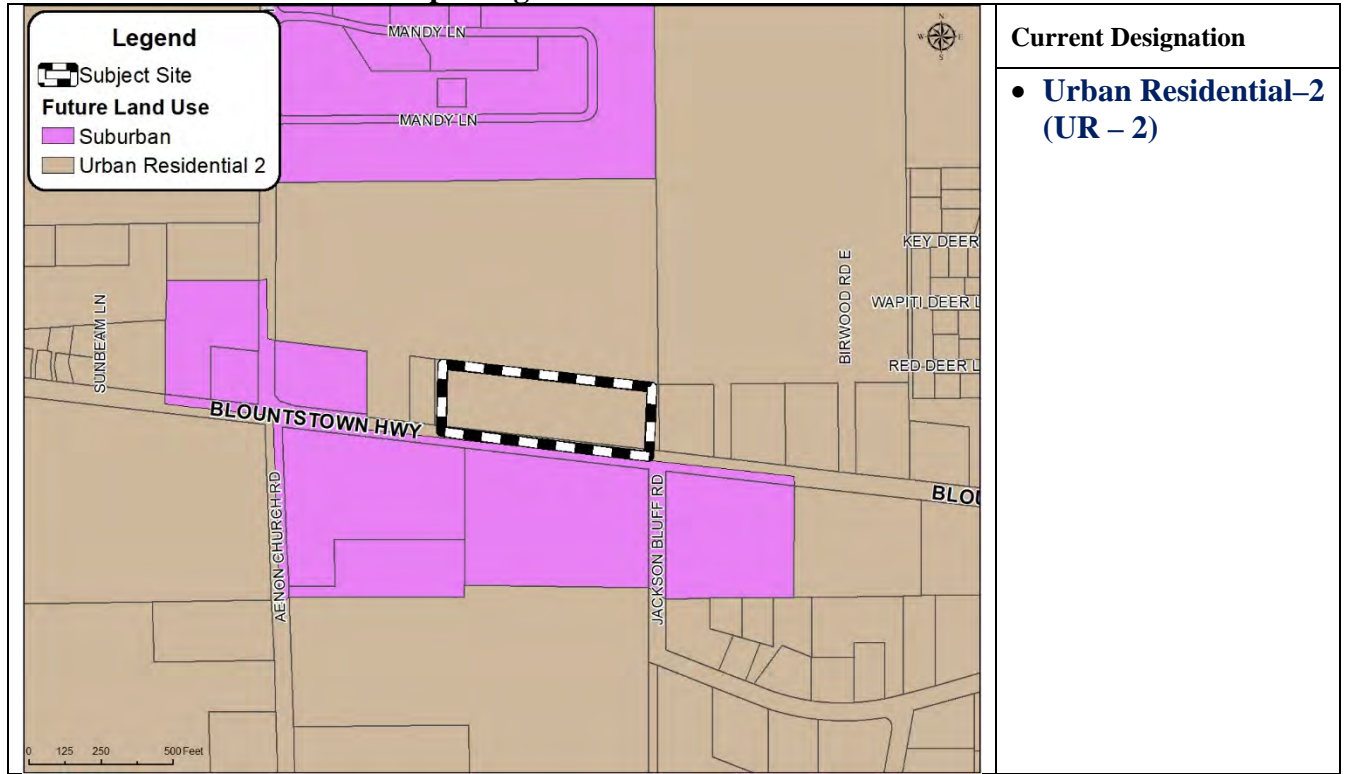
The applicant, James H. Bailey, filed an application to change the subject site's current Future Land Use Map (FLUM) and zoning designations to a non-residential business use that is considered by the applicant to be more compatible with the surrounding land uses.

B. CURRENT AND PROPOSED FUTURE LAND USE DESIGNATION

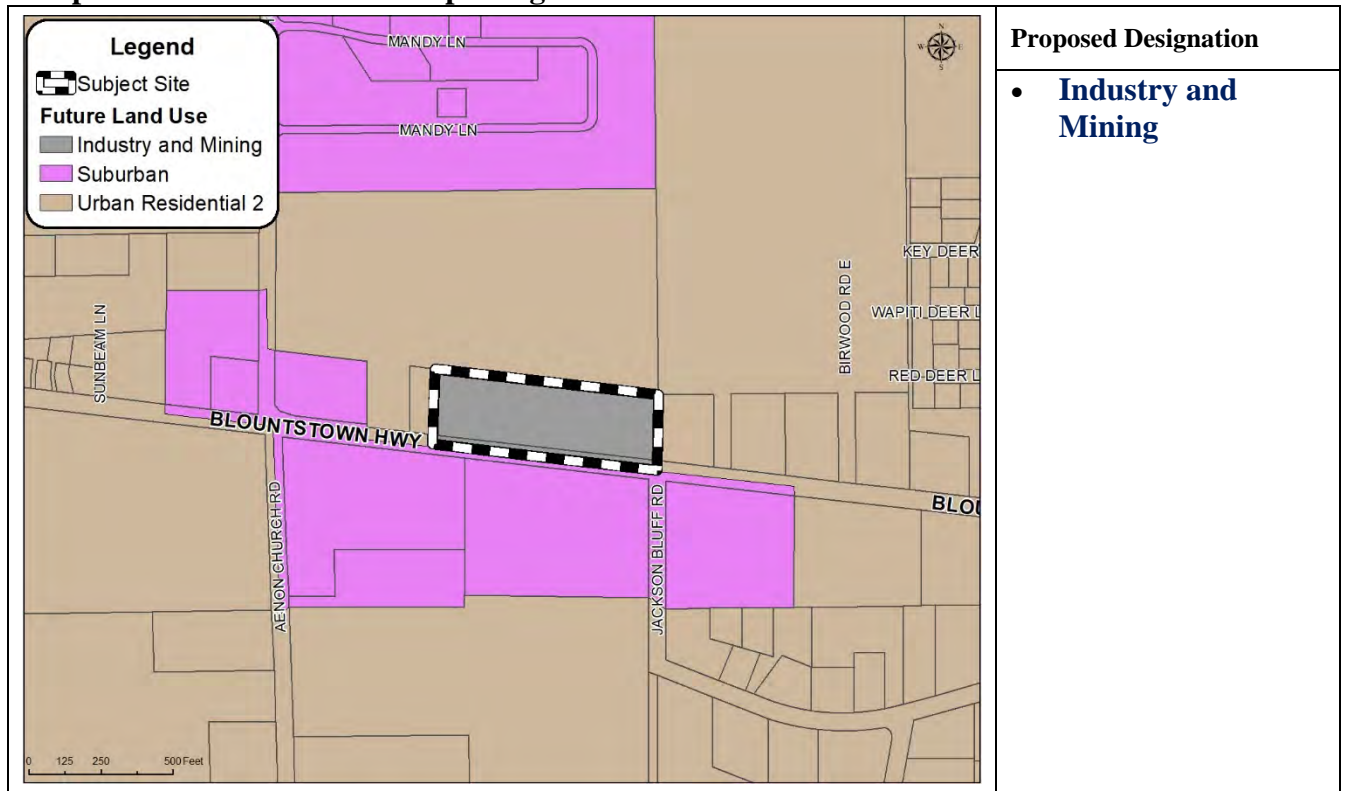
The subject site is currently designated Urban Residential-2 on the FLUM. The proposed amendment would change the FLUM designation of the area to Industry and Mining.

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

Current Future Land Use Map Designation



Proposed Future Land Use Map Designation



C. STAFF RECOMMENDATION

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

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

D. LOCAL PLANNING AGENCY (LPA) RECOMMENDATION

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

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

G. SUMMARY OF FINDINGS

Staff presents the following findings of fact:

1. The area on the south side of Highway 20 has a FLUM designation of Suburban and a zoning designation of Light Industrial.
2. The existing uses on the south side of Highway 20 across from the subject site include a large towing and automobile storage and recovery lot and an electric substation belonging to Duke Energy. A mobile home park is located north and northwest of the subject site. However, it is buffered by a large forested wetland area.
3. Policy 2.2.24 [L] states that “Urban Residential 2 may serve as a transition category between lower density residential categories and more intensive development such as higher density residential and/or office land uses or major roadways where alternative modes of transportation are available to support the increased residential densities.” There are no public or other alternative modes of transportation on Highway 20.
4. The proposed amendment has no adverse impact on existing or planned infrastructure.

H. STAFF ANALYSIS

History and Background

This area along Highway 20 was mostly rural in nature with a mix of forested lands, small farms, and scattered, low-density single family residential areas, but has developed over time into a mixture of residential, light and heavy industrial, commodity extraction (i.e., sand mining), and low- to medium-density residential land uses, including several mobile home parks.

The subject site is 4.1 acres in size and is currently vacant. An older mobile home park is located directly immediately north of the subject site with a small vacant parcel to the immediate west. A large towing and automobile storage lot and an electric substation belonging to Duke Energy are located directly across Highway 20 from the subject parcel. An active sand mine that is also being used for storage of mineral resources and concrete recycling is located south of the substation and the towing and storage operation.

Current and Proposed Future Land Use Categories

The complete comprehensive plan policies for Urban Residential 2 (Policy 2.2.24: [L]) and Industry and Mining Land Use (Policy 2.2.28: [L]) are included as Attachment #1.

Urban Residential-2 (*Current*)

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

This part of the urban area of Tallahassee has a wide mix of land use designations, including a number of isolated areas that are designated UR-2. This designation was applied to many of these areas during the 2006-02 Cycle, whereby the old Mixed Use FLUM designation was replaced by several other FLUM designations, including UR-2. Development along this corridor is somewhat slow and episodic, particularly following the recession in 2007-2008.

Policy 2.2.24 [L] states that “Urban Residential 2 may serve as a transition category between lower density residential categories and more intensive development such as higher density residential and/or office land uses or major roadways where alternative modes of transportation are available to support the increased residential densities.” However, there are no public or other alternative modes of transportation on Highway 20, and limited demand for the higher density residential developments found elsewhere in the urban area.

Industry and Mining Land Use (*Proposed*)

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

The subject site is located within a mile west of Capital Circle SW, which is designated as FDOT SIS facility from Interstate 10 south to the Tallahassee International Airport. It is also located 3.3 miles north and west of the Airport.

Consistency with Comprehensive Plan

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

- 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 1.1.5: [L] requires Future Land Use Map densities and intensities to reflect the availability of capital infrastructure. Capital infrastructure, which supports higher land use densities and intensities, consists of sewer and water, roads, mass transit, solid waste, drainage, and parks. The proposed Mining and Industry land use designation has no adverse impact on existing or planned infrastructure. The subject site does not have sewer service available to implement the uses allowed by the current land use designation, nor access to mass transit. The proposed land use amendment is consistent with this policy.
- Policy 1.1.7: [L] requires higher density and mixed-use development and its ancillary activities be channeled into locations which have proper access to the existing transportation system; minimal environmental constraints; sufficient stormwater treatment capacity; compatible existing land use and readily available sewer and water infrastructure. The subject site does not have sewer service available to implement the uses allowed by the current land use designation, nor access to mass transit. The proposed amendment is consistent with this policy.
- Policy 2.2.8 [L] establishes the Industry and Mining Land Use category. This policy states that "Industry and mining uses intended for the distribution of manufactured goods should be encouraged in areas with access to the Tallahassee International Airport or the Florida Department of Transportation's (FDOT) Strategic Intermodal System (SIS) facilities. Because of the need for infrastructure and public services, the Industry and Mining Land Use shall only apply to areas located within the Urban Services Area." Given its proximity to Capital Circle SW and the Tallahassee International Airport, the proposed amendment is consistent with this policy.

The area immediately south of the subject site along Highway 20 has a land use designation of Suburban and a zoning designation of Light Industrial. The existing use of this area is consistent with its land use and zoning designations. Prior to 2018, Light Industrial zoning was intended for the Suburban Land Use Category, but now Light Industrial is intended for the Industry and Mining category as defined in Policy 2.2.28 [L]. The proposed designation of the subject site would also be consistent with the area on the south side of Highway 20. In order to protect any adjacent land uses

that are not industrial or mining uses, one of the Special Conditions in Policy 2.2.28 states “Site plans must demonstrate the protection of adjacent non-industry and mining properties through development standards outlined in the land development codes.”

Zoning

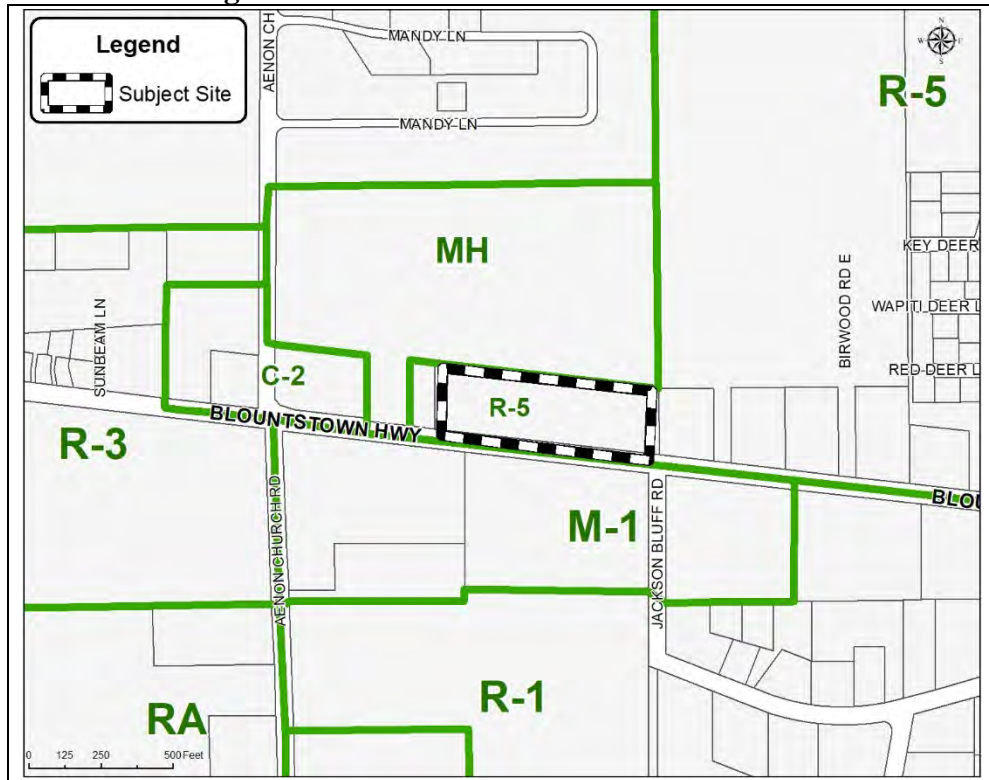
The Land Development Code sections for R-5 Manufactured Home and Single-Family Detached District (Section 10-6.639) and M-1 Light Industrial District (Section 10-6.652) is included as Attachment #2.

The current zoning for the subject site is intended to be located in areas designated Bradfordville Mixed Use, Urban Residential-2, Suburban or Woodville Rural Community on the Future Land Use Map of the Comprehensive Plan which exhibit a predominant existing development pattern of single-family detached housing and manufactured homes on individual, standard sized lots. The maximum gross density allowed for new residential development in the R-5 district is 8 dwelling units per acre. This is fewer than allowed by the current land use designation, and inconsistent with the current FLUM designation because mobile or manufactured homes are not allowed under Policy 2.2.24 [L].

Although the subject site is currently vacant, there are no areas adjacent to the site that exhibit these land use patterns. The mobile home park on the north side of the subject site is located on a single large parcel instead of “individual, standard sized lots.” There is a subdivision of single family homes approximately 0.17 miles east of the subject site that meets the intention of R-5.

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

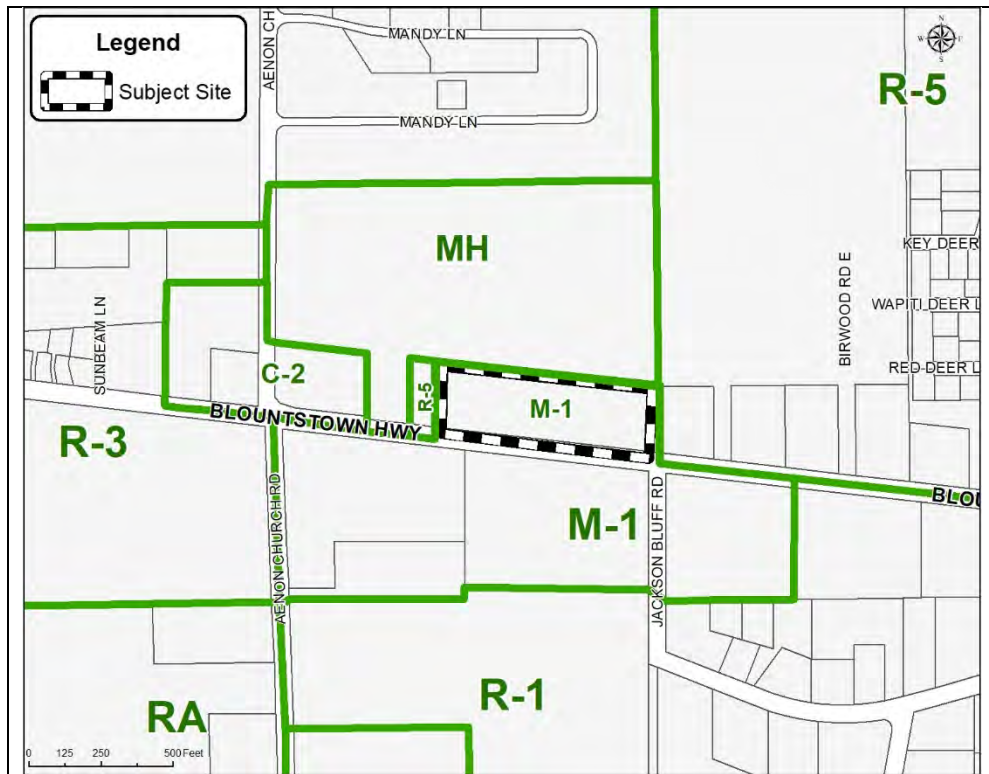
Current Zoning



Current District

- **Manufactured Home and Single-Family Detached District (R-5)**

Proposed Zoning



Proposed District

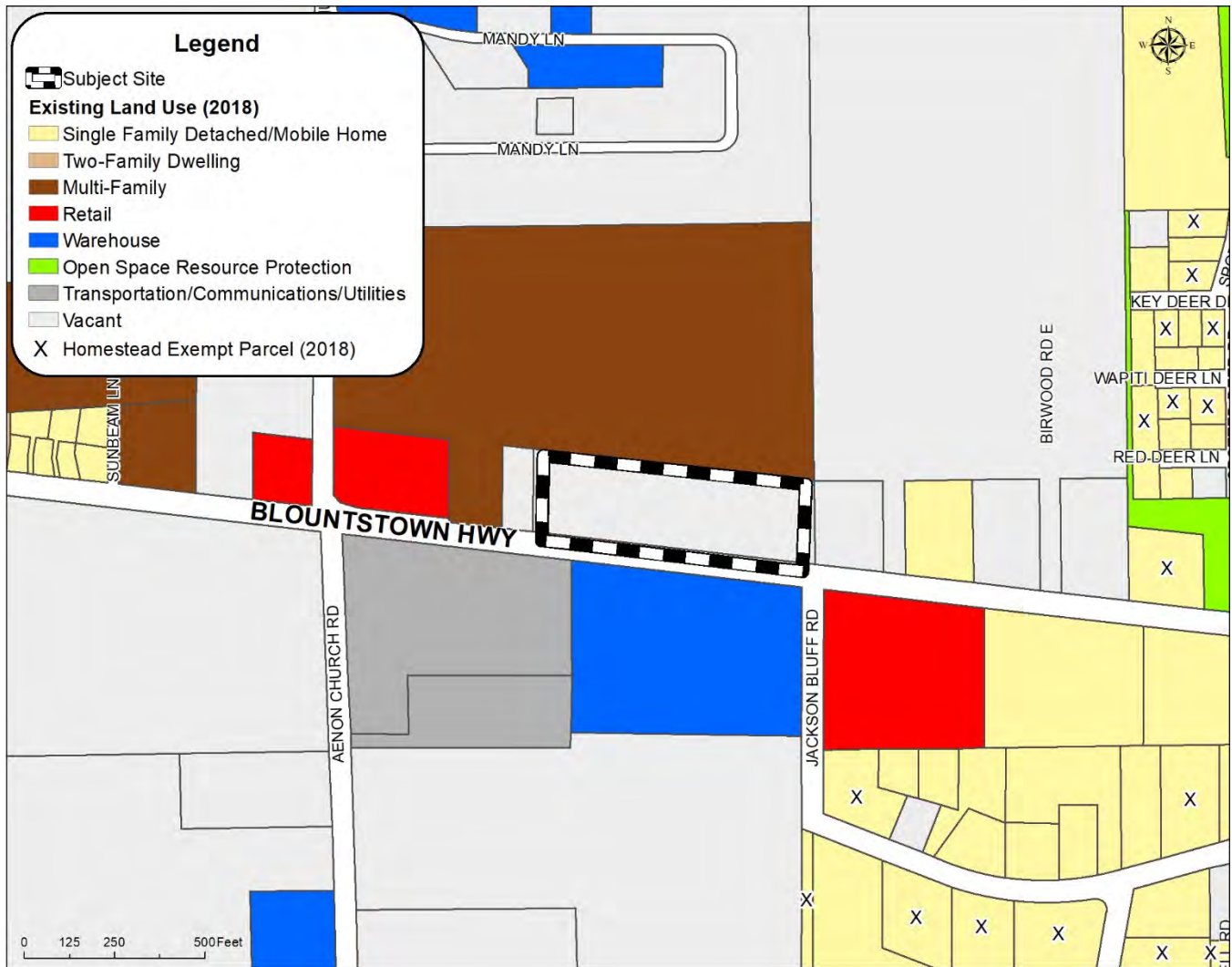
- **Light Industrial (M-1)**

Existing Land Uses

The existing land uses around the subject site are mixed. Vacant parcels are located immediately east, northeast, and west of the subject site, and the parcel that has the mobile home park located on it is designated as multi-family due to the number of individual homes located there. There are two retail parcels located at the intersection of Highway 20 and Aeon Church Road west of the subject site, and another on the south side of Highway 20 immediately southeast of the subject site. The latter is a car wash that appears to be out of business. Two adjacent parcels on the south side of Highway 20 are used for a Duke Energy electric substation, and a towing and automobile storage area is located immediately east of this substation. The remaining area beyond these uses is mostly vacant with some areas of low-density residential (single family detached/mobile home).

The parcel across Highway 20 directly south of the subject site has a large number of presumably inoperable automobiles stored onsite. According to aerial photographs maintained by the Tallahassee – Leon County Geographic Information Systems, this site was being actively mined for sand in 1966 and 1970 and was being used for automobile storage in 1983 until present.

Existing Land Use Map



Infrastructure Analysis

Water/Sewer

According to staff at the Talquin Electric Cooperative and the City of Tallahassee's department of Underground Utilities and Public Infrastructure, City water service is available to the subject site, but not sewer service.

Schools

The Subject Area is zoned for Ft. Braden Elementary/Middle School and Godby High School. Because the Industry and Mining Land Use FLUM category does not allow residential uses, there are no school concurrency issues or other related impacts from this proposed land use change.

Roadway Network

The subject site is bounded by Highway 20, a principal arterial. Although there are no plans to improve this roadway at present, there is a project in the Capital Regional Transportation Planning Agency's Connections 2040 Regional Mobility Plan to widen Highway 20 from two to four lanes from Silver Lake Road 3.7 miles east to Capital Circle NW. The Connections 2040 RMP is the long-range transportation plan for the region that addresses road, bike, pedestrian, transit, airport, freight and other transportation opportunities in the four-county area (Gadsden, Jefferson, Leon, Wakulla counties). This proposed project ranked 33 out of 109 roads evaluated for expansion or other improvements; however, this project was not included in the Cost Feasible Plan because of funding limitations.

There are no known concurrency issues, and the subject site is outside of the Multimodal Transportation District.

Pedestrian and Bicycle Network

Highway 20 in Leon County has bike lanes. A sidewalk exists on the north side of the road approximately 0.4 miles east of the subject site. This sidewalk connects to the sidewalk and trail system along Capital Circle SW.

Transit Network

At present, there is no public transportation access to the subject parcel.

Environmental Analysis

At this time, there are no anticipated impacts to sensitive environmental features. A portion of the subject site along its northern border is located within the 100-year floodplain. This is part of a larger bottomland hammock area dominated by Cypress and other water-tolerant hardwood trees that is periodically wet. No development will be allowed within this area. The remainder of the site is forested with a mix of second-growth pines and mixed hardwoods.

F. PUBLIC OUTREACH AND NOTIFICATION

An initial mailing was sent to 42 property owners within 1,000 feet of the subject site.

| Public Outreach | | Date | Details |
|-----------------|---|-------------------|--|
| X | Mail Notification of Proposed Changes | December 6, 2019 | Notices Mailed to Property Owners within 1000 feet |
| X | Notice of Proposed Land Use Change and Rezoning | | Two signs providing details of proposed land use and zoning changes posted on subject site |
| X | Public Open House | December 17, 2019 | 5:30 PM, Second Floor, Frenchtown Renaissance Center |
| X | Staff Reports Available Online | January 27, 2020 | Email Subscription Notice sent to all users of service |

Public Open House –December 17, 2019: 24 citizens attended the open house to discuss the 2020 Cycle amendments. None of the attendees had questions regarding this proposed amendment.

G. STAFF REPORT UPDATE

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

| Cycle 2020 Meetings | | Dates | Time and Locations |
|---------------------|---------------------------------------|-------------------|--|
| X | Local Planning Agency Workshop | January 7, 2020 | 6:00 PM, Second Floor, Frenchtown Renaissance Center |
| X | Local Planning Agency Public Hearing | February 4, 2020 | 6:00 PM, Second Floor, Frenchtown Renaissance Center |
| X | Joint City-County Commission Workshop | February 25, 2020 | 1:00 PM, Fifth Floor, Leon County Courthouse |
| X | County Adoption Public Hearing | April 28, 2020 | 3:00 PM, Fifth Floor, Leon County Courthouse |

Local Planning Agency Workshop – January 7, 2020: A workshop was held on January 7, 2020 to discuss the proposed 2020 Cycle amendments. The LPA had no questions on this amendment.

Local Planning Agency Public Hearing – February 4, 2020: The Local Planning Agency voted to recommend approval of the proposed map amendment and rezoning. There were no citizen speakers on this amendment or rezoning.

Joint City-County Commission Workshop – February 25, 2020: A workshop was held on February 25, 2020 to discuss the proposed 2020 Cycle amendments. There were no questions on this amendment.

H. ATTACHMENTS

- Attachment #1: Comprehensive Plan policies for Urban Residential 2 (Policy 2.2.24: [L]) and Industry and Mining Land Use (Policy 2.2.28: [L])
- Attachment #2: Land Development Code sections for R-5 Manufactured Home and Single-Family Detached District (Section 10-6.639) and M-1 Light Industrial District (Section 10-6.652)

Attachment #1

Policy 2.2.24: [L]

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

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

Policy 2.2.28: [L] INDUSTRY AND MINING LAND USE (EFF. 5/31/18)

INTENT

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

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

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

ALLOWABLE LAND USES, DENSITIES, AND INTENSITIES

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

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

SPECIAL CONDITIONS

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

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

Section 10-6.639. R-5 Manufactured Home and Single-Family Detached District.

| PERMITTED USES | | | | | | | | | |
|--|--|--------------|--------------|------------------------------|---|--------------------|---------|--|---|
| 1. District Intent | 2. Principal Uses | | | | | | | 3. Accessory Uses | |
| <p>The R-5 district is intended to be located in areas designated Bradfordville Mixed Use, Urban Residential-2, Suburban or Woodville Rural Community on the Future Land Use Map of the Comprehensive Plan which exhibit a predominant existing development pattern of single-family detached housing and manufactured homes on individual, standard sized lots. The maximum gross density allowed for new residential development in the R-5 district is 8 dwelling units per acre. Certain community and recreational facilities related to residential uses are also permitted.</p> | <p>(1) Community facilities related to residential uses, including religious facilities, police/fire stations, and elementary, middle, vocational, and exceptional student education schools. Libraries and high schools are prohibited. Other community facilities may be allowed in accordance with Section 10-6.806 of these regulations. (2) Golf courses. (3) Manufactured homes. (4) Passive and active recreational facilities. (5) Single-family detached dwellings.</p> | | | | | | | <p>(1) A use or structure on the same lot with, and of a nature customarily incidental and subordinate to, the principal use or structure and which comprises no more than 33 percent of the floor area or cubic volume of the principal use or structure, as determined by the County Administrator or designee. (2) Light infrastructure and/or utility services and facilities necessary to serve permitted uses, as determined by the County Administrator or designee.</p> | |
| DEVELOPMENT STANDARDS | | | | | | | | | |
| Use Category | 4. Minimum Lot or Site Size | | | 5. Minimum Building Setbacks | | | | 6. Maximum Building Restrictions | |
| | a. Lot or Site Area | b. Lot Width | c. Lot Depth | a. Front | b. Side-Interior Lot | c. Side-Corner Lot | d. Rear | a. Building Size (excluding gross building floor area used for parking) | b. Building Height (excluding stories used for parking) |
| Single-Family Detached and Mobile Homes Dwellings | 5,000 square feet | 50 feet | 100 feet | 15 feet | 7.5 feet on each side; or any combination of setbacks that equals at least 15 feet, provided that no such setback shall be less than 5 feet | 15 feet | 25 feet | not applicable | 3 stories |
| Any Permitted Principal Non-Residential Use | 12,000 square feet | 80 feet | 100 feet | 25 feet | 7.5 feet on each side; or any combination of setbacks that equals at least 15 feet, provided that no such setback shall be less than 5 feet | 15 feet | 25 feet | 10,000 square feet of gross building floor area per acre | 3 stories |

GENERAL NOTES:

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

Section 10-6.652. M-1 Light Industrial District.

| 1. District Intent | PERMITTED USES | |
|--|--|--|
| | 2. Principal Uses | 3. Accessory Uses |
| <p>The M-1 district is intended to be located in areas designated Bradfordville Mixed Use or Suburban on the Future Land Use Map of the Comprehensive Plan shall apply to urban areas with convenient access to transportation facilities, where light manufacturing, processing, storage, community and recreational facilities and other activities compatible with light industrial operations are permitted. The district is not intended to accommodate heavy industrial operations or to accommodate commercial or residential development which would restrict the principal light industrial operations.</p> | <p>(1) Armored truck services. (2) Assembly of apparel and accessories. (3) Automotive service and repair, including car wash. (4) Bottling plants. (5) Broadcasting studios. (6) Building contractors and related services. (7) Cemeteries. (8) Communications and utilities. (9) Community services, including vocational schools and police/fire stations. Libraries, elementary, middle, or high schools are prohibited. Other community services may be allowed in accordance with Section 10-6.806 of these regulations. (10) Crematoriums. (11) Distribution facilities. (12) Dry cleaning plants. (13) Food processing, excluding slaughter. (14) Golf courses. (15) Gun firing ranges (indoor). (16) Heavy infrastructure (maintenance yards, motor pools, airports, land fills, sewage treatment plants, etc.).</p> | <p>(17) Laboratories; research and development activities. (18) Lawn and tree removal services. (19) Manufacturing (consistent with the definition of light industrial). (20) Non-medical offices and services, including business and government offices and services. (21) Off-street parking facilities. (22) Passive and active recreational activities. (23) Pest control services. (24) Printing and publishing. (25) Repair services, non-automotive. (26) Towing, wrecking, and recovery services. (27) Transportation and freight handling activities. (28) Warehouses, mini-warehouses, or self-storage facilities. (29) Welding and machine shops. (30) Wholesale activities. (31) Wholesale building supplies. (32) Other uses, which in the opinion of the County Administrator or designee, are of a similar and compatible nature to those uses described in this district.</p> <p>(1) A lawfully established use or structure on the same lot with, and of a nature customarily incidental and subordinate to, the principal use or structure and which comprises no more than 33 percent of the gross floor area of the principal use or structure, as determined by the County Administrator or designee. The 33 percent limitation does not apply to outdoor storage that is accessory to a permitted principal use.</p> <p>(a) Light infrastructure and/or utility services and facilities necessary to serve permitted uses, as determined by the County Administrator or designee. (b) Residential use (intended for watchman or guard not to exceed 1 dwelling unit per industrial use). (c) Outdoor storage (without the 33 percent limitation), provided it complies with Section 7 below. (d) The following uses are permitted accessory uses in this district:</p> <ol style="list-style-type: none"> 1. Eating and drinking establishments such as cafeterias or snack bars, (located within the interior of any permitted use.) 2. Temporary employment 3. Security Guard Service 4. Day Care Centers-- licensed day care services as described in and regulated by section 10-6.811. 5. Recreational amenities—provided as an accessory to a permitted uses established within the district for use by employees management, and their guests. 6. Retail sales—provided the sales are directly related to the principal light industrial use(s), e.g. gun sales at an indoor shooting range. Retail sales must be limited to no more than 33% of the gross floor area. |

| DEVELOPMENT STANDARDS (continued on page 1 of 2) | | | | | | | | | |
|--|------|------|------|---------|------|---------|---------|--|-----------|
| Permitted Principal Commercial Uses Numbers (3), (21), (25) | none | none | none | 25 feet | none | 25 feet | 10 feet | 10,000 square feet of gross building floor area per parcel | 3 stories |
| All Other Permitted Principal Non-Residential Uses | none | none | none | 25 feet | none | 25 feet | 10 feet | 20,000 square feet of gross building floor area per acre. 50,000 square feet of gross building floor area per acre for storage areas within buildings. | 3 stories |
| <p>7. Criteria for Outdoor Storage: Outdoor storage is permitted as an accessory use to a permitted principal use (without the 33 percent limitation) if the outdoor storage area is screened with an opaque material (an opaque material may include vegetation). The opacity requirements are as follows: 100 percent along any property line that adjoins an existing residential use; 80 percent along any property line that adjoins any other type of use other than residential (commercial, office, etc.) or a street right-of-way. The determination of the adequacy of the opaque material will be evaluated at the time of permitting.</p> <p>8. Street Vehicular Access Restrictions: Properties in the M-1 zoning district may have vehicular access to any type of street. However, in order to protect residential areas and neighborhoods from non-residential traffic, vehicular access to a local street is prohibited if one of the following zoning districts is located on the other side of the local street: RA, R-1, R-2, R-3, R-4, R-5, MH, MR-1, and RP</p> <p>9. Fencing Requirement: All areas proposed for use, currently used, or previously used, in open-pit mining operations and/or construction and demolition debris disposal must be secured by a fence, unless the area is determined to be a reclaimed open-pit mine by the county administrator or designee. The fence must be at least four feet in height with openings that will reject the passage of a seven-inch diameter sphere. The fence must be equipped with a gate which shall remain locked when workers or employees of the land owner or mining company are not present at the site. At every gate or access point, at least one sign must be posed which states, in at least four-inch tall letter, "Danger," "Keep Out," "No Trespassing," or similar language to indicate that there may be hazardous conditions on the premises.</p> | | | | | | | | | |

GENERAL NOTES:

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

Section 10-6.652. M-1 Light Industrial District.

| 1. District Intent | PERMITTED USES | | |
|--|--|---|--|
| | 2. Principal Uses | 3. Accessory Uses | |
| <p>The M-1 district is intended to be located in areas designated Bradfordville Mixed Use or Suburban on the Future Land Use Map of the Comprehensive Plan shall apply to urban areas with convenient access to transportation facilities, where light manufacturing, processing, storage, community and recreational facilities and other activities compatible with light industrial operations are permitted. The district is not intended to accommodate heavy industrial operations or to accommodate commercial or residential development which would restrict the principal light industrial operations.</p> | <p>(1) Armored truck services. (2) Assembly of apparel and accessories. (3) Automotive service and repair, including car wash. (4) Bottling plants. (5) Broadcasting studios. (6) Building contractors and related services. (7) Cemeteries. (8) Communications and utilities. (9) Community services, including vocational schools and police/fire stations. Libraries, elementary, middle, or high schools are prohibited. Other community services may be allowed in accordance with Section 10-6.806 of these regulations. (10) Crematoriums. (11) Distribution facilities. (12) Dry cleaning plants. (13) Food processing, excluding slaughter. (14) Golf courses. (15) Gun firing ranges (indoor). (16) Heavy infrastructure (maintenance yards, motor pools, airports, land fills, sewage treatment plants, etc.).</p> | <p>(17) Laboratories; research and development activities. (18) Lawn and tree removal services. (19) Manufacturing (consistent with the definition of light industrial). (20) Non-medical offices and services, including business and government offices and services. (21) Off-street parking facilities. (22) Passive and active recreational activities. (23) Pest control services. (24) Printing and publishing. (25) Repair services, non-automotive. (26) Towing, wrecking, and recovery services. (27) Transportation and freight handling activities. (28) Warehouses, mini-warehouses, or self-storage facilities. (29) Welding and machine shops. (30) Wholesale activities. (31) Wholesale building supplies. (32) Other uses, which in the opinion of the County Administrator or designee, are of a similar and compatible nature to those uses described in this district.</p> | <p>(1) A lawfully established use or structure on the same lot with, and of a nature customarily incidental and subordinate to, the principal use or structure and which comprises no more than 33 percent of the gross floor area of the principal use or structure, as determined by the County Administrator or designee. The 33 percent limitation does not apply to outdoor storage that is accessory to a permitted principal use.</p> <p>(a) Light infrastructure and/or utility services and facilities necessary to serve permitted uses, as determined by the County Administrator or designee. (b) Residential use (intended for watchman or guard not to exceed 1 dwelling unit per industrial use). (c) Outdoor storage (without the 33 percent limitation), provided it complies with Section 7 below. (d) The following uses are permitted accessory uses in this district:</p> <ol style="list-style-type: none"> 1. Eating and drinking establishments such as cafeterias or snack bars, (located within the interior of any permitted use.) 2. Temporary employment 3. Security Guard Service 4. Day Care Centers-- licensed day care services as described in and regulated by section 10-6.811. 5. Recreational amenities—provided as an accessory to a permitted uses established within the district for use by employees management, and their guests. 6. Retail sales—provided the sales are directly related to the principal light industrial use(s), e.g. gun sales at an indoor shooting range. Retail sales must be limited to no more than 33% of the gross floor area. |

| DEVELOPMENT STANDARDS (continued on page 1 of 2) | | | | | | | | | |
|--|------|------|------|---------|------|---------|---------|--|-----------|
| Permitted Principal Commercial Uses Numbers (3), (21), (25) | none | none | none | 25 feet | none | 25 feet | 10 feet | 10,000 square feet of gross building floor area per parcel | 3 stories |
| All Other Permitted Principal Non-Residential Uses | none | none | none | 25 feet | none | 25 feet | 10 feet | 20,000 square feet of gross building floor area per acre. 50,000 square feet of gross building floor area per acre for storage areas within buildings. | 3 stories |
| <p>7. Criteria for Outdoor Storage: Outdoor storage is permitted as an accessory use to a permitted principal use (without the 33 percent limitation) if the outdoor storage area is screened with an opaque material (an opaque material may include vegetation). The opacity requirements are as follows: 100 percent along any property line that adjoins an existing residential use; 80 percent along any property line that adjoins any other type of use other than residential (commercial, office, etc.) or a street right-of-way. The determination of the adequacy of the opaque material will be evaluated at the time of permitting.</p> <p>8. Street Vehicular Access Restrictions: Properties in the M-1 zoning district may have vehicular access to any type of street. However, in order to protect residential areas and neighborhoods from non-residential traffic, vehicular access to a local street is prohibited if one of the following zoning districts is located on the other side of the local street: RA, R-1, R-2, R-3, R-4, R-5, MH, MR-1, and RP</p> <p>9. Fencing Requirement: All areas proposed for use, currently used, or previously used, in open-pit mining operations and/or construction and demolition debris disposal must be secured by a fence, unless the area is determined to be a reclaimed open-pit mine by the county administrator or designee. The fence must be at least four feet in height with openings that will reject the passage of a seven-inch diameter sphere. The fence must be equipped with a gate which shall remain locked when workers or employees of the land owner or mining company are not present at the site. At every gate or access point, at least one sign must be posed which states, in at least four-inch tall letter, "Danger," "Keep Out," "No Trespassing," or similar language to indicate that there may be hazardous conditions on the premises.</p> | | | | | | | | | |

GENERAL NOTES:

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



SUMMARY

| Property Owners: | Property Location: | TLCPD Recommendation: |
|--|---|----------------------------|
| Publix Super Markets Inc., C/O Windcrest Development Group | Southwest corner of N. Monroe St. and Capital Circle NW | Approve |
| Applicant: Mario Rivieccio | | |
| TLCPD Staff: | Current Future Land Use & Zoning: | LPA Recommendation: |
| Mindy Mohrman | <u>Future Land Use:</u> Lake Protection (LP) <u>Zoning:</u> Lake Protection (LP) | Approve |
| Contact Information: | Proposed Future Land Use & Zoning: | |
| Melinda.Mohrman@talgov.com 850-891-6415 | <u>Future Land Use:</u> Suburban <u>Zoning:</u> Commercial Parkway (CP) | |
| Date: 10/17/2019 | Updated: 4/28/2020 | |

A. REASON FOR REQUESTED CHANGE

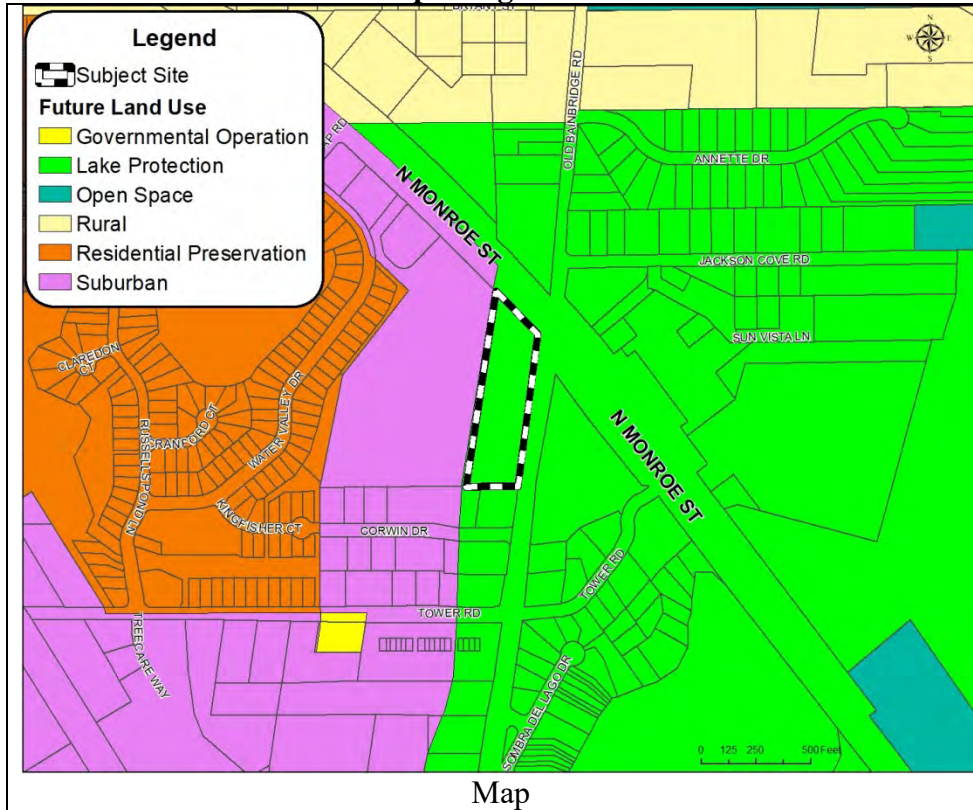
The applicant requested this proposed land use amendment to align the Lake Protection boundary to match the Lake Jackson Basin boundary. This will allow for re-development of the existing Publix Supermarket to provide a larger Publix store and a smaller amount of other retail spaces.

B. CURRENT AND PROPOSED FUTURE LAND USE DESIGNATION

The Subject Site applies to a 4.49 acre portion of an 18.21 acre parcel. The remaining 13.72 acres of the parcel are currently designated Suburban (SUB) on the FLUM and are zoned Commercial Parkway (CP). The proposed amendment would change the FLUM designation of the subject area to Suburban.

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

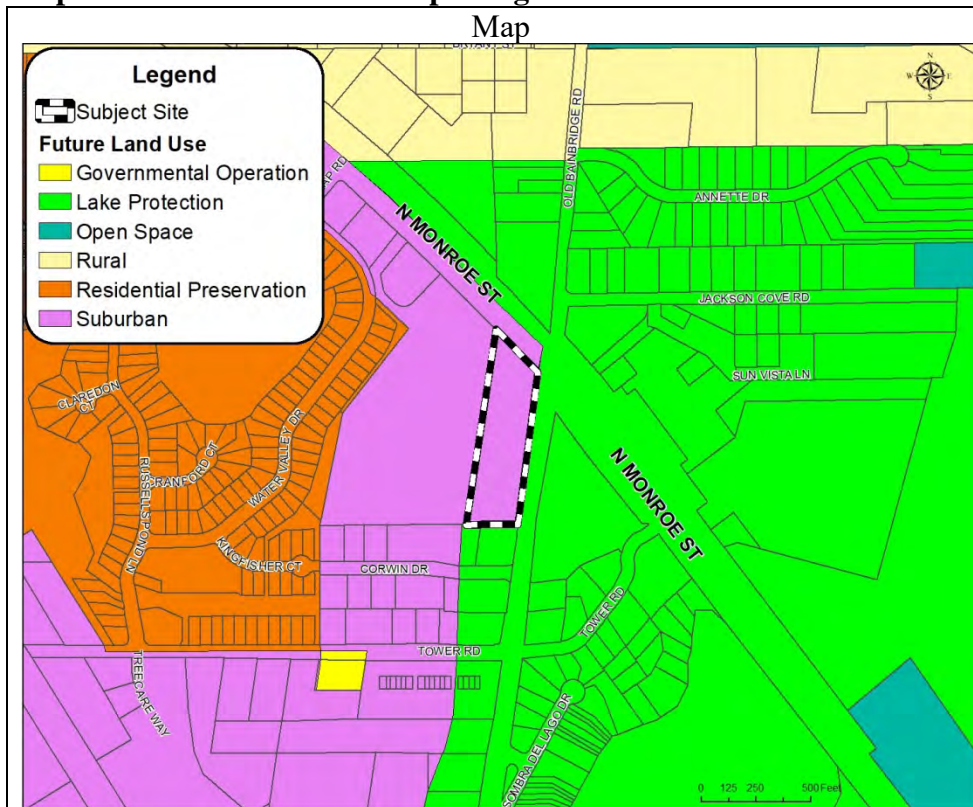
Current Future Land Use Map Designation



Current Designation

- **Lake Protection (LP)**

Proposed Future Land Use Map Designation



Proposed Designation

- **Suburban (SUB)**

C. STAFF RECOMMENDATION

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

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

D. LOCAL PLANNING AGENCY (LPA) RECOMMENDATION

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

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

E. SUMMARY OF FINDINGS

Staff presents the following findings of fact:

1. Policy 2.2.18:[L] states that the Lake Protection category is the basis for regulation and, where appropriate, limitation of development and redevelopment of land within the Lake Jackson Basin. The subject site is located outside of the Lake Jackson Basin boundary. The proposed amendment would align the Lake Protection boundary with the Lake Jackson drainage basin boundary line.
2. Sec. 10.4.323 of the Leon County Land Development Code states that the Lake Protection area is intended to be based on the Lake Jackson basin boundary, adjusted to primarily include undeveloped areas and existing less intensely developed areas. The subject site is outside of the Lake Jackson Basin and is currently developed with an existing Publix Super Market and attached retail space.

F. STAFF ANALYSIS

History and Background

The subject site located at 5814 N. Monroe Street has been developed since the 1990s and consists of a Publix Super Market and additional attached retail spaces. According to the applicant, a large portion of the retail space is vacant although the existing Publix store is very busy. The parcel currently has two land use designations and zoning categories, Suburban land use and Commercial Parkway zoning on the west portion of the parcel, and Lake Protection on the east portion. The subject site is surrounded by a mix of zoning districts, including Lake Protection, Commercial Parkway, Residential Preservation, Light Industrial, Rural, and North Monroe Planned Unit Development.

Current and Proposed Future Land Use Categories

The complete comprehensive plan policies for Lake Protection (Policy 2.2.18:[L]) and Suburban (Policy 2.2.5:[L]) are included as Attachment #1.

Lake Protection (Current)

The Lake Protection land use category is intended to ensure that development within the Lake Jackson basin occurs in a sustainable and environmentally sound manner with minimal impact to water quality. The Lake Protection category is the basis for regulation and, where appropriate, limitation of development and redevelopment of land within the Lake Jackson basin. The subject area is outside of the Lake Jackson basin boundary. A conservation easement is proposed for existing wetlands and floodplains on site.

Suburban (Proposed)

The Suburban land use category is intended to create an environment for economic investment or reinvestment through the mutually advantageous placement of employment and shopping opportunities with convenient access to low to medium density residential land uses. This category is most suitable for those areas outside of the Central Core. Allowed land uses within the Suburban land use category shall be regulated by zoning districts which implement that intent of this category (in this case Commercial Parkway) and which recognize the unique land use patterns, character, and availability of infrastructure in the different areas within the category.

The Subject Site is a 4.49 acre area currently designated Lake Protection that is part of an 18.21 acre parcel. The remaining 13.72 acre portion of the parcel is designated as Suburban and zoned Commercial Parkway.

Consistency with Comprehensive Plan

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

“Policy 2.2.5: [L] implements the Suburban land use policy. The Suburban designation is intended to create an environment for economic investment or reinvestment through the mutually advantageous placement of employment and shopping opportunities with convenient access to low to medium density residential land uses. The category predominantly consists of single-use projects that are interconnected whenever feasible. Mixed-use projects and the principles of traditional neighborhood developments are encouraged, though not required. The Suburban category is most suitable for those areas outside of the Central Core. However, additional areas inside the Central Core may be designated as appropriate based on existing land use pattern.”

The proposed amendment is consistent with this policy in that it would create an environment for economic investment or reinvestment with the redevelopment of an existing shopping center. The Subject Site is part of a larger proposed redevelopment that would be a single-use project with convenient access to low to medium density residential land uses. As is the intention of the Suburban land use designation, the location of the subject site is adjacent to existing residential areas and will

provide pedestrian connections to existing neighborhoods as well as sidewalks on Capital Circle NW. The Subject Site is also located outside of the Central Core.

Policy 2.2.18: [L] implements the Lake Protection land use policy. The Lake Protection designation is intended to ensure that development within the Lake Jackson basin occurs in a sustainable and environmentally sound manner with minimal impact to water quality. The subject site is located outside of the Lake Jackson Basin boundary. The proposed amendment would align the Lake Protection boundary with the Lake Jackson drainage basin boundary line. In addition, while not a condition of the amendment, the proposed redevelopment would result in a net reduction in building and impervious area. The proposed re-development would reduce the total square footage of buildings and impervious area. The applicant proposes to reduce building square footage from an existing 76,714 ft² to a proposed 66,472 ft², to reduce impervious surface from an existing 394,386 ft² to a proposed 359,459 ft², and to place the existing wetlands and floodplains on site in a conservation easement. Trees along the north and east boundaries of the site are proposed to be preserved, while existing parking lot trees will be removed and replanted as required by land development code.

Zoning

The Land Development Code sections for Lake Protection (Section 10-6.616) and Commercial Parkway (Section 10-6.649) zoning is included as Attachment #2.

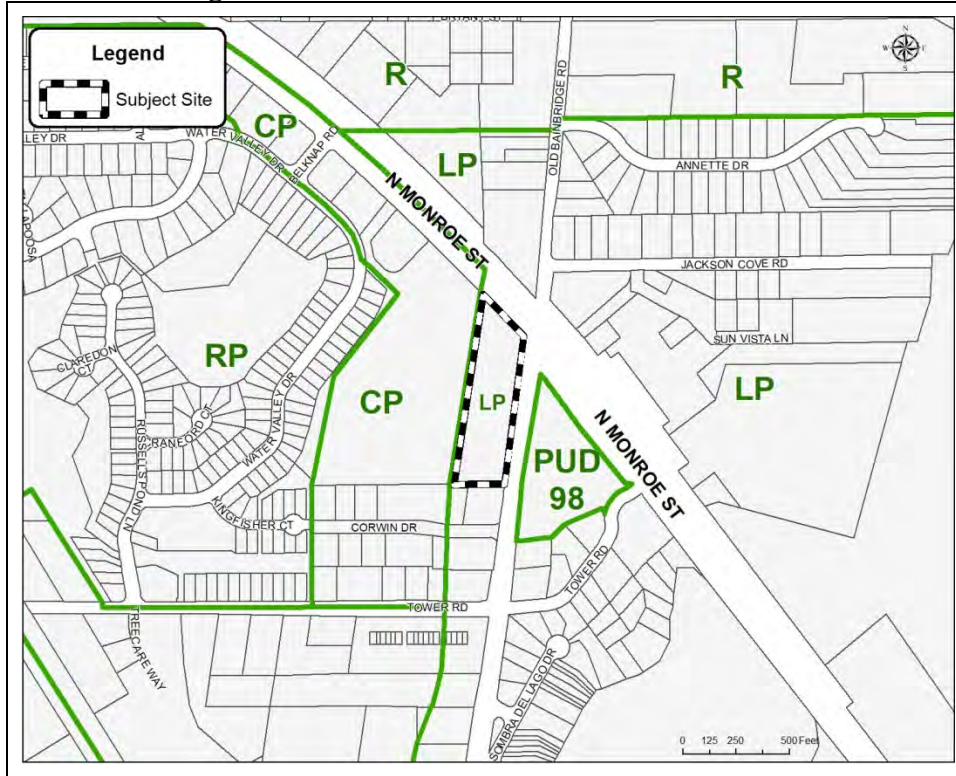
Section 10-6.616 Lake Protection district is intended to allow for the regulation and, where appropriate, limitation of development and redevelopment of land within the Lake Jackson Basin in a manner that improves water quality within the Lake. The bounds of the category include the Lake Jackson Basin and contributing watersheds and limited to the Urban Service Area. Intensely developed properties and areas south of Interstate 10 (I-10) have been excluded from the boundary. The Subject Site is not within the Lake Jackson Basin or a contributing watershed.

Section 10-6.649 Commercial Parkway district is intended to be located in areas designated Suburban in the future land use map of the Comprehensive Plan and shall apply to areas exhibiting an existing development pattern of office, general commercial, community facilities, and intensive automotive commercial development abutting urban area arterial roadways with high traffic volumes. The CP district is characterized by a linear pattern of development. The access management standards set forth for the CP district addressing limitations placed on access are intended to minimize and control ingress and egress to arterial roadways and to promote smooth and safe traffic flow of the general traveling public.

A majority portion of the subject site is currently zoned Commercial Parkway and contains an existing commercial shopping center. Existing ingress and egress points connecting to principal arterial roadways are to remain unchanged. This proposed rezoning is consistent with surrounding zoning districts, which permit a mixture of uses.

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

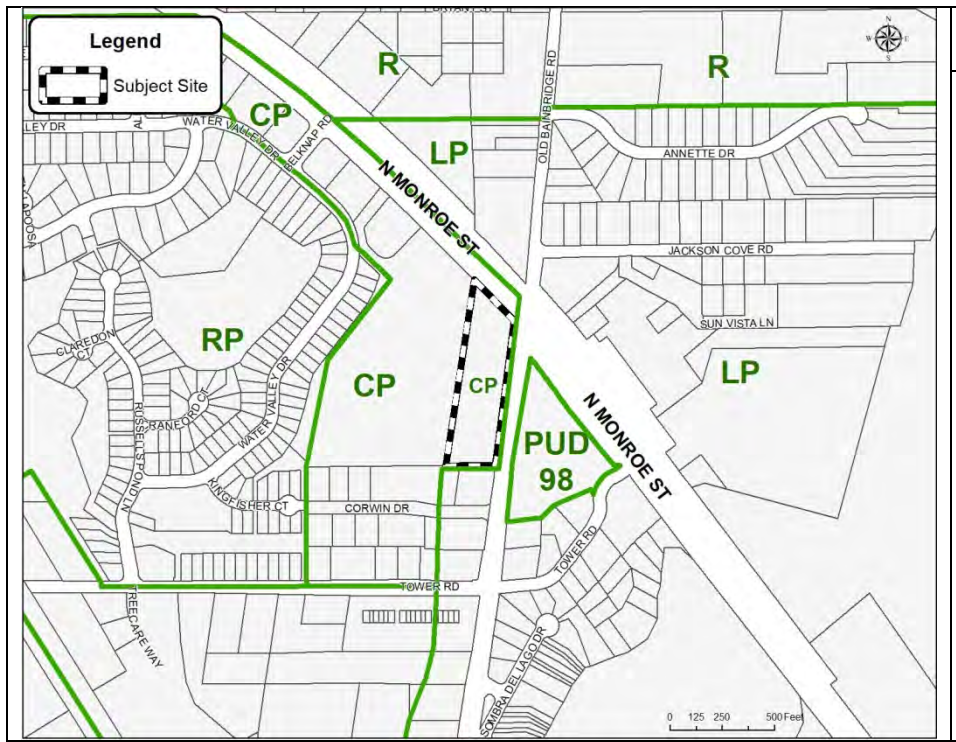
Current Zoning



Current District

- **Lake Protection (LP)**

Proposed Zoning



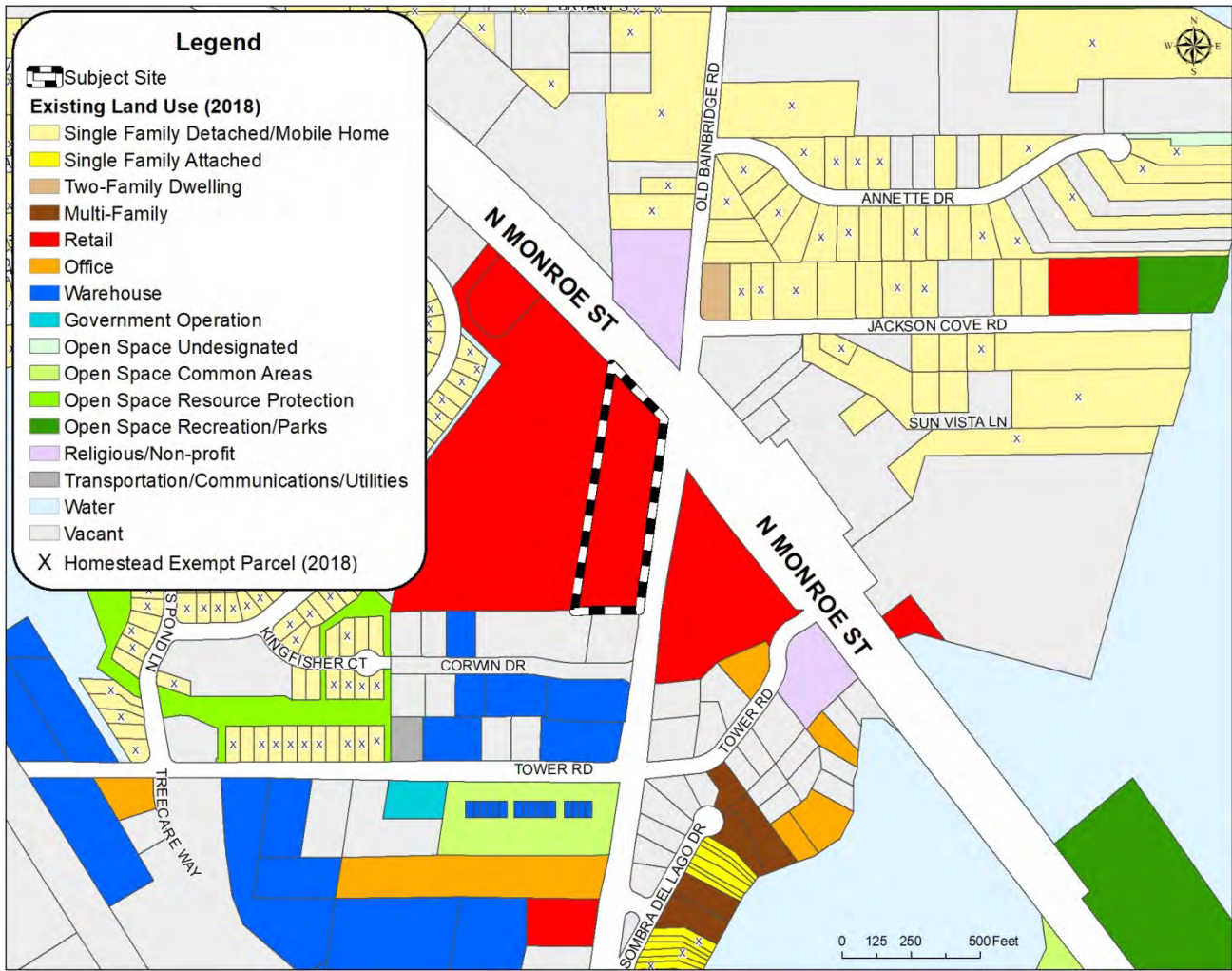
Proposed District

- **Commercial Parkway (CP)**

Existing Land Uses

The existing uses on the parcel are retail, currently developed with a Publix Super Market and additional retail spaces. The 4.49 acre portion of the site currently zoned Lake Protection is partially developed with paved parking and open space. Surrounding uses include residential, retail, religious/non-profit, and warehouse.

Existing Land Use Map



Infrastructure Analysis

Water/Sewer

The subject site has an existing water distribution system and sanitary sewer gravity collection system available directly adjacent to the property, both are confirmed by Talquin Electric, Water, and Wastewater Inc. to have adequate capacity to provide these utilities.

Schools

The Subject Area is zoned for Canopy Oaks Elementary School, Raa Middle School, and Godby High School. The proposed amendment has a concurrent rezoning to a non-residential use and would have no impact to Leon County Schools.

Roadway Network

The subject site is currently accessed by Capital Circle NW on the east and N. Monroe St. on the north. Both are principal arterials roadways maintained by the Florida Department of Transportation. Existing access points are not proposed to be changed.

Pedestrian and Bicycle Network

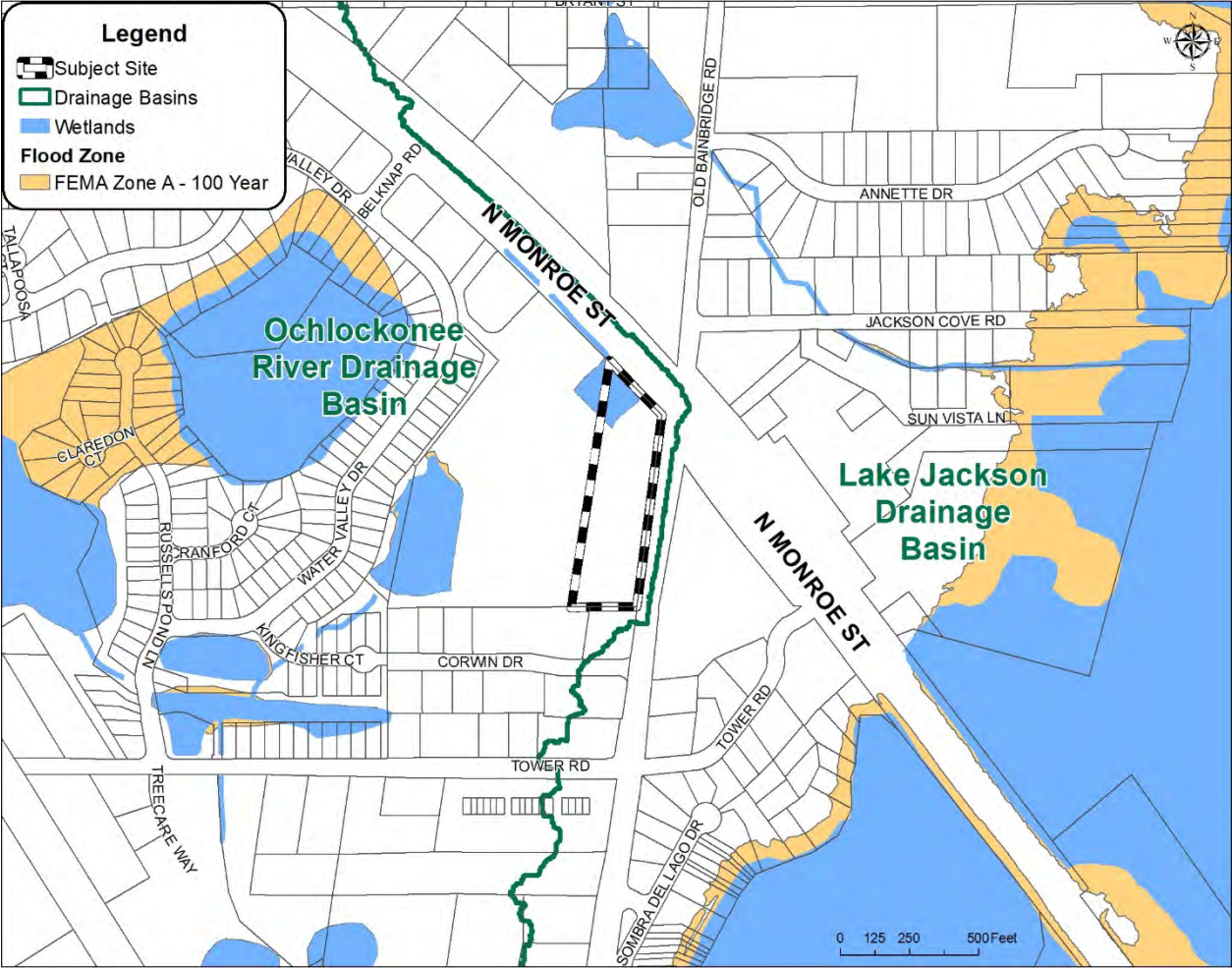
The proposed redevelopment includes the addition of a six foot wide sidewalk along Capital Circle NW connecting an existing pedestrian crossing on N. Monroe to the access drive on Capital Circle NW and extending through the parking lot to the proposed Publix Super Market entrance. A six foot wide sidewalk is also proposed to connect to an existing sidewalk that serves the residential neighborhood to the west and currently connects to nearby existing Hardees and Sonic restaurants.

Transit Network

The site is served by the Lake Jackson FLEX Service. This service is available on a call ahead basis Monday through Friday during peak commute hours, 6-9 a.m. and 4-7 p.m.

Environmental Analysis

The Subject Site is located in the Ochlockonee Basin and Russell's Pond Watershed. The subject site contains 2.83 acres of wetlands and 2.70 acres of floodplain which will be outside of proposed construction limits and placed in a conservation easement. No impact is proposed to these areas. The proposed re-development will reduce the total square footage of buildings and impervious surfacing. Trees along the north and east boundaries of the site are proposed to be preserved, while existing parking lot trees will be removed and replanted as required by land development code.



F. PUBLIC OUTREACH AND NOTIFICATION

An initial mailing was sent to 248 property owners within 1,000 feet of Subject Site.

| Public Outreach | | Date | Details |
|-----------------|---|-------------------|--|
| X | Mail Notification of Proposed Changes | December 6, 2019 | Notices Mailed to Property Owners within 1000 feet |
| X | Notice of Proposed Land Use Change and Rezoning | November 21, 2019 | Two signs providing details of proposed land use and zoning changes posted on subject site |
| X | Public Open House | December 17, 2019 | 5:30 PM, Second Floor, Frenchtown Renaissance Center |
| X | Leon County Water Resources Committee | January 6, 2020 | 6:00 PM, Second Floor, Frenchtown Renaissance Center |
| X | Staff Reports Available Online | January 27, 2020 | Email Subscription Notice sent to all users of service |

Public Open House – December 17, 2019: Twenty-four citizens attended the open house to discuss the 2020 Cycle amendments. No written comments were received for this amendment. One citizen had questions about inconsistency between the boundaries of the Lake Protection FLUM designation and the Lake Jackson Drainage Basin.

Leon County Water Resources Committee – January 6, 2020: Members asked how the Lake Jackson Drainage Basin boundary line was established. The boundary has been updated by the Tallahassee-Leon County GIS office over the years as information and technology has improved. The most recent boundary was established using LiDAR technology and local stormwater conveyance information.

G. STAFF REPORT UPDATE

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

| Cycle 2019 Meetings | | Dates | Time and Locations |
|---------------------|---------------------------------------|-------------------|--|
| X | Local Planning Agency Workshop | January 7, 2020 | 6:00 PM, Second Floor, Frenchtown Renaissance Center |
| X | Local Planning Agency Public Hearing | February 4, 2020 | 6:00 PM, Second Floor, Frenchtown Renaissance Center |
| X | Joint City-County Commission Workshop | February 25, 2020 | 1:00 PM, Fifth Floor, Leon County Courthouse |
| X | County Adoption Public Hearing | April 28, 2020 | 3:00 PM, Fifth Floor, Leon County Courthouse |

Local Planning Agency Workshop – January 7, 2020: A workshop was held on January 7, 2020 to discuss the proposed 2020 Cycle amendments. The LPA had no questions on this amendment.

Local Planning Agency Public Hearing – February 4, 2020: The Local Planning Agency voted to recommend approval of the proposed map amendment and rezoning. There were no citizen speakers on this amendment or rezoning.

Joint City-County Commission Workshop – February 25, 2020: Staff presented the proposed amendment at the Commissioners. There were no questions of staff on the proposed amendment.

H. ATTACHMENTS

Attachment #1: Comprehensive Plan policies (Policy 2.2.5 and 2.2.18) Lake Protection and Suburban

Attachment #2: Land Development Code sections (Sec 10-6.616 and Sec 10-6.649) Lake Protection and Commercial Parkway

Attachment #1

Policy 2.2.18: [L] LAKE PROTECTION

(Ref. Eff. 12/22/95; Rev. Eff. 7/26/06; Renumbered 3/14/07; Ref. Eff. 7/14/14; Ref. Eff. 7/6/15)

INTENT

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

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

ALLOWABLE USES, DENSITIES, AND INTENSITIES

1. Residential

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

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

2. Mixed-use & Non-residential

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

3. Community and Recreational Facilities

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

SPECIAL CONDITIONS

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

1. The Lake Protection Node zoning district shall only be permitted at the following intersections:
 - Highway 27 North and Sessions Road

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

The exact extent of these Nodes shall be specified in the City of Tallahassee and Leon County land development regulations, but generally shall not extend beyond ¼ mile from the respective intersection and shall not include areas within a Special Development Zone (SDZ) or existing single-family subdivisions.

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

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

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

4. Additional development standards deemed necessary to protect Lake Jackson from further degradation and/or improve existing water quality may be included in the land development code.

5. Existing, lawfully established, non-residential uses within the Lake Protection land use category that are compatible with surrounding uses and meet all water quality standards for the Lake Jackson Basin shall be considered permitted uses.

Policy 2.2.5: [L] SUBURBAN (*Effective 3/14/07*)

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

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

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

Suburban Intensity Guidelines (Effective 3/14/07; Rev. Effective 7/14/14)

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

Notes:

- (1) 8 units/acre minimum for exclusively residential;
- (2) Hospitals up 176,000 sq ft/acre;
- (3) 20 units/acre and 40,000 sq ft/acre for multiple use development; Combined residential and non-residential development may have up to 40,000 SF and up to a six story building. Residential use, office use and commercial use is allowed.
- (4) Low Density Residential and Residential Office development patterns can have a minimum of 1 unit per acre if water and sewer are not available.
- (5) The maximum square footage is increased to 12,500 SF if the project is a mixed-use development.
- (6) The maximum square footage increases to 40,000 SF per acre and maximum height increases to six stories if 50% of parking is structured. This provision only applies to areas previously designated as Mixed Use C
- (7) 250,000 SF of total development permitted on 20 to 30 acre centers.
- (8) Storage areas may be 50,000 SF per acre. Office and Retail is allowed.
- (9) Storage areas may be 50,000 SF per acre.

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

Attachment #2

Section 10-6.616 LAKE PROTECTION

1. District Intent

The purpose and intent of the Lake Protection (LP) zoning district is to allow for the regulation and, where appropriate, limitation of development and redevelopment of land within the Lake Jackson Basin in a manner that improves water quality within the lake. The bounds of the category include the Lake Jackson Basin and contributing watersheds and limited to the urban service area. Intensely developed properties and areas south of Interstate 10 (I-10) have been excluded from the boundary.

The LP zoning district shall permit single-family residential development at one dwelling unit per two gross acres. A clustered subdivision option is available that allows two dwelling units per gross acre, consistent with environmental and infrastructure constraints. The clustered subdivision option allows an increased number of residential units if developed on 40 percent of the property, provided central water and sewer are available and leaving the remaining 60 percent of the property as contiguous, undisturbed open space in perpetuity. The cluster subdivision option is intended to leave large areas of natural open space within the watershed and minimize pollution.

Community services, light infrastructure and passive recreational facilities, including boat ramps, consistent with the applicable provisions of section 10-6.806, may be approved by the Board of County Commissioners through review by the existing Type C process. Approval by the Board of County Commissioners shall be based upon findings that the proposed use is consistent with the purpose and intent stated herein and the proposed development will comply with the provisions of section 10-4.323(b), as well as all current stormwater regulations.

Other non-residential uses are not permitted within the LP zoning district. These sites shall be regulated by the allowable uses provided in section 10-6.660, lake protection node, subject to additional limitations noted herein.

Urban services are intended for this district. The density of permitted development may depend upon the availability of such services.

2. Allowable District Location

The district may only be located within areas designated lake protection on the future land use map.

3. Principal Uses

- (1) Single-family detached dwellings.
- (2) Community services in accordance with section 10-6.806.
- (3) Passive recreational facilities and boat ramps.
- (4) Light infrastructure.

4. Prohibited Uses

- (1) Commercial, retail, office, and industrial activities.
- (2) Active recreation, except for boat ramps.
- (3) Golf courses.
- (4) Manufactured and/or mobile home parks.
- (5) High schools and post-secondary schools are prohibited.
- (6) Heavy infrastructure.
- (7) Campgrounds and recreational vehicle parks.
- (8) Other uses which, in the opinion of the County Administrator or designee, are of a similar nature to those prohibited uses in this district.

5. Restricted Uses

- (1) Single-family attached dwellings shall be allowed in a clustered subdivision.
- (2) Mobile homes and standard design manufactured homes may be replaced or may be located within subdivisions platted explicitly for manufactured housing.

| Development Standards | | | | | | | | | |
|--|--|--|--------------|--|---|--------------------|--|---|---|
| 6. Minimum Lot or Site Size | | | | 7. Minimum Building Setbacks | | | | 8. Maximum Building Restrictions | |
| Use Category | a. Lot or Site area | b. Lot Width | c. Lot Depth | a. Front | b. Side-Interior Lot | c. Side-Corner Lot | d. Rear | a. Building Size (excluding gross building floor area used for parking) | b. Building Height (excluding stories used for parking) |
| Conventional Residential | | | | | | | | | |
| Single-family detached dwellings | 2 acres | 80 feet | 100 feet | 25 feet | 15 feet on each side; or any combination of setbacks that equals at least 30 feet, provided that no such setback shall be less than 10 feet | 25 feet | 25 feet | Not applicable | 3 stories |
| Clustered Subdivision | | | | | | | | | |
| Single-family detached dwellings | 5,000 square feet | 40 feet | 100 feet | 15 feet; 10 feet w/alley-loaded garage | 7.5 feet on each side; or any combination of setbacks that equals at least 15 feet, provided that no such setback shall be less than 5 feet | 15 feet | 15 feet; 10 feet w/alley-loaded garage | Not applicable | 3 stories |
| Single-family attached dwellings | 3,750 square feet end unit; 2,400 square feet interior lot | 37.5 feet end unit; 25 feet interior lot | 80 feet | 15 feet; 10 feet w/alley-loaded garage | Not applicable | 15 feet | 15 feet; 10 feet w/alley-loaded garage | Maximum length: 8 units | 3 stories |
| Existing Non-Residential, Nonconforming Uses | | | | | | | | | |
| Lawfully established non-residential use; refer to additional standards noted in subsection 10 of this section | N/A | 60 feet | 100 feet | 25 feet | 7.5 feet on each side; or any combination of setbacks that equals at least 15 feet, provided that no such setback shall be less than 5 feet | 15 feet | 25 feet | 10,000 square feet of gross building floor area per acre | 3 stories |

9. Clustered Subdivision:

1. Density and layout. The maximum gross density allowed for new residential development in the LP district is one dwelling unit per two gross acres. As an alternative to large-lot developments, a clustered subdivision shall be permitted within the lake protection zoning district. Clustered subdivisions shall:

- (a) Contain a minimum of 60 percent open space as a reserve area, comprised of such things as special development zones, preservation and conservation features, undeveloped uplands, passive recreation areas, and stormwater facilities designed as a community amenity;
- (b) Be developed at a maximum density of two dwelling units per gross acre;

(c) Be served by central water and sewer systems.

2. Reserve area. The acreage of the reserve area shall comprise no less than 60 percent of the total parcel; shall be permanently preserved through the creation of a perpetual easement; shall be continuous and contiguous with other portions of the site; shall be contiguous with or proximal to existing or planned public or private greenspace to the greatest extent practicable, and shall be of sufficient size and buffered to ensure the protection of all critical on-site resources that are to be preserved and to accommodate authorized uses.

(a) All preservation areas, special development zones, conservation areas, archaeological sites and view-shed areas within designated protection zones for canopy roads shall be incorporated into the reserve area even if total acreage exceeds the minimum requirement of 60 percent of the total parcel; other open space areas shall be incorporated into the reserve area to the greatest extent practicable.

(b) The reserve area shall adjoin any existing or planned adjacent areas of open space, or natural areas that would be potential sites for inclusion as part of a future area of protected open space as depicted in the Greenways Master Plan. In those instances where a clustered subdivision will be located adjacent to another existing or approved clustered subdivision, the proposed clustered subdivision shall be designed so that reserve areas are adjacent to the greatest extent practicable.

(c) Reserve area land shall be reserved permanently by easement for natural open space, passive recreation uses (e.g., greenbelts, trails, picnic areas or open fields), stormwater facilities, or other environmental conservation purposes.

(d) Stormwater management facilities which are otherwise permissible are allowed in the reserve area provided that the facilities are located outside of preservation areas, canopy road protection zones, naturally forested areas, special development zones, and meet either of the applicable following two standards:

1. Wet retention ponds shall have side slopes of 6:1 or flatter with appropriate wetland tree and aquatic plants species that visually integrates the stormwater facility into the overall reserve area.

2. All other retention ponds shall have side slopes of flatter than 4:1 or with appropriate tree and plant species that visually integrates the stormwater facility into the overall reserve area. All such facilities shall be designed as community amenities, with trails, observation decks, or platforms where appropriate.

(e) All applicants for a clustered subdivision shall submit a management plan describing how the reserve area land will be maintained in perpetuity, including provision of a dedicated source of funds approved by the local government, to finance the timely and consistent execution of the plan.

3. Development area. The development area shall be the area not set aside as reserve area and shall comprise no more than 40 percent of the total parcel. The development area shall be located on the least environmentally sensitive or otherwise significant portions of the total clustered subdivision parcel; be contiguous to the greatest extent practicable; and allow maximum open space to be easily maintained in the reserve area. Design of the development area shall follow the procedural steps set forth below.

(a) Delineate areas of the site to be reserved due to their significant features and value to the area's continued natural character in accordance with subsection 2 of this section;

(b) Determine the number of allowable lots desired;

(c) Locate potential development sites on the area of the tract not delineated as reserve area, with due consideration for topography, soil suitability for construction, and efficient service by public or central water and sewerage systems;

(d) Align streets to serve residential sites, with due consideration for topography and connections to existing, planned or potential streets in adjacent areas, and align pedestrian trails if planned;

(e) Delineate boundaries of individual residential lots where lot sizes and shapes, block sizes and shapes, and street networks and alignments shall be designed in accordance with accepted planning practices to produce a rational and economical system without undue clearing or grading. The lot arrangement, design and orientation shall be such that all lots will provide satisfactory building sites that are properly related to topography and the character of surrounding development, encourage a range of housing types and sizes, and provide safe and convenient vehicular access to public streets; and

(f) Specific development and locational standards shall be subject to the minimum standards of the underlying land use category and base zoning district and shall be established at the time of development plan submittal.

10. Existing Nonconforming Non-Residential Uses: Existing non-residential uses within the lake protection land use category that meet all water quality and stormwater standards for their respective use, as specified within the land development regulations, will be considered permitted uses.

11. Sidewalks: Sidewalks shall be provided in the LP district consistent with the provisions of section 10-7.529. For clustered subdivisions, all required sidewalks shall connect to existing and proposed sidewalks to the maximum extent possible. Multi-use trails designed for non-motorized vehicles and pedestrians are also encouraged in the LP district to promote connectivity and to reduce automobile dependency

12. Stormwater Management: Refer to section 10-4.301 for water quality treatment and volume control standards associated with development. Whenever possible. Low impact development (LID) techniques, as outlined in section 10-4.308, such as rain gardens and bio-retention swales are encouraged to allow stormwater infiltration to occur as close to the source as possible. A decentralized stormwater management design which disperses stormwater facilities across the site rather than to a centralized treatment facility is encouraged.

General notes:

(1) If central sanitary sewer is not available, residential lots shall contain a minimum of 0.50 acres of contiguous buildable area. Non-residential development and community facilities are limited to a maximum of 900 gallons of wastewater flow per day. Refer to Sanitary Sewer Policy 2.1.12 of the Comprehensive Plan for additional requirements.

(2) Residential lots in clustered subdivisions less than 60 feet in width shall be alley-loaded.

(3) Refer to the Environmental Management Act (EMA) for information pertaining to the regulation of environmental features (preservation/conservation features), stormwater management requirements, etc.

(4) Refer to the concurrency management ordinance for information pertaining to the availability of capacity for certain public facilities (roads, schools, parks, etc.).

(Code 1992, § 10-6.616; Ord. No. 07-20, § 2, 7-10-2007; Ord. No. 14-18, § 1, 12-9-2014; Ord. No. 15-10, § 1, 7-7-2015; Ord. No. 17-01, § 4, 1-24-2017)

Section 10-6.649 COMMERCIAL PARKWAY

1. District Intent

The CP district is intended to be located in areas designated suburban in the future land use map of the Comprehensive Plan and shall apply to areas exhibiting an existing development pattern of office, general commercial, community facilities, and intensive automotive commercial development abutting urban area arterial roadways with high traffic volumes. The CP district is characterized by a linear pattern of development. The access management standards set forth in for the CP district addressing limitations placed on access are intended to minimize and control ingress and egress to arterial roadways and to promote smooth and safe traffic flow of the general traveling public. To encourage the benefits from mixed use development where residences are located in close proximity to the office and commercial uses allowed within this district, including convenience and opportunity for residents and improved market access for business establishments, medium density multifamily residential development up to a maximum of 16 dwelling units per acre is allowed.

Reuse of existing single use sites for multiple use developments, adding new uses to single use sites and/or multiple use developments in the CP district that share parking facilities, have parking structures and/or have high floor area ratios are encouraged in the CP district.

The principles of traditional neighborhood developments are encouraged, though not required. New CP districts in the suburban FLUM category shall have access to arterial or major collector streets.

2. Principal Uses

- (1) Antique shops.
- (2) Armored truck services.
- (3) Automotive sales and rental (includes any type of motor vehicle including boats and motorcycles).
- (4) Automotive service and repair, including car wash.
- (5) Automotive-retail, parts, accessories, tires, etc.
- (6) Bait and tackle shops.
- (7) Banks and other financial institutions.
- (8) Broadcasting studios.
- (9) Building contractors and related services, without outdoor storage.
- (10) Camera and photographic stores.
- (11) Cemeteries.
- (12) Cocktail lounges and bars.
- (13) Commercial kennels.
- (14) Community facilities, including libraries, religious facilities, vocational schools, and police/fire stations. Elementary, middle, and high schools are prohibited. Other community facilities may be allowed in accordance with section 10-6.806.
- (15) Day care centers.
- (16) Gift, novelty, and souvenir stores.
- (17) Golf courses.
- (18) Hotels and motels, including bed and breakfast inns.
- (19) Indoor amusements (bowling, billiards, skating, etc.).
- (20) Indoor theaters (including amphitheaters).
- (21) Laundromats, laundry and dry-cleaning pick up stations.
- (22) Lawn and tree removal services.
- (23) Mailing services.
- (24) Medical and dental offices, services, laboratories, and clinics.
- (25) Manufactured home sales lots.
- (26) Mortuaries.
- (27) Motor vehicle fuel sales.
- (28) Motor vehicle racing tracks, go-karts, etc.
- (29) Nonmedical offices and services, including business and government offices and services.
- (30) Non-store retailers.
- (31) Nursing homes and residential care facilities.
- (32) Off-street parking facilities.
- (33) Outdoor amusements (golf courses, batting cages, driving ranges, etc.).
- (34) Passive and active recreational facilities.
- (35) Pawnshops.
- (36) Personal services (barber shops, fitness clubs, etc.).
- (37) Pest control services.
- (38) Photocopying and duplicating services.
- (39) Printing and publishing.
- (40) Recreational vehicle park.
- (41) Rental and sales of DVDs, videotaps and games.
- (42) Rental of tools, small equipment, or party supplies.
- (43) Repair services, non-automotive.
- (44) Residential, multifamily, up to a maximum of 16 dwelling units per acre.
- (45) Residential, any type, located on or above the second floor of any structure containing nonresidential use on the first floor, up to a maximum of 16 dwelling units per acre.
- (46) Restaurants, with or without drive-in facilities.
- (47) Retail bakeries.
- (48) Retail caskets and tombstones.

- (49) Retail computer, video, record, and other electronics.
- (50) Retail department, apparel, and accessory stores.
- (51) Retail drug store.
- (52) Retail florist.
- (53) Retail food and grocery.
- (54) Retail furniture, home appliances and accessories.
- (55) Retail home/garden supply, hardware and nurseries.
- (56) Retail jewelry stores.
- (57) Retail needlework and instruction.
- (58) Retail newsstand, books, greeting cards.
- (59) Retail office supplies.
- (60) Retail optical and medical supplies.
- (61) Retail package liquors.
- (62) Retail pet stores.
- (63) Retail picture framing.
- (64) Retail sporting goods, toy stores.
- (65) Retail trophy stores.
- (66) Self-moving operation.
- (67) Retail shoes, luggage, and leather products.
- (68) Sign shops.
- (69) Social, fraternal and recreational clubs and lodges, including assembly halls.
- (70) Studies for photography, music, art, drama, voice.
- (71) Tailoring.
- (72) Towing, recking, and recovery services.
- (73) Trailer sales and service.
- (74) Veterinary services, including veterinary hospitals.
- (75) Warehouses, mini-warehouses, or self-storage facilities.
- (76) Other uses, which in the opinion of the County Administrator or designee, are of a simiar and compatible nature to those uses described in this district.

3. Accessory Uses

- (1) A use or structure on the same lot with, and of a nature customarily incidental and subordinate to, the principal use or structure and which comprises no more than 33 percent of the floor area of cubic volume of the principal use or structure, as determined by the County Administrator or designee.
- (2) Light infrastructure and/or utility services and facilities necessary to serve permitted uses, as determined by the County Administrator or designee.

| Development Standards | | | | | | | | | |
|------------------------------|------------------------------------|---------------------|---------------------|-------------------------------------|-----------------------------|---------------------------|----------------|---|--|
| | 4. Minimum Lot or Site Size | | | 5. Minimum Building Setbacks | | | | 6. Maximum Building Restrictions | |
| Use Category | a. Lot or Site Area | b. Lot Width | c. Lot Depth | a. Front | b. Side-Interior Lot | c. Side-Corner Lot | d. Rear | a. Building Size (excluding gross building floor area used for parking) | b. Building Height (excluding stories used for parking) |
| Any Permitted Principal Use | None | None | None | 25 feet | None | 25 feet | 10 feet | 25,000 square feet of building floor area per acre and commercial uses not to exceed 200,000 square feet of gross building floor area per parcel. | 4 stories |

| Development Standards | | | | | | | | | |
|-----------------------|-----------------------------|--------------|--------------|------------------------------|----------------------|--------------------|---------|--|---|
| | 4. Minimum Lot or Site Size | | | 5. Minimum Building Setbacks | | | | 6. Maximum Building Restrictions | |
| Use Category | a. Lot or Site Area | b. Lot Width | c. Lot Depth | a. Front | b. Side-Interior Lot | c. Side-Corner Lot | d. Rear | a. Building Size (excluding gross building floor area used for parking) | b. Building Height (excluding stories used for parking) |
| | | | | | | | | 50,000 square feet of building area per acre for storage areas within buildings. | |

7. Access Management Criteria: (In case of a conflict with the provisions of other ordinances or regulations, the most strict provisions shall apply):

Capital Circle from Centerville clockwise to I-10. Driveway access to Capital Circle from Centerville Road in the northeast to I-10 in the northwest is prohibited except for:

- a) Existing driveway access as of December 31, 1995;
- b) A single driveway access for properties in existence before December 31, 1995 which have sole access to Capital Circle and do not have other street access; and
- c) Temporary driveway access which may be permitted for properties which establish permanent access in another public street and grant the city or county the right to close the temporary access without compensation upon conversion of Capital Circle to a limited access or controlled access roadway.

All arterials and major collectors:

Full movement access to an arterial or major collector shall not be permitted closer than 330 feet to another full movement access point, nor within 660 feet of a signalized intersection.

Right-in/right-out access to an arterial or major collector shall not be permitted closer than 330 feet to another access point, nor within 100 feet of a signalized intersection, except properties with sole access to an arterial or major collector are permitted at least one right-in/right-out access point. Properties with 660 feet or more of arterial and major collector frontage may be permitted multiple accesses to a single street based upon a traffic safety and capacity evaluation.

All development fronting on an arterial or major collector shall record a joint access and cross easement benefiting adjoining properties fronting on the same arterial or major collector.

Minor collectors: Full movement access to a minor collector shall not be permitted closer than 200 feet to another full movement access point, nor within 400 feet of a signalized intersection. Right-in/right-out access to a minor collector shall not be permitted closer than 100 feet to another access point, nor within 200 feet of a signalized intersection.

Local streets: Full movement access to a local street shall not be permitted within 200 feet of a signalized intersection. Right-in/right-out access to a local street shall not be permitted closer than 100 feet to another access point or intersecting public street, nor within 200 feet of a signalized intersection.

8. Street Vehicular Access Restrictions: Properties in the CP zoning district may have vehicular access to any type of street. However, in order to protect residential areas and neighborhoods from non-residential traffic, vehicular access to a local street is prohibited if one of the following zoning districts is located on the other side of the local street: RHA, R-1, R-2, R-3, R-4, R-5, MH, MR-1, and RP.

9. Additional Criteria for Charitable Donation Stations: Such station shall have indoor storage for all donations, and shall have an attendant available during normal business hours responsible for the collection and/or storage of said donations. A "charitable donation station" is considered a community service/facility regulated by section 10-6.806.

General notes:

(1) If central sanitary sewer is not available, residential development is limited to a minimum of 0.50-acre lots and non-residential development is limited to a maximum of 2,500 square feet of building area. Community service facilities are limited to a maximum of 5,000 square feet of building area or a 500-gallon septic tank. Also, refer to Sanitary Sewer Policy 2.1.12 of the Comprehensive Plan for additional requirements.

(2) Refer to the Environmental Management Act (EMA) for information pertaining to the regulation of environmental features (preservation/conservation features), stormwater management requirements, etc.

(3) Refer to the concurrency management ordinance for information pertaining to the availability of capacity for certain public facilities (roads, parts, etc.).

(Code 1992, § 10-6.649; Ord. No. 07-20, § 2, 7-10-2007; Ord. No. 08-27, § 1, 11-25-2008; Ord. No. 09-13, § 4, 3-19-2009; Ord. No. 17-01, § 7, 1-24-2017)

Attachment #1

Policy 2.2.18: [L] LAKE PROTECTION

(Ref. Eff. 12/22/95; Rev. Eff. 7/26/06; Renumbered 3/14/07; Ref. Eff. 7/14/14; Ref. Eff. 7/6/15)

INTENT

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

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

ALLOWABLE USES, DENSITIES, AND INTENSITIES

1. Residential

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

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

2. Mixed-use & Non-residential

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

3. Community and Recreational Facilities

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

SPECIAL CONDITIONS

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

1. The Lake Protection Node zoning district shall only be permitted at the following intersections:
 - Highway 27 North and Sessions Road

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

The exact extent of these Nodes shall be specified in the City of Tallahassee and Leon County land development regulations, but generally shall not extend beyond ¼ mile from the respective intersection and shall not include areas within a Special Development Zone (SDZ) or existing single-family subdivisions.

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

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

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

4. Additional development standards deemed necessary to protect Lake Jackson from further degradation and/or improve existing water quality may be included in the land development code.

5. Existing, lawfully established, non-residential uses within the Lake Protection land use category that are compatible with surrounding uses and meet all water quality standards for the Lake Jackson Basin shall be considered permitted uses.

Policy 2.2.5: [L] SUBURBAN (*Effective 3/14/07*)

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

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

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

Suburban Intensity Guidelines (Effective 3/14/07; Rev. Effective 7/14/14)

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

Notes:

- (1) 8 units/acre minimum for exclusively residential;
- (2) Hospitals up 176,000 sq ft/acre;
- (3) 20 units/acre and 40,000 sq ft/acre for multiple use development; Combined residential and non-residential development may have up to 40,000 SF and up to a six story building. Residential use, office use and commercial use is allowed.
- (4) Low Density Residential and Residential Office development patterns can have a minimum of 1 unit per acre if water and sewer are not available.
- (5) The maximum square footage is increased to 12,500 SF if the project is a mixed-use development.
- (6) The maximum square footage increases to 40,000 SF per acre and maximum height increases to six stories if 50% of parking is structured. This provision only applies to areas previously designated as Mixed Use C
- (7) 250,000 SF of total development permitted on 20 to 30 acre centers.
- (8) Storage areas may be 50,000 SF per acre. Office and Retail is allowed.
- (9) Storage areas may be 50,000 SF per acre.

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

Attachment #2

Section 10-6.616 LAKE PROTECTION

1. District Intent

The purpose and intent of the Lake Protection (LP) zoning district is to allow for the regulation and, where appropriate, limitation of development and redevelopment of land within the Lake Jackson Basin in a manner that improves water quality within the lake. The bounds of the category include the Lake Jackson Basin and contributing watersheds and limited to the urban service area. Intensely developed properties and areas south of Interstate 10 (I-10) have been excluded from the boundary.

The LP zoning district shall permit single-family residential development at one dwelling unit per two gross acres. A clustered subdivision option is available that allows two dwelling units per gross acre, consistent with environmental and infrastructure constraints. The clustered subdivision option allows an increased number of residential units if developed on 40 percent of the property, provided central water and sewer are available and leaving the remaining 60 percent of the property as contiguous, undisturbed open space in perpetuity. The cluster subdivision option is intended to leave large areas of natural open space within the watershed and minimize pollution.

Community services, light infrastructure and passive recreational facilities, including boat ramps, consistent with the applicable provisions of section 10-6.806, may be approved by the Board of County Commissioners through review by the existing Type C process. Approval by the Board of County Commissioners shall be based upon findings that the proposed use is consistent with the purpose and intent stated herein and the proposed development will comply with the provisions of section 10-4.323(b), as well as all current stormwater regulations.

Other non-residential uses are not permitted within the LP zoning district. These sites shall be regulated by the allowable uses provided in section 10-6.660, lake protection node, subject to additional limitations noted herein.

Urban services are intended for this district. The density of permitted development may depend upon the availability of such services.

2. Allowable District Location

The district may only be located within areas designated lake protection on the future land use map.

3. Principal Uses

- (1) Single-family detached dwellings.
- (2) Community services in accordance with section 10-6.806.
- (3) Passive recreational facilities and boat ramps.
- (4) Light infrastructure.

4. Prohibited Uses

- (1) Commercial, retail, office, and industrial activities.
- (2) Active recreation, except for boat ramps.
- (3) Golf courses.
- (4) Manufactured and/or mobile home parks.
- (5) High schools and post-secondary schools are prohibited.
- (6) Heavy infrastructure.
- (7) Campgrounds and recreational vehicle parks.
- (8) Other uses which, in the opinion of the County Administrator or designee, are of a similar nature to those prohibited uses in this district.

5. Restricted Uses

- (1) Single-family attached dwellings shall be allowed in a clustered subdivision.
- (2) Mobile homes and standard design manufactured homes may be replaced or may be located within subdivisions platted explicitly for manufactured housing.

| Development Standards | | | | | | | | | |
|--|--|--|--------------|--|---|--------------------|--|---|---|
| 6. Minimum Lot or Site Size | | | | 7. Minimum Building Setbacks | | | | 8. Maximum Building Restrictions | |
| Use Category | a. Lot or Site area | b. Lot Width | c. Lot Depth | a. Front | b. Side-Interior Lot | c. Side-Corner Lot | d. Rear | a. Building Size (excluding gross building floor area used for parking) | b. Building Height (excluding stories used for parking) |
| Conventional Residential | | | | | | | | | |
| Single-family detached dwellings | 2 acres | 80 feet | 100 feet | 25 feet | 15 feet on each side; or any combination of setbacks that equals at least 30 feet, provided that no such setback shall be less than 10 feet | 25 feet | 25 feet | Not applicable | 3 stories |
| Clustered Subdivision | | | | | | | | | |
| Single-family detached dwellings | 5,000 square feet | 40 feet | 100 feet | 15 feet; 10 feet w/alley-loaded garage | 7.5 feet on each side; or any combination of setbacks that equals at least 15 feet, provided that no such setback shall be less than 5 feet | 15 feet | 15 feet; 10 feet w/alley-loaded garage | Not applicable | 3 stories |
| Single-family attached dwellings | 3,750 square feet end unit; 2,400 square feet interior lot | 37.5 feet end unit; 25 feet interior lot | 80 feet | 15 feet; 10 feet w/alley-loaded garage | Not applicable | 15 feet | 15 feet; 10 feet w/alley-loaded garage | Maximum length: 8 units | 3 stories |
| Existing Non-Residential, Nonconforming Uses | | | | | | | | | |
| Lawfully established non-residential use; refer to additional standards noted in subsection 10 of this section | N/A | 60 feet | 100 feet | 25 feet | 7.5 feet on each side; or any combination of setbacks that equals at least 15 feet, provided that no such setback shall be less than 5 feet | 15 feet | 25 feet | 10,000 square feet of gross building floor area per acre | 3 stories |

9. Clustered Subdivision:

1. Density and layout. The maximum gross density allowed for new residential development in the LP district is one dwelling unit per two gross acres. As an alternative to large-lot developments, a clustered subdivision shall be permitted within the lake protection zoning district. Clustered subdivisions shall:

- (a) Contain a minimum of 60 percent open space as a reserve area, comprised of such things as special development zones, preservation and conservation features, undeveloped uplands, passive recreation areas, and stormwater facilities designed as a community amenity;
- (b) Be developed at a maximum density of two dwelling units per gross acre;

(c) Be served by central water and sewer systems.

2. Reserve area. The acreage of the reserve area shall comprise no less than 60 percent of the total parcel; shall be permanently preserved through the creation of a perpetual easement; shall be continuous and contiguous with other portions of the site; shall be contiguous with or proximal to existing or planned public or private greenspace to the greatest extent practicable, and shall be of sufficient size and buffered to ensure the protection of all critical on-site resources that are to be preserved and to accommodate authorized uses.

(a) All preservation areas, special development zones, conservation areas, archaeological sites and view-shed areas within designated protection zones for canopy roads shall be incorporated into the reserve area even if total acreage exceeds the minimum requirement of 60 percent of the total parcel; other open space areas shall be incorporated into the reserve area to the greatest extent practicable.

(b) The reserve area shall adjoin any existing or planned adjacent areas of open space, or natural areas that would be potential sites for inclusion as part of a future area of protected open space as depicted in the Greenways Master Plan. In those instances where a clustered subdivision will be located adjacent to another existing or approved clustered subdivision, the proposed clustered subdivision shall be designed so that reserve areas are adjacent to the greatest extent practicable.

(c) Reserve area land shall be reserved permanently by easement for natural open space, passive recreation uses (e.g., greenbelts, trails, picnic areas or open fields), stormwater facilities, or other environmental conservation purposes.

(d) Stormwater management facilities which are otherwise permissible are allowed in the reserve area provided that the facilities are located outside of preservation areas, canopy road protection zones, naturally forested areas, special development zones, and meet either of the applicable following two standards:

1. Wet retention ponds shall have side slopes of 6:1 or flatter with appropriate wetland tree and aquatic plants species that visually integrates the stormwater facility into the overall reserve area.

2. All other retention ponds shall have side slopes of flatter than 4:1 or with appropriate tree and plant species that visually integrates the stormwater facility into the overall reserve area. All such facilities shall be designed as community amenities, with trails, observation decks, or platforms where appropriate.

(e) All applicants for a clustered subdivision shall submit a management plan describing how the reserve area land will be maintained in perpetuity, including provision of a dedicated source of funds approved by the local government, to finance the timely and consistent execution of the plan.

3. Development area. The development area shall be the area not set aside as reserve area and shall comprise no more than 40 percent of the total parcel. The development area shall be located on the least environmentally sensitive or otherwise significant portions of the total clustered subdivision parcel; be contiguous to the greatest extent practicable; and allow maximum open space to be easily maintained in the reserve area. Design of the development area shall follow the procedural steps set forth below.

(a) Delineate areas of the site to be reserved due to their significant features and value to the area's continued natural character in accordance with subsection 2 of this section;

(b) Determine the number of allowable lots desired;

(c) Locate potential development sites on the area of the tract not delineated as reserve area, with due consideration for topography, soil suitability for construction, and efficient service by public or central water and sewerage systems;

(d) Align streets to serve residential sites, with due consideration for topography and connections to existing, planned or potential streets in adjacent areas, and align pedestrian trails if planned;

(e) Delineate boundaries of individual residential lots where lot sizes and shapes, block sizes and shapes, and street networks and alignments shall be designed in accordance with accepted planning practices to produce a rational and economical system without undue clearing or grading. The lot arrangement, design and orientation shall be such that all lots will provide satisfactory building sites that are properly related to topography and the character of surrounding development, encourage a range of housing types and sizes, and provide safe and convenient vehicular access to public streets; and

(f) Specific development and locational standards shall be subject to the minimum standards of the underlying land use category and base zoning district and shall be established at the time of development plan submittal.

10. Existing Nonconforming Non-Residential Uses: Existing non-residential uses within the lake protection land use category that meet all water quality and stormwater standards for their respective use, as specified within the land development regulations, will be considered permitted uses.

11. Sidewalks: Sidewalks shall be provided in the LP district consistent with the provisions of section 10-7.529. For clustered subdivisions, all required sidewalks shall connect to existing and proposed sidewalks to the maximum extent possible. Multi-use trails designed for non-motorized vehicles and pedestrians are also encouraged in the LP district to promote connectivity and to reduce automobile dependency

12. Stormwater Management: Refer to section 10-4.301 for water quality treatment and volume control standards associated with development. Whenever possible. Low impact development (LID) techniques, as outlined in section 10-4.308, such as rain gardens and bio-retention swales are encouraged to allow stormwater infiltration to occur as close to the source as possible. A decentralized stormwater management design which disperses stormwater facilities across the site rather than to a centralized treatment facility is encouraged.

General notes:

(1) If central sanitary sewer is not available, residential lots shall contain a minimum of 0.50 acres of contiguous buildable area. Non-residential development and community facilities are limited to a maximum of 900 gallons of wastewater flow per day. Refer to Sanitary Sewer Policy 2.1.12 of the Comprehensive Plan for additional requirements.

(2) Residential lots in clustered subdivisions less than 60 feet in width shall be alley-loaded.

(3) Refer to the Environmental Management Act (EMA) for information pertaining to the regulation of environmental features (preservation/conservation features), stormwater management requirements, etc.

(4) Refer to the concurrency management ordinance for information pertaining to the availability of capacity for certain public facilities (roads, schools, parks, etc.).

(Code 1992, § 10-6.616; Ord. No. 07-20, § 2, 7-10-2007; Ord. No. 14-18, § 1, 12-9-2014; Ord. No. 15-10, § 1, 7-7-2015; Ord. No. 17-01, § 4, 1-24-2017)

Section 10-6.649 COMMERCIAL PARKWAY

1. District Intent

The CP district is intended to be located in areas designated suburban in the future land use map of the Comprehensive Plan and shall apply to areas exhibiting an existing development pattern of office, general commercial, community facilities, and intensive automotive commercial development abutting urban area arterial roadways with high traffic volumes. The CP district is characterized by a linear pattern of development. The access management standards set forth in for the CP district addressing limitations placed on access are intended to minimize and control ingress and egress to arterial roadways and to promote smooth and safe traffic flow of the general traveling public. To encourage the benefits from mixed use development where residences are located in close proximity to the office and commercial uses allowed within this district, including convenience and opportunity for residents and improved market access for business establishments, medium density multifamily residential development up to a maximum of 16 dwelling units per acre is allowed.

Reuse of existing single use sites for multiple use developments, adding new uses to single use sites and/or multiple use developments in the CP district that share parking facilities, have parking structures and/or have high floor area ratios are encouraged in the CP district.

The principles of traditional neighborhood developments are encouraged, though not required. New CP districts in the suburban FLUM category shall have access to arterial or major collector streets.

2. Principal Uses

- (1) Antique shops.
- (2) Armored truck services.
- (3) Automotive sales and rental (includes any type of motor vehicle including boats and motorcycles).
- (4) Automotive service and repair, including car wash.
- (5) Automotive-retail, parts, accessories, tires, etc.
- (6) Bait and tackle shops.
- (7) Banks and other financial institutions.
- (8) Broadcasting studios.
- (9) Building contractors and related services, without outdoor storage.
- (10) Camera and photographic stores.
- (11) Cemeteries.
- (12) Cocktail lounges and bars.
- (13) Commercial kennels.
- (14) Community facilities, including libraries, religious facilities, vocational schools, and police/fire stations. Elementary, middle, and high schools are prohibited. Other community facilities may be allowed in accordance with section 10-6.806.
- (15) Day care centers.
- (16) Gift, novelty, and souvenir stores.
- (17) Golf courses.
- (18) Hotels and motels, including bed and breakfast inns.
- (19) Indoor amusements (bowling, billiards, skating, etc.).
- (20) Indoor theaters (including amphitheaters).
- (21) Laundromats, laundry and dry-cleaning pick up stations.
- (22) Lawn and tree removal services.
- (23) Mailing services.
- (24) Medical and dental offices, services, laboratories, and clinics.
- (25) Manufactured home sales lots.
- (26) Mortuaries.
- (27) Motor vehicle fuel sales.
- (28) Motor vehicle racing tracks, go-karts, etc.
- (29) Nonmedical offices and services, including business and government offices and services.
- (30) Non-store retailers.
- (31) Nursing homes and residential care facilities.
- (32) Off-street parking facilities.
- (33) Outdoor amusements (golf courses, batting cages, driving ranges, etc.).
- (34) Passive and active recreational facilities.
- (35) Pawnshops.
- (36) Personal services (barber shops, fitness clubs, etc.).
- (37) Pest control services.
- (38) Photocopying and duplicating services.
- (39) Printing and publishing.
- (40) Recreational vehicle park.
- (41) Rental and sales of DVDs, videotaps and games.
- (42) Rental of tools, small equipment, or party supplies.
- (43) Repair services, non-automotive.
- (44) Residential, multifamily, up to a maximum of 16 dwelling units per acre.
- (45) Residential, any type, located on or above the second floor of any structure containing nonresidential use on the first floor, up to a maximum of 16 dwelling units per acre.
- (46) Restaurants, with or without drive-in facilities.
- (47) Retail bakeries.
- (48) Retail caskets and tombstones.

- (49) Retail computer, video, record, and other electronics.
- (50) Retail department, apparel, and accessory stores.
- (51) Retail drug store.
- (52) Retail florist.
- (53) Retail food and grocery.
- (54) Retail furniture, home appliances and accessories.
- (55) Retail home/garden supply, hardware and nurseries.
- (56) Retail jewelry stores.
- (57) Retail needlework and instruction.
- (58) Retail newsstand, books, greeting cards.
- (59) Retail office supplies.
- (60) Retail optical and medical supplies.
- (61) Retail package liquors.
- (62) Retail pet stores.
- (63) Retail picture framing.
- (64) Retail sporting goods, toy stores.
- (65) Retail trophy stores.
- (66) Self-moving operation.
- (67) Retail shoes, luggage, and leather products.
- (68) Sign shops.
- (69) Social, fraternal and recreational clubs and lodges, including assembly halls.
- (70) Studies for photography, music, art, drama, voice.
- (71) Tailoring.
- (72) Towing, recking, and recovery services.
- (73) Trailer sales and service.
- (74) Veterinary services, including veterinary hospitals.
- (75) Warehouses, mini-warehouses, or self-storage facilities.
- (76) Other uses, which in the opinion of the County Administrator or designee, are of a simiar and compatible nature to those uses described in this district.

3. Accessory Uses

- (1) A use or structure on the same lot with, and of a nature customarily incidental and subordinate to, the principal use or structure and which comprises no more than 33 percent of the floor area of cubic volume of the principal use or structure, as determined by the County Administrator or designee.
- (2) Light infrastructure and/or utility services and facilities necessary to serve permitted uses, as determined by the County Administrator or designee.

| Development Standards | | | | | | | | | |
|------------------------------|------------------------------------|---------------------|---------------------|-------------------------------------|-----------------------------|---------------------------|----------------|---|--|
| | 4. Minimum Lot or Site Size | | | 5. Minimum Building Setbacks | | | | 6. Maximum Building Restrictions | |
| Use Category | a. Lot or Site Area | b. Lot Width | c. Lot Depth | a. Front | b. Side-Interior Lot | c. Side-Corner Lot | d. Rear | a. Building Size (excluding gross building floor area used for parking) | b. Building Height (excluding stories used for parking) |
| Any Permitted Principal Use | None | None | None | 25 feet | None | 25 feet | 10 feet | 25,000 square feet of building floor area per acre and commercial uses not to exceed 200,000 square feet of gross building floor area per parcel. | 4 stories |

| Development Standards | | | | | | | | | |
|-----------------------|-----------------------------|--------------|--------------|------------------------------|----------------------|--------------------|---------|--|---|
| | 4. Minimum Lot or Site Size | | | 5. Minimum Building Setbacks | | | | 6. Maximum Building Restrictions | |
| Use Category | a. Lot or Site Area | b. Lot Width | c. Lot Depth | a. Front | b. Side-Interior Lot | c. Side-Corner Lot | d. Rear | a. Building Size (excluding gross building floor area used for parking) | b. Building Height (excluding stories used for parking) |
| | | | | | | | | 50,000 square feet of building area per acre for storage areas within buildings. | |

7. Access Management Criteria: (In case of a conflict with the provisions of other ordinances or regulations, the most strict provisions shall apply):

Capital Circle from Centerville clockwise to I-10. Driveway access to Capital Circle from Centerville Road in the northeast to I-10 in the northwest is prohibited except for:

- a) Existing driveway access as of December 31, 1995;
- b) A single driveway access for properties in existence before December 31, 1995 which have sole access to Capital Circle and do not have other street access; and
- c) Temporary driveway access which may be permitted for properties which establish permanent access in another public street and grant the city or county the right to close the temporary access without compensation upon conversion of Capital Circle to a limited access or controlled access roadway.

All arterials and major collectors:

Full movement access to an arterial or major collector shall not be permitted closer than 330 feet to another full movement access point, nor within 660 feet of a signalized intersection.

Right-in/right-out access to an arterial or major collector shall not be permitted closer than 330 feet to another access point, nor within 100 feet of a signalized intersection, except properties with sole access to an arterial or major collector are permitted at least one right-in/right-out access point. Properties with 660 feet or more of arterial and major collector frontage may be permitted multiple accesses to a single street based upon a traffic safety and capacity evaluation.

All development fronting on an arterial or major collector shall record a joint access and cross easement benefiting adjoining properties fronting on the same arterial or major collector.

Minor collectors: Full movement access to a minor collector shall not be permitted closer than 200 feet to another full movement access point, nor within 400 feet of a signalized intersection. Right-in/right-out access to a minor collector shall not be permitted closer than 100 feet to another access point, nor within 200 feet of a signalized intersection.

Local streets: Full movement access to a local street shall not be permitted within 200 feet of a signalized intersection. Right-in/right-out access to a local street shall not be permitted closer than 100 feet to another access point or intersecting public street, nor within 200 feet of a signalized intersection.

8. Street Vehicular Access Restrictions: Properties in the CP zoning district may have vehicular access to any type of street. However, in order to protect residential areas and neighborhoods from non-residential traffic, vehicular access to a local street is prohibited if one of the following zoning districts is located on the other side of the local street: RHA, R-1, R-2, R-3, R-4, R-5, MH, MR-1, and RP.

9. Additional Criteria for Charitable Donation Stations: Such station shall have indoor storage for all donations, and shall have an attendant available during normal business hours responsible for the collection and/or storage of said donations. A "charitable donation station" is considered a community service/facility regulated by section 10-6.806.

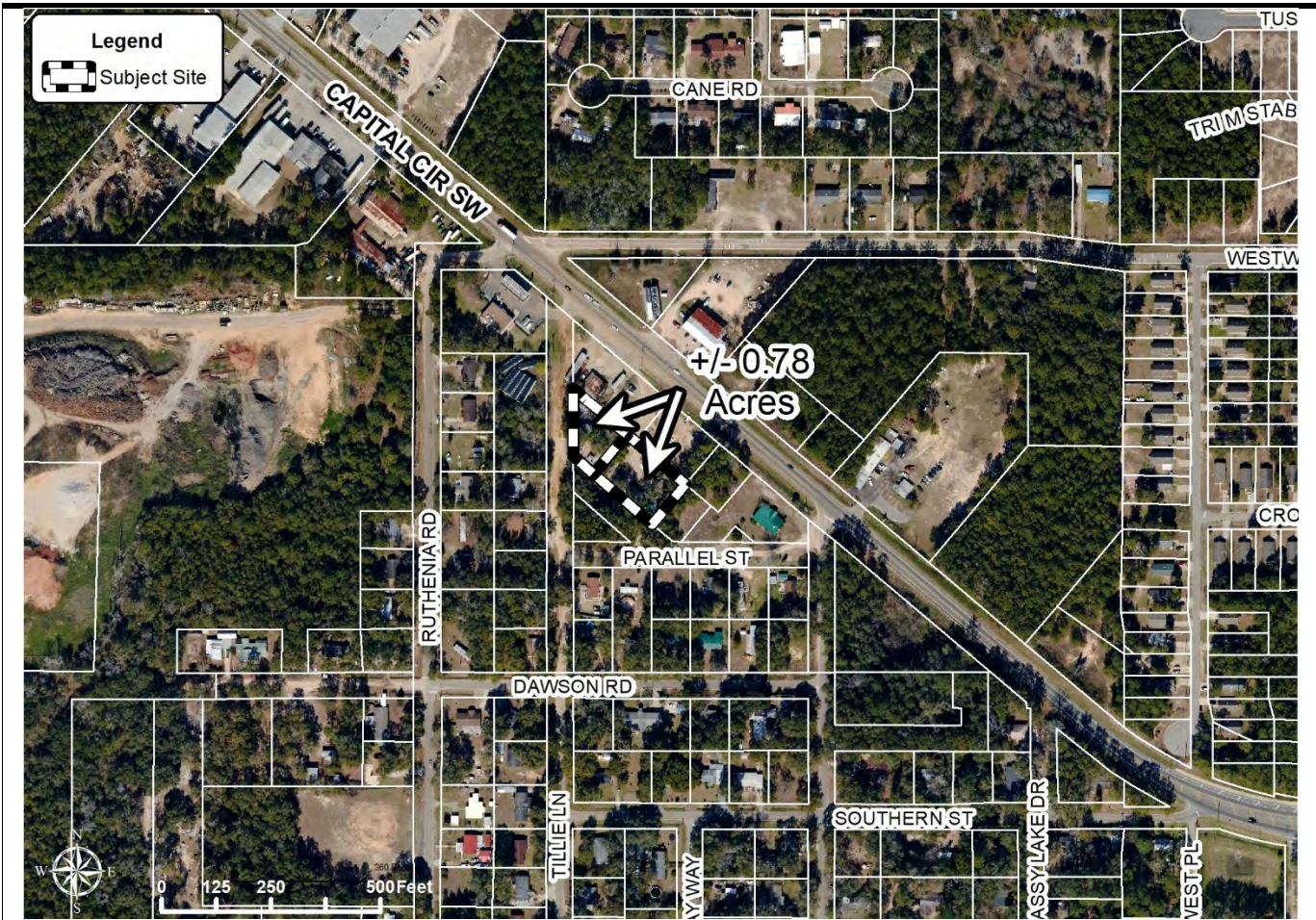
General notes:

(1) If central sanitary sewer is not available, residential development is limited to a minimum of 0.50-acre lots and non-residential development is limited to a maximum of 2,500 square feet of building area. Community service facilities are limited to a maximum of 5,000 square feet of building area or a 500-gallon septic tank. Also, refer to Sanitary Sewer Policy 2.1.12 of the Comprehensive Plan for additional requirements.

(2) Refer to the Environmental Management Act (EMA) for information pertaining to the regulation of environmental features (preservation/conservation features), stormwater management requirements, etc.

(3) Refer to the concurrency management ordinance for information pertaining to the availability of capacity for certain public facilities (roads, parts, etc.).

(Code 1992, § 10-6.649; Ord. No. 07-20, § 2, 7-10-2007; Ord. No. 08-27, § 1, 11-25-2008; Ord. No. 09-13, § 4, 3-19-2009; Ord. No. 17-01, § 7, 1-24-2017)



SUMMARY

| | | |
|---|---|------------------------------|
| Property Owners: | Property Location: | TLCPD Recommendation: |
| Velma and Michael Winstead | 4973 Tillie Lane, 1478 Parallel Street | Approve |
| Applicant: | | |
| Velma and Michael Winstead | | |
| TLCPD Staff: | Current Future Land Use & Zoning: | LPA Recommendation: |
| Julie Conn Christesen | Future Land Use: Residential Preservation (RP) Zoning: Residential Preservation (RP) | Approve |
| Contact Information: | Proposed Future Land Use & Zoning: | |
| Julie.christesen@talgov.com 850-891-6433 | Future Land Use: Suburban (Sub) Zoning: Commercial 2 (C-2) | |
| Date: 12/17/2019 | Updated: April 28, 2020 | |

A. REASON FOR REQUESTED CHANGE

The property owner is requesting this amendment to change the subject site from Residential Preservation to Suburban with General Commercial zoning. The applicant has indicated that the subject site is part of a larger site that is currently Suburban with General Commercial zoning fronting Capital Circle SW. According to the applicant, the property manager of the adjoining parcel has indicated that they are not opposed to this amendment.

The parcels included in this future land use change have recently undergone a Unity of Title process, and as such, these two parcels are now included with the adjoining parcel 412680 S0010. This process combines the separate lots so that they are now unified under one title as an individual building site. It is now considered one plat or parcel of land, and that no portion thereof shall be sold, assigned, transferred, conveyed, or devised separately except in its entirety as one plot or parcel of land unless the parcel has been subdivided pursuant to county regulations.

Although the parcels are now unified, they each retain their individual land use and zoning classification. Parcel 412680 S0010 has a future land use designation of Suburban, and a zoning of General Commercial (C-2).

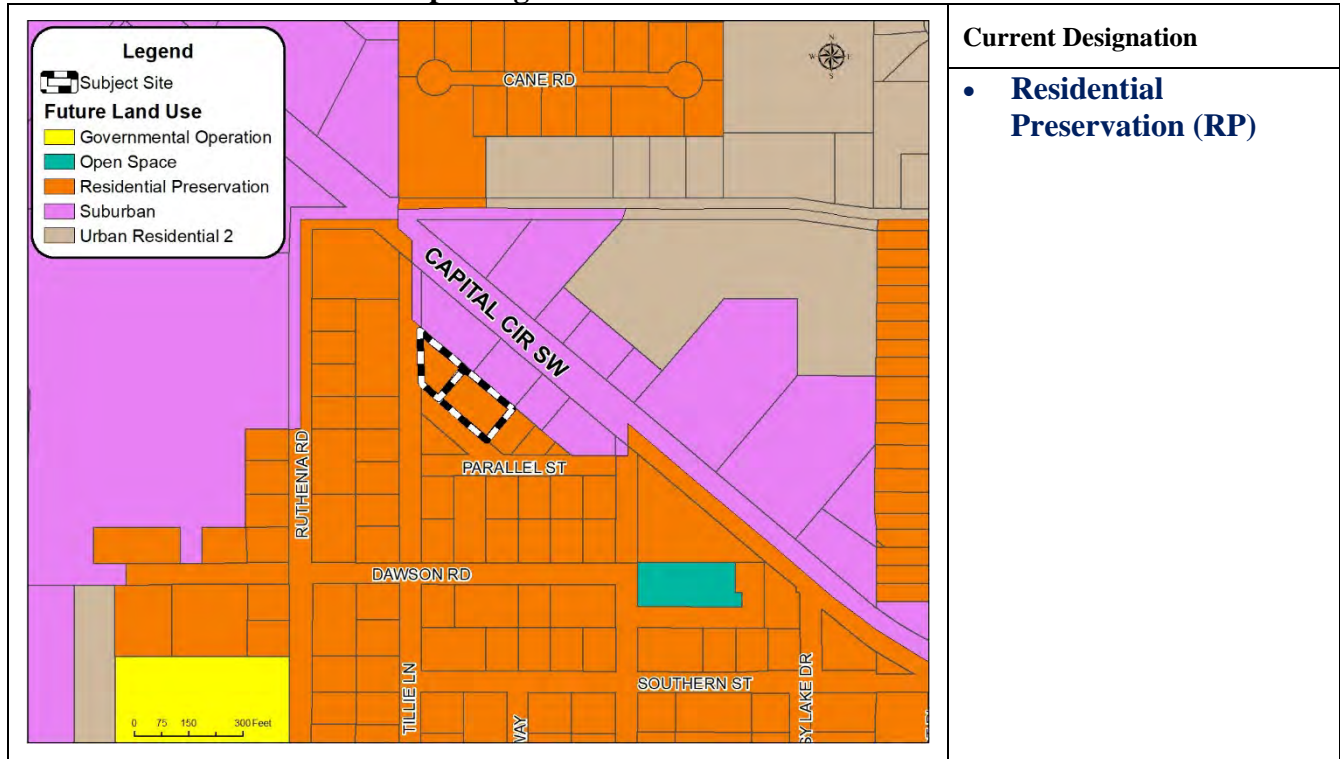
This change will bring the two parcels in this application into the same category as the parcel they are unified with, and they will be consistent with the other surrounding land uses and zoning categories.

B. CURRENT AND PROPOSED FUTURE LAND USE DESIGNATION

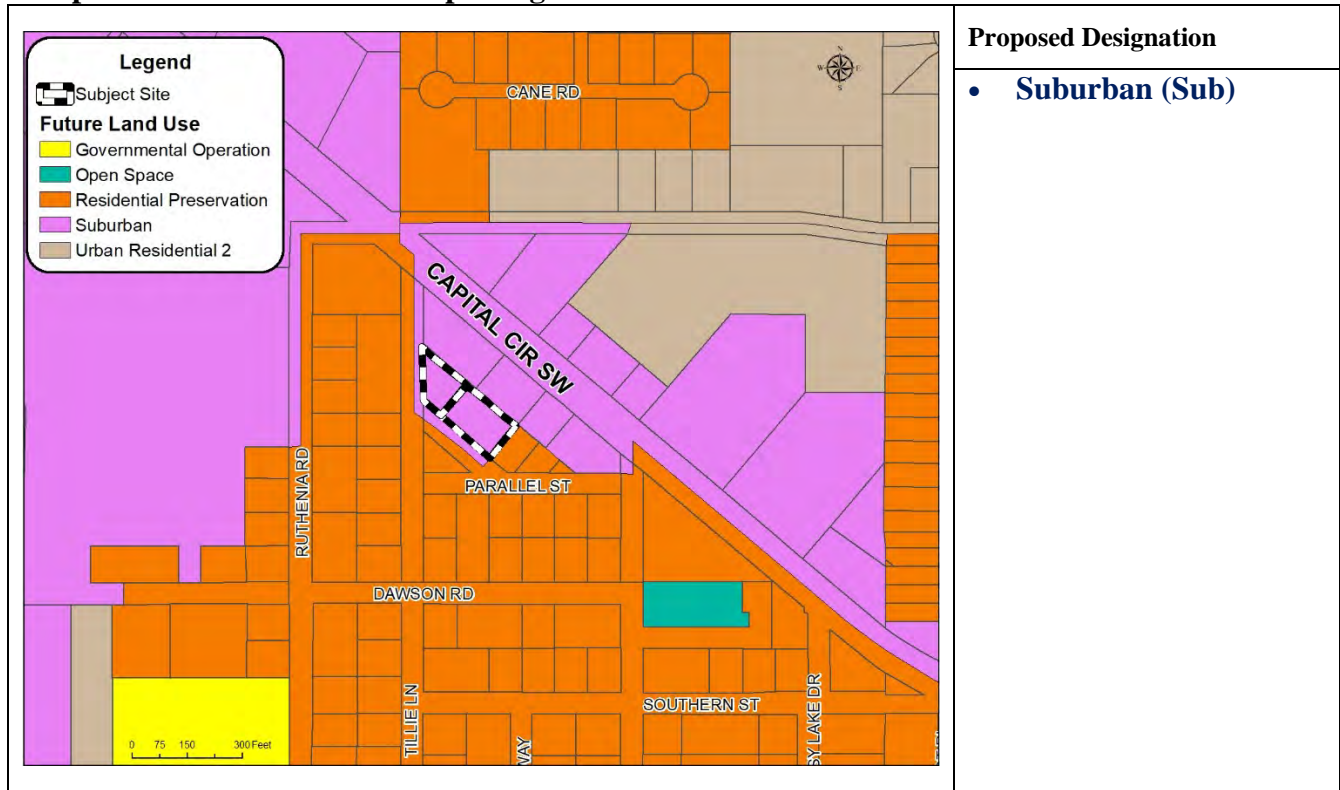
The Subject Area is currently designated Residential Preservation (RP) on the FLUM. The proposed amendment would change the FLUM designation of the area to Suburban (SUB).

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

Current Future Land Use Map Designation



Proposed Future Land Use Map Designation



C. STAFF RECOMMENDATION

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

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

D. LOCAL PLANNING AGENCY (LPA) RECOMMENDATION

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

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

E. SUMMARY OF FINDINGS

Staff presents the following findings of fact:

1. 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.
2. 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 parcels under discussion are near residential uses (low density residential), urban residential 2 (low – medium density residential) uses, and surrounding suburban land uses. There is also general commercial (C-2) zoning across the street. These surrounding uses fit well into the intent of the suburban land use category.

F. STAFF ANALYSIS

History and Background

These parcels, along with the parcels adjacent that front Capital Circle, were part of a comprehensive plan amendment application in 1999. That amendment requested a land use change from RP to Mixed Use A. The application also requested a change from RP zoning to C-2 zoning. The parcels that front Capital Circle were approved for both the land use and zoning change, but the sites on the backside of the property were not. The staff report for 1999 did not explain why the back parcels were not included in the land use and zoning change.

The applicant recently finalized a Unity of Title process, and as such, the two subject parcels (412680 S0170 and 412680 S0150) are now included with the adjoining parcel 412680 S0010 that fronts Capital Circle. This process combines the separate lots so that they are now unified under one title as an individual building site. It is now considered one plat or parcel of land, and that no portion thereof shall be sold, assigned, transferred, conveyed, or devised separately except in its entirety as one plot or parcel of land unless the parcel has been subdivided pursuant to county regulations.

Although the parcels are now unified, they each retain their individual land use and zoning classification. Parcel 412680S0010 has a future land use designation of Suburban, and a zoning of General Commercial (C-2), while the subject parcels still need to go through this amendment process to change their land use and zoning designations.

This change will bring the two parcels in this application into the same categories as the parcel they are unified with, and will allow access to Capital Circle, which is a requirement of C-2 zoning.

Previous Commission Consideration

The subject site was previously considered for a Future Land Use Map amendment along with additional properties. On September 21, 1999, the Leon County Board of County Commissioners adopted Ordinance No. 99-25, thereby adopting amendments to the Comprehensive Plan. This included Amendment 99-2-M-001, which amended the Future Land Use Map from Residential Preservation to Mixed Use A. However, only the properties fronting Capital Circle SW were approved. The properties not fronting Capital Circle, including the subject site for this amendment, were not approved.

At the February 22, 2000 Board of County Commissioners Meeting, the County Commission voted to approve the rezoning application of the parcels fronting Capital Circle from RP to C-2. Since the Future Land Use Map amendment did not include the subject site, it was not included in the rezoning to C-2.

In 2007, the Mixed-Use land use categories were replaced in the Comprehensive Plan with more specific categories. At that time, the properties fronting Capital Circle were changed from Mixed-Use A to Suburban on the Future Land Use Map. Since those properties already had C-2 zoning, that zoning district remained. Because the subject site was not included in the original 1999 Comprehensive Plan Amendment, it was not included in these changes.

Current and Proposed Future Land Use Categories

The complete comprehensive plan policies for Residential Preservation (Policy 2.2.3: [L]) and Suburban (Policy 2.2.5 [L]) are included as Attachment #1.

Residential Preservation (RP) (Current)

This site is currently designated as Residential Preservation (RP). RP is characterized by existing homogeneous residential areas within the community which are predominantly accessible by local streets. The primary function is to protect existing stable and viable residential areas from incompatible land use intensities and density intrusions. Commercial, including office as well as any industrial land uses, are prohibited.

Now that the subject site is unified with the parcels fronting Capital Circle, access would be by an arterial roadway, not local streets. The surrounding and adjacent land uses, and the current land use on the subject site, are not fully residential. While the parcels are next to some existing residential areas, they are generally separated by an unpaved road. Redevelopment on the site would require buffers and setbacks from these properties in accordance with the Leon County Land Development Code.

Based on the findings outlined in this staff report, the subject site does not fit the criteria to be identified as RP, therefore the amendment to take it to suburban is consistent with the Comprehensive Plan.

Suburban (SUB) (Proposed)

The purpose of the SUB 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. The Suburban category is most suitable for those areas outside of the Central Core.

To complement the residential aspects of this development pattern, recreational opportunities, cultural activities, commercial goods and services should be located nearby. Except within mixed use centers, larger scale commercial development should be buffered from adjacent residential neighborhoods. Buffering requirements between the land use designations as required by the land development code would be addressed during the site planning process.

Consistency with Comprehensive Plan

Policy 1.1.1: [L] directs new development to areas within the Urban Services Area. The policy states, "In order to discourage urban sprawl, new development shall be concentrated in the urban service area plus in the Woodville Rural Community future land use category and the rural communities of Capitola, Chaires, Ft. Braden and Miccosukee, as designated on the future land use map." The subject site is located within the Urban Services Area.

Policy 2.2.5: [L] as included in attachment one, implements the Suburban land use policy.

As is the intention of the Suburban land use designation, the development of the subject site into commercial may help 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. Property designated as Residential Presentation is located to the south of the subject site, and property designated as Suburban and Urban Residential- 2 is located to the north of the site. This proximity to these land uses is consistent

with the Suburban Land Use category, which is intended to have convenient access to low to medium density residential land uses. As stated in the section above, buffering requirements between the land use designations as required by the land development code would be addressed during the site planning process.

Zoning

The Land Development Code sections for Residential Preservation (RP) (Sec. 10-6.617) and General Commercial (C-2) (Sec 10-6.647) zoning is included as Attachment #2.

The C-2 district is intended to be located in areas designated Bradfordville Mixed Use, Suburban or Woodville Rural Community on the Future Land Use Map of the Comprehensive Plan, and shall apply to 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.

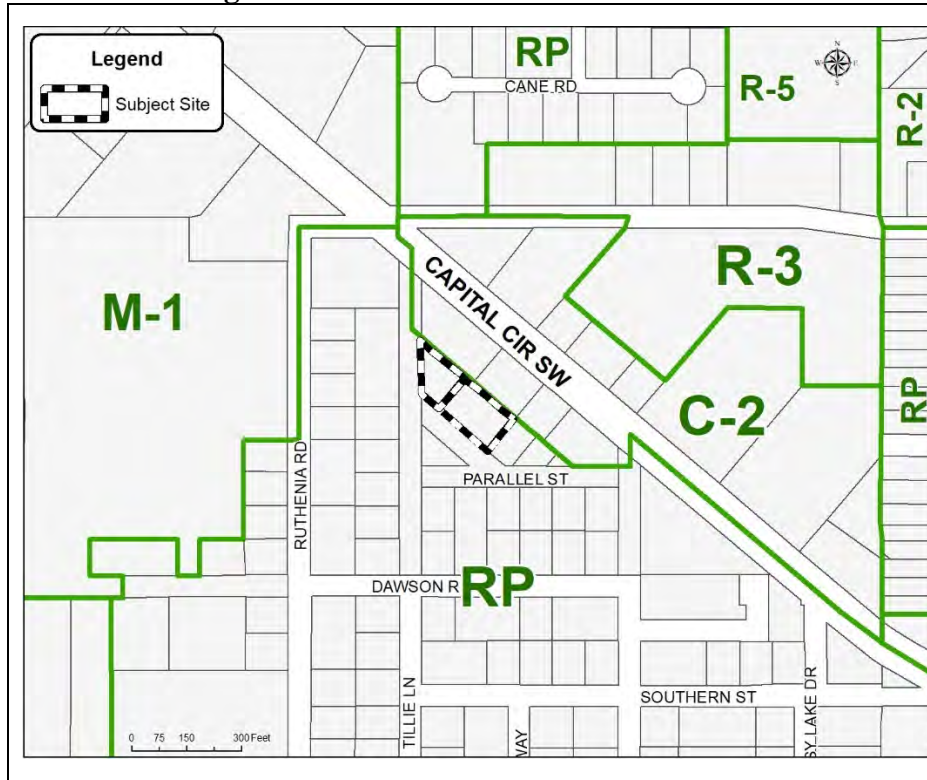
The C-2 district is not intended to accommodate large scale commercial or service activities or other types of more intensive commercial activity. The maximum gross density allowed for new residential development in the C-2 district is 16 dwelling units per acre, with a minimum gross density of 8 dwelling units per acre, unless constraints of concurrency or preservation and/or conservation features preclude the attainment of the minimum density.

The residential uses are required to be located on the second floor or above a building containing commercial or office uses on the first floor. Mixed use projects in the C-2 district are encouraged, but are not required. In order to maintain compact and non-linear characteristics, C-2 districts shall not be located closer than ¼ mile to other C-2 or C-1 districts or to parcels of land containing commercial developments including more than 20,000 gross square feet of floor area and shall not exceed 30 acres in size.

The parcels discussed in this staff report fit the intent of the C-2 district, as they have been unified with the parcels fronting Capital Circle and can now directly access an arterial roadway. They are also located near neighborhoods. This parcel does not exceed 30 acres in size and would be a continuation of C-2 zoning.

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

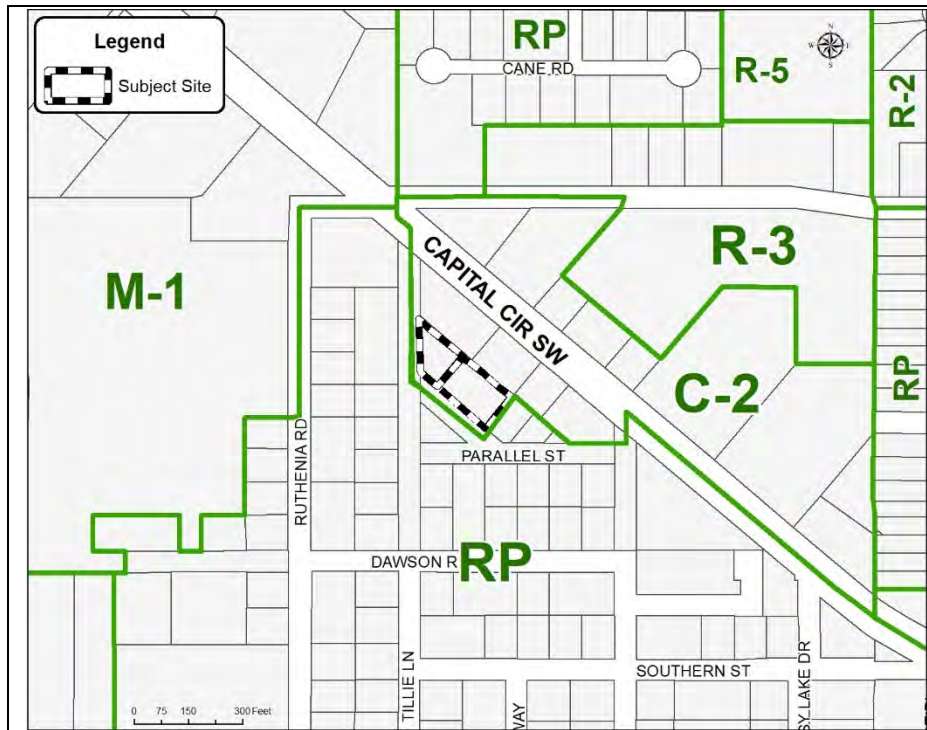
Current Zoning



Current District

- Residential Preservation (RP)

Proposed Zoning



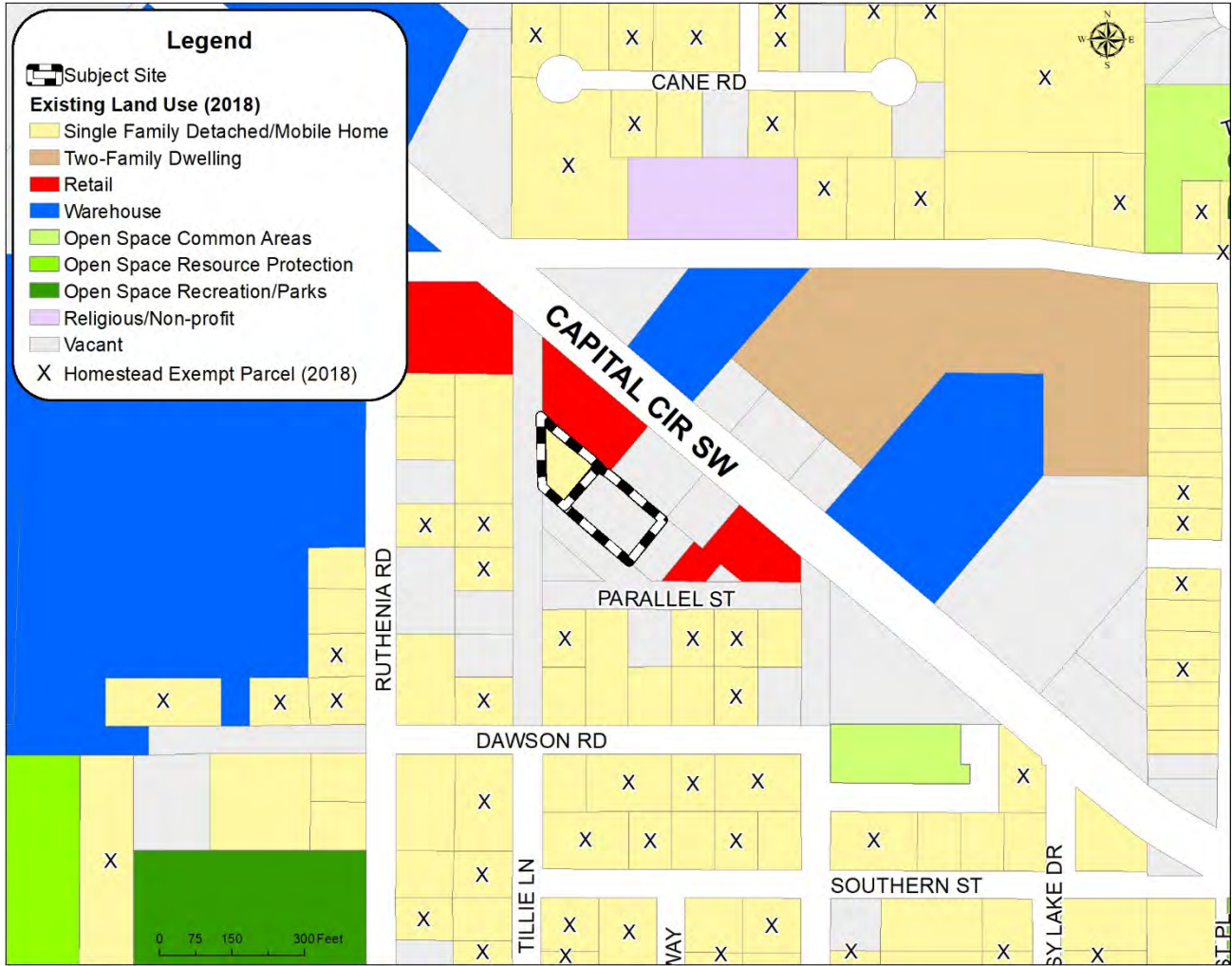
Proposed District

- General Commercial (C-2)

Existing Land Uses

The existing use on the .3 acre parcel on Tillie Lane is single family detached/mobile home. The adjacent .48 acre parcel is currently vacant. Some of the surrounding parcels are vacant. Those that are occupied are either single family detached housing or retail uses.

Existing Land Use Map



Residential Preservation Analysis

Policy 2.2.3: [L] Residential Preservation states that “the Residential Preservation category shall be based on the following general criteria. For inclusion, a residential area should meet most, but not necessarily all of these criteria.” The criteria are listed below, along with an analysis of the subject site.

A) Existing land use to the south of the area is predominantly residential.

Analysis: Some of the existing land use both within and adjacent to the subject site is residential, but it is also surrounded by vacant lots and retail.

B) Majority of traffic is local in nature.

i) Predominance of residential uses front on local streets.

Analysis: There are unpaved private streets surrounding the subject site (Parallel Street and Tillie Lane), that can be used for the residential lots. However, direct access to the subject site would be Capital Circle SW via the portion of the unified parcel fronting Capital Circle.

ii) Relatively safe internal mobility.

Analysis: The subject has relatively safe internal mobility; however, the internal mobility is limited. Tillie Lane, Parallel Street, and Triangle Street are all unpaved private streets with no sidewalks.

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

Analysis: In the surrounding parcels, densities are generally six units per acre or less. However, there are non residential uses and vacant uses directly adjacent to the subject site.

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

Analysis: There is not a relatively homogeneous pattern within this area. While there are residential uses, there are also nonresidential uses and vacant uses directly adjacent to the subject site.

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

i) Degree of home ownership.

Analysis: 8 of the 17 lots surrounding the subject site that have the existing land use of single family detached are homestead exempt. 9 are not.

ii) Existence of neighborhood organizations.

This property falls within the Munson Area Preservation neighborhood association. However, the area in that jurisdiction contains a mix of non residential and residential uses. The boundary of this neighborhood association includes parcels fronting Capital Circle, including commercial uses.

Based on the analysis within this staff report, this site does not fit the criteria to be identified as residential preservation, therefore the amendment to take it to suburban is consistent with the Comprehensive Plan. The surrounding and adjacent land uses, and the current land use on the subject site, are not fully residential.

Infrastructure Analysis

Water/Sewer

Water is available at the site. Sewer is currently under design and construction is not scheduled to start for at least a year.

Schools

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

All attendance zones in which the property is located have capacity for this project.

Currently, Oak Ridge Elementary has a capacity of 306. Post development capacity of Oak Ridge is 303. Currently, Nims Middle School has a capacity of 559. Post development capacity of Nims is 558. Currently, Rickards High School has a capacity of 464. Post development capacity of Rickards is 463.

Roadway Network

Currently, the site can be accessed from Tillie Lane, a private road, or from Capital Circle SW, a principal arterial. If the zoning changes to C-2, access will only be allowable from Capital Circle SW, as properties in the C-2 zoning district must be located on a major collector or arterial street per the Land Development Code. While properties designated C-2 may have additional vehicular access to any type of street, the Land Development Code does not allow vehicular access to local streets if one of the following zoning districts is located on the other side of the local street: RA, R-1, R-2, R-3, R-4, R-5, MH, and RP. Since RP is located on the other side of the private street, access to the subject site will be limited to Capital Circle via the portion of the unified parcel fronting Capital Circle.

The subject site is located outside of the Multimodal Transportation District (MMTD). Any future development may be subject to transportation concurrency. Transportation concurrency will be addressed at site plan submission.

Pedestrian and Bicycle Network

The site is located off of Capital Circle SW, which does have on street bicycle lanes. Otherwise, the site is not immediately accessible via sidewalks or trails.

Transit Network

There are no transit stops in the immediate vicinity of this site.

Environmental Analysis

There are no wetlands or floodplains on this property. This site is located in the Lake Munson drainage basin and the Munson lakeside watershed. It is also located in the Primary Springs Protection zone.

F. PUBLIC OUTREACH AND NOTIFICATION

An initial mailing was sent to **111** property owners within 1,000 feet of Subject Site.

| Public Outreach | | Date | Details |
|-----------------|---|-------------------|--|
| X | Mail Notification of Proposed Changes | December 6, 2019 | Notices Mailed to Property Owners within 1000 feet |
| X | Notice of Proposed Land Use Change and Rezoning | November 20, 2019 | Two signs providing details of proposed land use and zoning changes posted on subject site |
| X | Public Open House | December 17, 2019 | 5:30 PM, Second Floor, Frenchtown Renaissance Center |
| X | Staff Reports Available Online | January 27, 2020 | Email Subscription Notice sent to all users of service |

Public Open House – December 17, 2019: 24 citizens attended the open house to discuss the 2020 Cycle amendments. None of the attendees had questions regarding this proposed amendment.

G. STAFF REPORT UPDATE

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

| Cycle 2020 Meetings | | Dates | Time and Locations |
|---------------------|---------------------------------------|-------------------|--|
| X | Local Planning Agency Workshop | January 7, 2020 | 6:00 PM, Second Floor, Frenchtown Renaissance Center |
| X | Local Planning Agency Public Hearing | February 4, 2020 | 6:00 PM, Second Floor, Frenchtown Renaissance Center |
| X | Joint City-County Commission Workshop | February 25, 2020 | 1:00 PM, Fifth Floor, Leon County Courthouse |
| X | County Adoption Public Hearing | April 28, 2020 | 3:00 PM, Fifth Floor, Leon County Courthouse |

Local Planning Agency Workshop – January 7, 2020: A workshop was held on January 7, 2020 to discuss the proposed 2020 Cycle amendments. The LPA had no questions on this amendment.

Local Planning Agency Public Hearing – February 4, 2020: The Public Hearing was held on February 4, 2020 to vote on the proposed 2020 Cycle amendments. The LPA found the proposed future land use map amendment is consistent with the Tallahassee-Leon County Comprehensive Plan, based on the findings and other information contained in this staff report, and recommend ADOPTION of the proposed amendment. They also found that that the proposed rezoning is consistent with the Tallahassee-Leon County Comprehensive Plan, based on the findings and other

information contained in this staff report, and recommend APPROVAL of the proposed rezoning. There were no public speakers on this item. The applicant was available to answer questions. There were no other citizen speakers on this amendment or rezoning.

Joint City-County Commission Workshop – February 25, 2020: A workshop was held on February 25, 2020 to discuss the proposed 2020 Cycle amendments. Staff presented the proposed amendment to the Commissioners. There were no questions of staff on the proposed amendment.

H. ATTACHMENTS

Attachment #1: Comprehensive Plan policies (Policy 2.2.3 and Policy 2.2.5) Residential Preservation and Suburban

Attachment #2: Land Development Code sections (Sec 10-6.617 and Section 10-6.647) Residential Preservation and General Commercial

Policy 2.2.5: [L]

SUBURBAN (EFF. 3/14/07)

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

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

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

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

Table 4: Suburban Intensity Guidelines

| Development Patterns | Allowed Land Uses | Gross Residential Density | Non-Res Intensity | Percentage Mix of Uses |
|-----------------------------------|---|----------------------------------|----------------------------------|------------------------|
| Low Density Residential | Residential, Recreation, Light Infrastructure & Community Service | 0 to 8 UNITS/ACRE ⁽⁴⁾ | 10,000 SQ.FT/ACRE | 65-90% |
| Low Density Residential Office | Residential, Office, Recreation, Light Infrastructure & Community Service | 0 to 8 UNITS/ACRE ⁽⁴⁾ | 10,000 SQ.FT/ACRE ⁽⁵⁾ | |
| Medium Density Residential | Residential, Recreation, Light Infrastructure & Community Service | 8 to 16 UNITS/ACRE | 20,000 SQ.FT/ACRE | 65-90% |
| Medium Density Residential Office | Residential, Office, Ancillary 1 st Floor Commercial, Recreation, Light Infrastructure, Community Service & Post-Secondary Schools | 8 to 20 UNITS/ACRE | 20,000 SQ.FT/ACRE ⁽⁶⁾ | |

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

Notes: (1) 8 units/acre minimum for exclusively residential; (2) Hospitals up 176,000 sq ft/acre; (3) 20 units/acre and 40,000 sq ft/acre for multiple use development; Combined residential and non-residential development may have up to 40,000 SF and up to a six story building. Residential use, office use and commercial use is allowed. (4) Low Density Residential and Residential Office development patterns can have a minimum of 1 unit per acre if water and sewer are not available. (5) The maximum square footage is increased to 12,500 SF if the project is a mixed use development. (6) The maximum square footage increases to 40,000 SF per acre and maximum height increases to six stories if 50% of parking is structured. This provision only applies to areas previously designated as Mixed Use C (7) 250,000 SF of total development permitted on 20 to 30 acre centers. (8) Storage areas may be 50,000 SF per acre. Office and Retail is allowed. (9) Storage areas may be 50,000 SF per acre.

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

Policy 2.2.3: [L]

RESIDENTIAL PRESERVATION (EFF. 7/16/90; REV. EFF.

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

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

For Residential Preservation areas outside the Urban Service area the density of the residential preservation area shall be consistent with the underlying land use category.

The Residential Preservation category shall be based on the following general criteria. For inclusion, a residential area should meet most, but not necessarily all of these criteria.

- 1) Existing land use within the area is predominantly residential
- 2) Majority of traffic is local in nature
 - a) Predominance of residential uses front on local street
 - b) Relatively safe internal pedestrian mobility
- 3) Densities within the area generally of six units per acre or less
- 4) Existing residential type and density exhibits relatively homogeneous patterns
- 5) Assessment of stability of the residential area, including but not limited to:
 - a) Degree of home ownership
 - b) Existence of neighborhood organizations

In order to preserve existing stable and viable residential neighborhoods within the Residential Preservation land use category, development and redevelopment activities in and adjoining Residential Preservation areas shall be guided by the following principles:

- a) The creation of transitional development area (TDA) for low density residential developments.

Higher density residential developments proposed for areas adjoining an established neighborhood within the residential preservation land use category shall provide a transitional development area along the shared property line in the higher density residential development. The development density in the transitional development area shall be the maximum density allowed in the Residential Preservation land use category. Development within the transitional development area shall be designed, sized and scaled to be compatible with the adjoining residential preservation area.

Transitional development areas shall be non-mapped areas and shall be approved at the time of site plan approval. The factors cited in paragraph (e) below shall be considered when determining the size of transitional development areas. The land development regulations shall specify development thresholds for the implementation of transitional development areas.

b) Limitation on future commercial intensities adjoining low density residential preservation neighborhoods.

New or redeveloped commercial uses adjoining residential preservation designated areas shall mitigate potential impacts by providing a transitional development area between the commercial uses and residential preservation uses and only those commercial activities which are compatible with low density residential development in terms of size and appearance shall be allowed. The factors cited in paragraph (e) below shall be used when determining the compatibility, design techniques and the size of transitional development areas. The design and layout of adjoining commercial uses shall be oriented to place the section of the development with the least potential negative impacts next to the residential preservation area.

c) Limitations on existing light industry adjoining residential preservation neighborhoods.

Expanding or redeveloped light industrial uses adjoining low density residential areas within the residential preservation land use category shall mitigate potential negative impacts and provide screening, buffering, or a transitional development area between the light industrial uses and the low and medium density residential uses. The factors cited in paragraph (e) below shall be considered when determining compatibility, design techniques and the size of the transitional development area.

The design and layout of expanding or redeveloping light industrial uses and adjoining residential preservation areas shall be oriented to place the section of the development with the least potential negative impacts in the area next to the existing and/or future low density residential area in the residential preservation land use category. New light industrial uses shall prevent or mitigate off-site impacts in accordance with the Research and Innovation Land Use category or the Industry and Mining Land Use category and applicable Land Development Regulations.

d) Additional development requirements for allowed community facilities when adjoining low density residential areas, except for cemeteries or religious facilities to be used solely for religious functions. Such development requirements will also apply to ancillary facilities when proposed in conjunction with religious facilities, and are to result in effective visual and sound buffering (either through vegetative buffering or other design techniques) between the community facilities and the adjoining residential preservation area.

e) Land use compatibility with low density residential preservation neighborhoods

A number of factors shall be considered when determining a land use compatible with the residential preservation land use category. At a minimum, the following factors shall be considered to determine whether a proposed development is compatible with existing or proposed low density residential uses and with the intensity, density, and scale of surrounding development within residential preservation areas: proposed use(s); intensity; density; scale; building size, mass, bulk, height and orientation; lot coverage; lot size/ configuration; architecture; screening; buffers, including vegetative buffers;

setbacks; signage; lighting; traffic circulation patterns; loading area locations; operating hours; noise; and odor. These factors shall also be used to determine the size of transitional development areas.

f) Limitations on Planned Unit Developments in the Residential Preservation land use category.

Planned Unit Developments proposed within the interior of a Residential Preservation designated recorded or unrecorded subdivisions shall be generally consistent with the density of the existing residential development in the recorded or unrecorded subdivision. Parcels abutting arterial roadways and/or major collectors may be permitted to achieve six dwelling units per acre.

The existing predominant development density patterns in Residential Preservation are listed in paragraph (g) below. Within 18 months of adoption, the PUD regulations shall be amended to include provisions addressing the preservation of established residential preservation designated areas. Said provisions shall address any proposed increase in density and the factors cited in paragraph (e) above.

g) Limitations on resubdivision of lots within established Residential Preservation designated areas.

To protect established single family neighborhoods from density intrusions, consistency within the recorded or unrecorded subdivision shall be the primary factor in granting approval for development applications. Consistency for the purposes of this paragraph shall mean that parcels proposed for residential development shall develop consistent with the lot size and density of the recorded or unrecorded subdivision.

1. Guidance on the resubdivision of lots in recorded and unrecorded single family subdivisions shall be provided in the Land Development Code.

2. Parcels proposed for residential development shall develop at densities generally consistent with the density of existing residential development in the recorded or unrecorded subdivision with the exception of parcels abutting arterial and/or major collector roadways which may be permitted up to six dwelling units per acre.

There may be two distinct density patterns in the Residential Preservation land use category as shown below:

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

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

Section 10-6.647. C-2 General Commercial district.

| 1. District Intent | PERMITTED USES | |
|--|---|---|
| | 2. Principal Uses | 3. Accessory Uses |
| <p>The C-2 district is intended to be located in areas designated Bradfordville Mixed Use, Suburban or Woodville Rural Community on the Future Land Use Map of the Comprehensive Plan shall apply to 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 or service activities or other types of more intensive commercial activity. The maximum gross density allowed for new residential development in the C-2 district is 16 dwelling units per acre, with a minimum gross density of 8 dwelling units per acre, unless constraints of concurrency or preservation and/or conservation features preclude the attainment of the minimum density. The residential uses are required to be located on the second floor or above a building containing commercial or office uses on the first floor. Mixed use projects in the C-2 district are encouraged, but are not required. In order to maintain compact and non-linear characteristics, C-2 districts shall not be located closer than ¼ mile to other C-2 or C-1 districts or to parcels of land containing commercial developments including more than 20,000 gross square feet of floor area and shall not exceed 30 acres in size.</p> | <p>(1) Antique shops. (2) Automotive service and repair, including car wash. (3) Bait and tackle shops. (4) Banks and other financial institutions. (5) Camera and photographic stores. (6) Cocktail lounges and bars. (7) Community facilities related to the permitted principal uses, including libraries, religious facilities, police/fire stations, and high schools. Elementary schools are prohibited. Other community facilities may be allowed in accordance with Section 10-6.806 of these regulations. (8) Day care centers. (9) Gift, novelty, and souvenir shops. (10) Indoor amusements (bowling, billiards, skating, etc.). (11) Indoor theaters (including amphitheatres). (12) Laundromats, laundry and dry cleaning pick-up stations. (13) Mailing services. (14) Medical and dental offices, services, laboratories, and clinics. (15) Motor vehicle fuel sales. (16) Non-medical offices and services, including business and government offices and services. (17) Non-store retailers. (18) Passive and active recreational facilities. (19) Personal services (barber shops, fitness clubs etc.). (20) Photocopying and duplicating services. (21) Rental and sales of dvds, video tapes and games. (22) Rental of tools, small equipment, or party supplies. (23) Repair services, non-automotive.</p> | <p>(24) Residential (any type), provided that it is located on the second floor or above a building containing commercial or office uses on the first floor. (25) Restaurants, with or without drive-in facilities. (26) Retail bakeries. (27) Retail computer, video, record, and other electronics. (28) Retail department, apparel, and accessory stores. (29) Retail drug store. (30) Retail florist. (31) Retail food and grocery. (32) Retail furniture, home appliances, accessories. (33) Retail home/garden supply, hardware and nurseries. (34) Retail jewelry store. (35) Retail needlework shops and instruction. (36) Retail newsstand, books, greeting cards. (37) Retail office supplies. (38) Retail optical and medical supplies. (39) Retail package liquors. (40) Retail pet stores. (41) Retail picture framing. (42) Retail sporting goods, toys. (43) Retail trophy store. (44) Shoes, luggage, and leather goods. (45) Social, fraternal and recreational clubs and lodges, including assembly halls. (46) Studios for photography, music, art, dance, and voice. (47) Tailoring. (48) Veterinary services, including veterinary hospitals. (49) Other uses, which in the opinion of the County Administrator or designee, are of a similar and compatible nature to those uses described in this district.</p> |
| <p>FOR DEVELOPMENT STANDARDS REFER TO PAGE 2 OF 2</p> | | |

| DEVELOPMENT STANDARDS | | | | | | | | | |
|--|-----------------------------|--------------|--------------|------------------------------|----------------------|--------------------|---------|--|---|
| Use Category | 4. Minimum Lot or Site Size | | | 5. Minimum Building Setbacks | | | | 6. Maximum Building Restrictions | |
| | a. Lot or Site Area | b. Lot Width | c. Lot Depth | a. Front | b. Side-Interior Lot | c. Side-Corner Lot | d. Rear | a. Building Size (excluding gross building floor area used for parking) | b. Building Height (excluding stories used for parking) |
| Any Permitted Principal Use | none | none | none | 25 feet | 15 feet on each side | 25 feet | 10 feet | Except for properties within the Woodville Rural Community, 12,500 square feet of non-residential gross building floor area per acre and commercial and/or office uses not to exceed 200,000 square feet of gross building floor area for each district containing 20 acres or less. 12,500 square feet of non-residential gross building floor area per acre and commercial and/or office uses not to exceed a maximum of 250,000 square feet of non-residential gross building area per district for districts containing more than 20 acres to 30 acres. Individual buildings may not exceed 50,000 gross square feet. Within the Woodville Rural Community, 12,500 square feet of non-residential gross building area per acre and commercial uses not to exceed 50,000 square feet of gross building floor area per parcel. | 3 stories |
| <p>7. Street Vehicular Access Restrictions: Properties in the C-2 zoning district shall be located on a major collector or arterial street, but may have additional vehicular access to any type of street. However, in order to protect residential areas and neighborhoods from non-residential traffic, vehicular access to a local street is prohibited if one of the following zoning districts is located on the other side of the local street: RA, R-1, R-2, R-3, R-4, R-5, MH, , and RP.</p> | | | | | | | | | |

GENERAL NOTES:

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

Sec. 10-6.617. Residential preservation.

(a) Purpose *and intent*. The residential preservation district is characterized by existing homogeneous residential areas within the community predominantly accessible by local streets. The primary function is to protect existing stable and viable residential areas from incompatible land uses and density intrusions. Commercial, retail, office, and industrial activities are prohibited. Certain nonresidential activities may be permitted, such as home occupations consistent with the applicable provisions of section 10-1103; community services and facilities/institutional uses consistent with the applicable provisions of section 10-1104; and churches, religious organizations, and houses of worship. Single-family, duplex residences, manufactured homes, and cluster housing may be permitted within a range of zero to six units per acre. Compatibility with surrounding residential type and density shall be a major factor in the authorization of development approval and in the determination of the permissible density.

(1) In residential preservation areas outside the urban service area, the density of the nonvested development in residential preservation areas shall be consistent with the underlying land use category.

(2) In residential preservation areas inside the urban services area, new residential development densities shall be consistent with those within the developed portions of the recorded or unrecorded subdivision in which they are located. Consistency for the purposes of this paragraph shall mean that proposed lots shall not be smaller than the smallest lot that was created by the original subdivision plat or any subsequent replat that may have occurred consistent with county land development regulations in effect at the time.

(3) When new residential development inside the urban services area is proposed for an area not located within a recorded or unrecorded subdivision, densities shall be permitted in the range of zero to six dwelling units per acre consistent with the availability of central water and sewer service to accommodate the proposed development. If central water and sewer service is not available, density shall be limited to a maximum of two dwelling units per acre consistent with all applicable provisions of the Environmental Management Act.

(4) Allowable development type shall be construed to mean the following:

a. Parcels proposed for residential which are located in a recorded or unrecorded subdivision shall develop consistent with the type of residential development pattern located inside the recorded or unrecorded subdivision.

b. Parcels proposed for residential which are located inside the urban service area and not in a recorded or unrecorded subdivision shall develop consistent with the type of residential development pattern located adjacent to the vacant parcel.

c. Parcels proposed for residential development surrounded by a mix of conventional single-family homes and manufactured homes, shall be developed for conventional single-family homes.

d. Parcels proposed for residential development surrounded by a mix of single-family and duplex development shall be developed for single-family use, unless duplex residential development is the predominant type.

e. The placement of standard design manufactured homes and mobile homes shall be allowed in manufactured home parks, in subdivisions platted explicitly for allowing manufactured homes, or as a replacement unit for any lawfully existing manufactured home consistent with the provisions of article VII of this chapter.

(b) *Allowable uses.* For the purpose of this article, the following land use types are allowable in the RP zoning district and are controlled by the land use development standards of this article, the comprehensive plan and schedules of permitted uses.

(1) Low-density residential.

(2) Passive recreation.

(3) Active recreation.

(4) Community services.

(5) Light infrastructure.

(c) *List of permitted uses.* See schedule of permitted uses, section 10-1210. Some of the uses on these schedules are itemized according to the Standard Industrial Code (SIC). Proposed activities and uses are indicated in the schedules. The activity or use may be classified as permitted, restricted, permitted through special exception, or not allowed. Those uses or activities permitted through special exception shall require review and approval by the Board of County Commissioners consistent with the provisions of section 10-954.

(d) *Development standards.* All proposed development shall meet the applicable buffer zone standards as outlined in section 10-923. For residential development in recorded or unrecorded subdivisions, the development standards including front, rear, side, and side corner yard setbacks for new residential development shall be consistent with the developed portions of the recorded or unrecorded subdivision in which it is located. For new residential development in residential preservation areas not located in recorded or unrecorded subdivisions, the applicable development standards including, but not limited to front, rear, side, and side corner yard setbacks shall be established at the time of subdivision and site and development plan review.

Sec. 10-1210. Residential preservation district.

Allowable uses, appropriate permit level and applicable development and locational standards in the residential preservation district are as follows:

P = Permitted use R = Restricted use S = Special exception

| LEGEND | |
|------------------------------|---------------------------|
| LR = Low-density residential | CS = Community services |
| PR = Passive recreation | LI = Light infrastructure |
| AR = Active recreation | |

| SIC Code | Name of Use | Development and Locational Standards | | | | |
|----------|----------------------------------|--------------------------------------|----|----|----|----|
| | | LR | PR | AR | CS | LI |
| | RESIDENTIAL | | | | | |
| | Dwelling, one-family | P | | | | |
| | Dwelling, two-family | R | | | | |
| | Dwelling, mobile home | P | | | | |
| | Mobile home park | S | | | | |
| | | | | | | |
| | SERVICES | | | | | |
| | Elementary and secondary schools | | | | S | |
| | Religious organizations | | | | S | |
| | | | | | | |
| | PUBLIC ADMINISTRATION | | | | | |
| 922 | Public order and safety | | | | S | |
| 9221 | Police protection | | | | S | |
| 9224 | Fire protection | | | | S | |
| | | | | | | |
| | RECREATION | | | | | |
| | Hiking and nature trails | | P | | | |

| SIC Code | Name of Use | Development and Locational Standards | | | | |
|----------|-------------------------|--------------------------------------|----|----|----|----|
| | | LR | PR | AR | CS | LI |
| | RECREATION (cont.) | | | | | |
| | Picnicking | | P | | | |
| | Canoe trails | | P | | | |
| | Bicycle trails | | P | | | |
| | Horseback riding trails | | P | | | |
| | Tot lots | | | P | | |
| | Court sports | | | P | | |
| | Field sports | | | P | | |

Placement of new mobile homes are limited to the following areas: existing mobile home parks; and platted mobile home subdivisions. New mobile homes shall also be allowed as replacements of lawfully existing mobile homes in other locations. New mobile home parks may be established as per the provisions set forth in section 10-1105.

For further information regarding appropriate minimum development standards, see division 5, section 10-920.



SUMMARY

| | | |
|--|--|--|
| Property Owners: Florida Fish and Wildlife Conservation Commission | Property Location: 3465 Capital Circle SW | TLCPD Recommendation: Approve |
| Applicant: Leon County | | |
| TLCPD Staff: Stephen M. Hodges | Current Future Land Use & Zoning: <u>Future Land Use:</u> OS Recreation/Open Space <u>Zoning:</u> OS Open Space | LPA Recommendation: Approve |
| Contact Information: Stephen.Hodges@talgov.com (850)891-6408 | Proposed Future Land Use & Zoning: <u>Future Land Use:</u> Government Operational <u>Zoning:</u> No change | |
| Date: October 25, 2019 | Updated: April 28, 2020 | |

A. REASON FOR REQUESTED CHANGE

The applicant has filed an application on behalf of the State of Florida's Florida Fish and Wildlife Conservation Commission (FWCC). The FWCC operates a maintenance facility on approximately two acres on a 10-acre forested site at 3465 Capital Circle SW and has done since at least 1983. Capital Circle SW is currently planned to be expanded to six lanes; as part of this expansion, the Florida Department of Transportation is acquiring an approximately 130' of right of way along the north side of the existing highway corridor, which will significantly impact FWCC operations in this location.

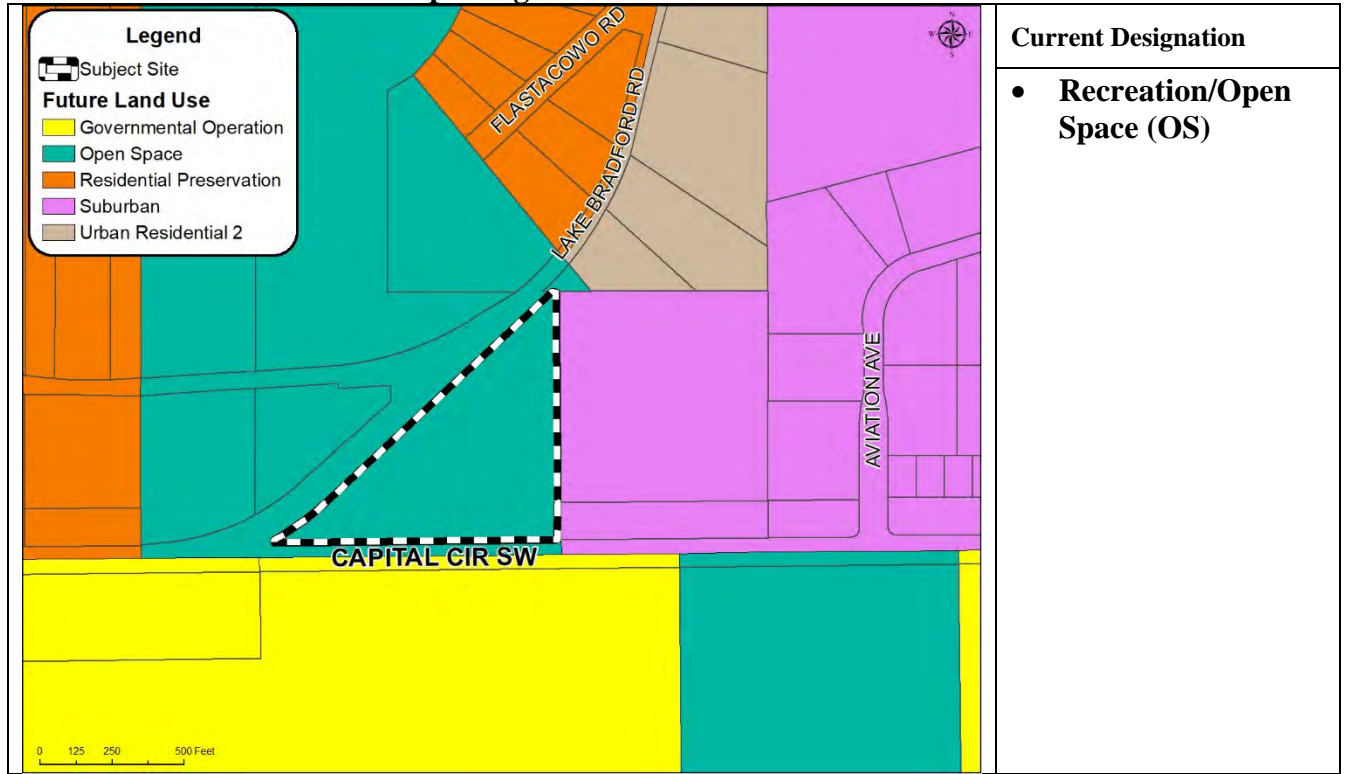
To accommodate this acquisition, FWCC must expand its facility west and/or north. However, the site's current FLUM designation and zoning is not consistent with this existing use. Although the present use was established prior to the adoption of the local comprehensive plan in 1990, this nonconformity does not allow the expansion of the present use. Therefore, in order to change the footprint of the existing use, the FLUM and zoning must be changed so that FWCC can mitigate the acquisition of the southern half of its site. Staff is recommending this future land use change so that this use may continue in this location.

A. CURRENT AND PROPOSED FUTURE LAND USE DESIGNATION

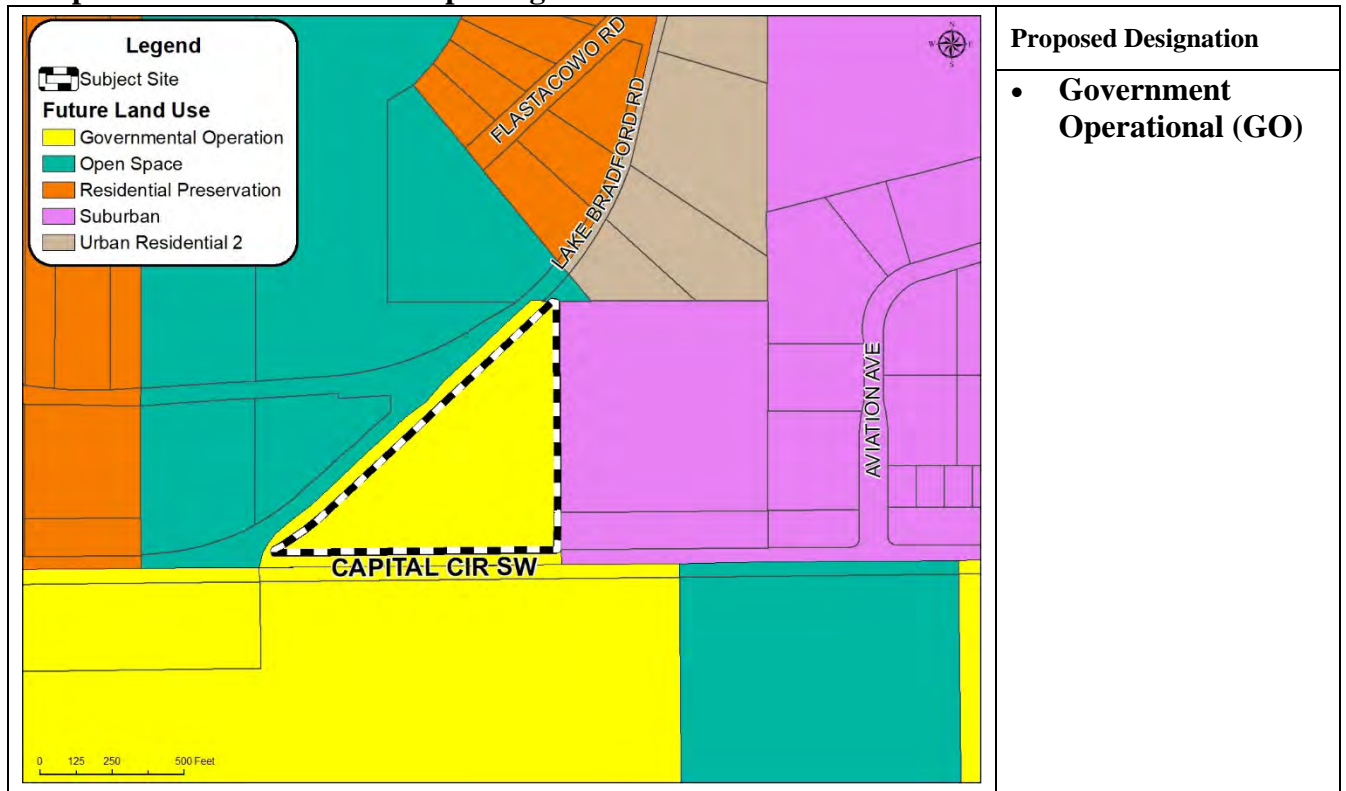
The Subject Area is currently designated Recreation/Open Space (OS) on the Future Land Use Map (FLUM). The proposed amendment would change the FLUM designation of the area to Government Operational (GO).

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

Current Future Land Use Map Designation



Proposed Future Land Use Map Designation



B. STAFF RECOMMENDATION

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

C. LOCAL PLANNING AGENCY (LPA) RECOMMENDATION

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

D. SUMMARY OF FINDINGS

Staff presents the following findings of fact:

1. The existing use of the subject site by FWCC as a maintenance facility is inconsistent with its FLUM designation of Recreation/Open Space as defined by Policy 2.2.14: [L].
2. The existing use of the subject site would be consistent with the Government Operational land use category as defined by Policy 2.2.16: [L].
3. The proposed amendment has no adverse impact on existing or planned infrastructure.

E. STAFF ANALYSIS

History and Background

The State of Florida's Florida Fish and Wildlife Conservation Commission (FWCC) maintenance facility is an approximately two-acre facility located in the southeast corner of a triangular parcel approximately ten acres in size. The facility has existing relatively unchanged in purpose and scope since at least 1983, as evidenced by aerial photography acquired by Leon County. The facility maintains a variety of terrestrial and aquatic vehicles used by the agency in its mission to protect Florida's natural resources and people through enforcement of conservation laws. The remainder of the parcel is forested and vacant.

The intent of the SR 263 Capital Circle Multi-Lane Reconstruction project is to widen the existing roadway from two lanes to six lanes, add lighting, and construct stormwater management facilities and intersection improvements. A 10-foot multi-use path will be constructed on the east side of the roadway and a 5-foot sidewalk will be constructed on the west side of both projects. A new bridge will be constructed over Munson Slough in Segment 1 from Crawfordville Road to Springhill Road. Noise barrier walls are included as part of the design of this segment which is funded for right-of-way acquisition and construction. Bids for construction will be received fall 2021. Segment 2, from Springhill Road to Orange Avenue is funded for right-of-way acquisition and construction. Bids for construction will be received fall 2020.

At this time, the Florida Department of Transportation (FDOT) is acquiring right of way along the north side of Capital Circle SW. The existing right of way is approximately 100' wide, and approximately 130' of additional right of way is being acquired by FDOT to meet the Blueprint design right of way of 230' for Capital Circle. This additional 130' is being acquired on the north side of Capital Circle SW to minimize impacts to the existing Tallahassee International Airport, an existing cemetery, and the existing Thomas P. Smith Water Reclamation Facility.

The acquisition of right of way on the north side of Capital Circle SW will significantly affect the FWCC maintenance facility on the north side of Capital Circle by effectively slicing the facility in half from east to west. The affected area is a secure storage yard where FWCC stores a variety of automobiles, boats, storage sheds, and other components of the maintenance facility. The acquisition of right of way fronting Capital Circle will require FWCC to either shut the facility down and move it to a different site, or to move this storage area to a different location on the parcel.

The subject site has a triangular shape and is bounded by Capital Circle SW along its southern perimeter and Lake Bradford Road along its northwest perimeter. The eastern boundary of the subject site is shared with a square parcel that has a FLUM designation of Suburban and a zoning designation of Office Residential – 1.

The general development pattern of this area of the urban area of Tallahassee has been a mix of residential and institutional uses for several decades. The nearby residential area is composed of single-family houses close to Lake Bradford. The area to the immediate west of the subject site is vacant forest land that has the same current land use and zoning designations as the subject parcel. The area north of the subject site also has the same land use and zoning designations as the subject parcel. The area west and north of the subject site is part of one of two adjacent parcels owned by the State of Florida that used by Florida State University as a recreational area for their students. The parcel directly east of the subject site is vacant.

The FLUM designation of the subject site has been Recreation/Open Space since at least August of 1994. Previous to that, it was originally designated as Mixed Use from the adoption of the original Comprehensive Plan.

Current and Proposed Future Land Use Categories

The complete comprehensive plan policies for Recreation/Open Space (Policy 2.2.14: [L]) and Government Operational (Policy 2.2.16: [L]) are included as Attachment #1.

Recreation/Open Space (Current)

Although the Recreation/Open Space (OS) land use category applies to both government- and privately-owned lands, there are no active or passive recreational facilities, historic sites, forests managed for recreational use, cemeteries, wildlife management areas, golf courses, cemeteries, or wildlife management areas on the subject parcel. Because the current use of the subject site is inconsistent with its Open Space zoning designation (which implements the OS FLUM category), the current use cannot expand or change its footprint.

Government Operational (Proposed)

The Government Operational (GO) FLUM category specifically allows facilities that provide for the operation of and provision of services on property owned or operated by government. The current use of the subject site is wholly consistent with this description. The subject site is owned by the State of Florida and has been used consistently for vehicle maintenance for more than 30 years, which is one of the allowable uses listed in Policy 2.2.16.

Consistency with Comprehensive Plan

The proposed amendment is consistent with the following goals, objectives, and policies of the Tallahassee-Leon County Comprehensive Plan. As previously indicated, the proposed amendment is consistent with Government Operational Policy 2.2.16: [L] as the subject site is owned by state government and is primarily used for vehicle maintenance.

According to the Glossary of the Comprehensive Plan, vehicle maintenance facilities are considered heavy infrastructure, which is a community facility. Light and heavy infrastructure are also specifically allowed under Policy 2.2.16: [L] (Government Operational) but not under Policy 2.2.14: [L] (Recreation/Open Space).

Zoning

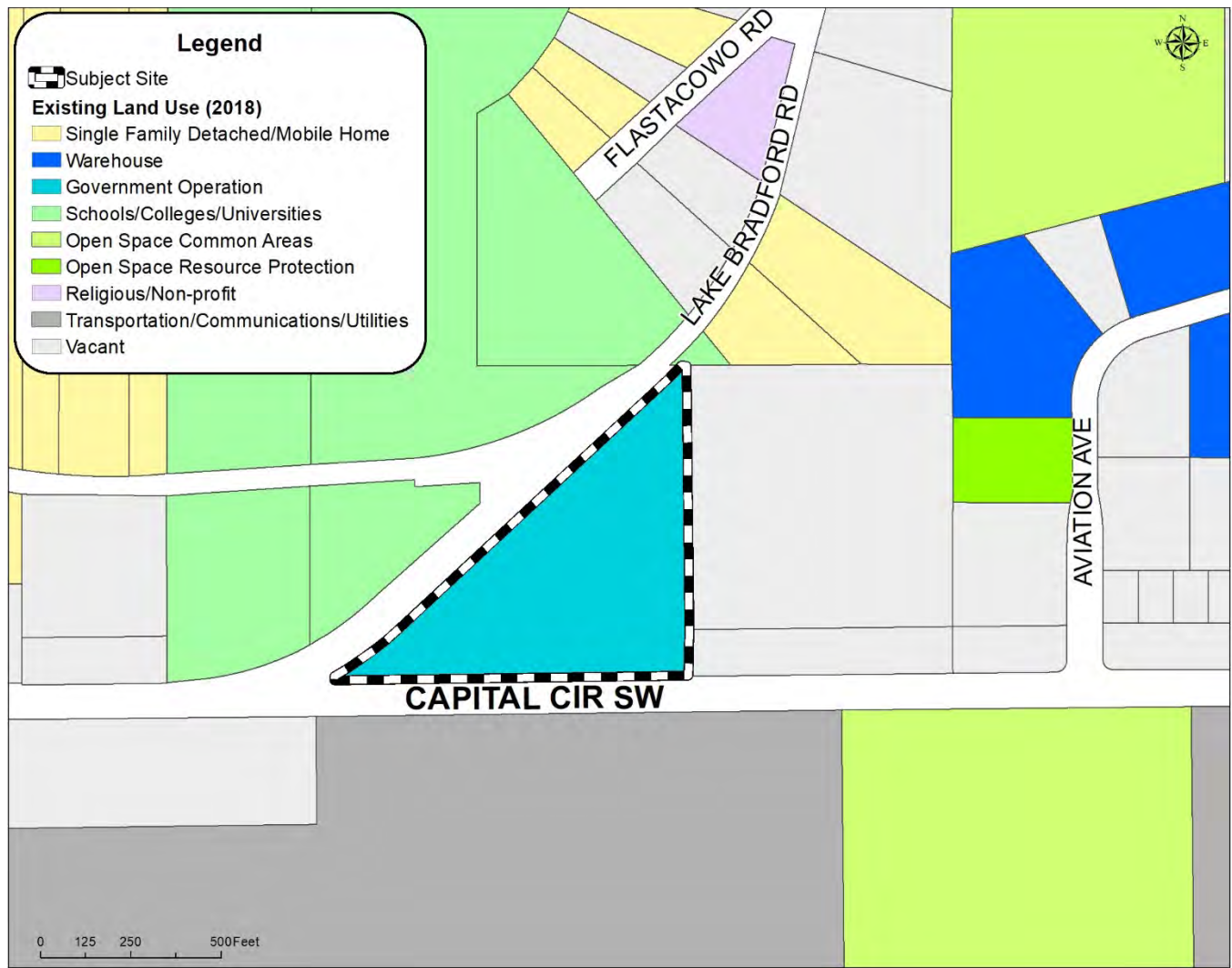
The Land Development Code section for OS Open Space (Section 10-6.658) zoning is included as Attachment #2. The Leon County department of Development Support and Environmental Management is currently writing an ordinance to create a Government Operational zoning district within the unincorporated area. A future rezoning will be proposed for the site once the County GO zoning district is adopted into the County's land development code.

Existing Land Uses

The existing use on the subject site located at 3465 Capital Circle SW is a vehicle maintenance facility located on approximately two acres of the 10-acre subject parcel. This parcel is currently developed with one main building and a parking lot that is used for storage of a variety of vehicles used by FWCC.

The parcels on the east and west of the subject site are vacant. Three parcels northwest of the subject site comprise a Florida State University student outdoor recreational facility, and there is a low-density residential area to the north and northeast. The area south of the subject site is part of the Tallahassee International Airport.

Existing Land Use Map



Infrastructure Analysis

Water/Sewer

At this time, City water service is available to the subject site. The only sewer is a force main located on the north side of capital circle. No gravity sewer is available.

Schools

The Subject Area is zoned for Pineview Elementary School, Nims Middle School, and Rickards High School. Because the Government Operational FLUM category does not allow residential uses, there are no school concurrency issues or other related impacts from this proposed land use change.

Roadway Network

The subject site is bounded by two roads, Capital Circle SW and Lake Bradford Road. The former is a principal arterial that is being expanded from two to six lanes, and the latter is a major collector. There are no known concurrency issues, and the subject site is outside of the Multimodal Transportation District.

Pedestrian and Bicycle Network

The expansion of Capital Circle from two lanes to six will included sidewalks and a shared use path or trail on the north side of the roadway. This will provide bicycle and pedestrian access to the site from this roadway.

Transit Network

At present, there is no public transportation access to the subject parcel.

Environmental Analysis

County environmental maps indicate no significant environmental features on the subject parcel. However, there may be two listed species onsite. Florida Golden Aster (*Chrysopsis floridana*), an perennial herb, and Gopher Tortoises (*Gopherus polyphemus*) have been found on several nearby parcels in this area of Leon County. Nevertheless, a natural features inventory will be conducted prior to any development activity, and if any listed species are identified onsite, they will be either protected or mitigated.

F. PUBLIC OUTREACH AND NOTIFICATION

An initial mailing was sent to 20 property owners within 1,000 feet of the subject site.

| Public Outreach | | Date | Details |
|-----------------|---|------------------|--|
| X | Mail Notification of Proposed Changes | December 6, 2019 | Notices Mailed to Property Owners within 1000 feet |
| X | Notice of Proposed Land Use Change and Rezoning | | Two signs providing details of proposed land use and zoning changes posted on subject site |
| X | Public Open House | December 5, 2019 | 5:30 PM, Second Floor, Frenchtown Renaissance Center |
| X | Staff Reports Available Online | January 27, 2020 | Email Subscription Notice sent to all users of service |

Public Open House –December 17, 2019: 24 citizens attended the open house to discuss the 2020 Cycle amendments. None of the attendees had questions regarding this proposed amendment.

G. STAFF REPORT UPDATE

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

| Cycle 2019 Meetings | | Dates | Time and Locations |
|---------------------|---------------------------------------|-------------------|--|
| X | Local Planning Agency Workshop | January 7, 2020 | 6:00 PM, Second Floor, Frenchtown Renaissance Center |
| X | Local Planning Agency Public Hearing | February 4, 2020 | 6:00 PM, Second Floor, Frenchtown Renaissance Center |
| X | Joint City-County Commission Workshop | February 25, 2020 | 1:00 PM, Fifth Floor, Leon County Courthouse |
| X | County Adoption Public Hearing | April 28, 2020 | 3:00 PM, Fifth Floor, Leon County Courthouse |

Local Planning Agency Workshop – January 7, 2020: A workshop was held on January 7, 2020 to discuss the proposed 2020 Cycle amendments. The LPA had no questions on this amendment.

Local Planning Agency Public Hearing – February 4, 2020: The Local Planning Agency voted to recommend approval of the proposed map amendment. There were no citizen speakers on this amendment.

Joint City-County Commission Workshop – February 25, 2020: A workshop was held on February 25, 2020 to discuss the proposed 2020 Cycle amendments. One County commissioner asked for clarification as to why this amendment had been submitted. There were no other questions on this amendment.

H. ATTACHMENTS

Attachment #1: Comprehensive Plan Policies for Recreation/Open Space (Policy 2.2.14: [L]) and Government Operational (Policy 2.2.16: [L])

Attachment #2: Land Development Code Section for OS Open Space (Section 10-6.658)

Attachment #1

Policy 2.2.14: [L]

RECREATION/OPEN SPACE (EFF. 8/17/92; REV. EFF. 7/26/06; RENUMBERED 3/14/07)

This category contains:

- (1) Government owned lands which have active or passive recreational facilities, historic sites, forests, cemeteries, or wildlife management areas.
- (2) 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.

Policy 2.2.16: [L]

GOVERNMENT OPERATIONAL (EFF. 8/17/92; REV. EFF. 7/26/06; RENUMBERED 3/14/07; REV. EFF. 12/24/10)

Contains facilities, which include those defined on the Land Use Development Matrix as Community Services, Light Infrastructure, Heavy Infrastructure, and Post-Secondary, that provide for the operation of and provision of services on property owned or operated by local, state and federal government. The government facilities may include services and uses provided by private entities operating on property owned by the local, state, or federal government. These facilities shall include, but are not limited to:

| | |
|--------------------------------|----------------------------------|
| Airports* | Offices |
| Correctional Facilities | Outdoor Storage Facilities |
| Courts | Police/Fire Stations |
| Electric Generating Facilities | Sanitary Sewer Percolation Ponds |
| Electric Sub-Stations | Sanitary Sewer Pump Stations |
| Health Clinics | Sanitary Sewer Sprayfields |
| Libraries | Vehicle Maintenance Facilities |
| Incinerators | Waste to Energy |
| Materials Recovery Facilities | Water Tanks |
| Museums | Water Treatment Plants |
| Postal Facilities | Water Wells |

*Includes services and uses provided by private entities that are commonly located at commercial service airports.

| 1. District Intent | PERMITTED USES | | | | | | | | |
|--|---|---------------------|---------------------|-------------------------------------|---|---------------------------|----------------|--|--|
| | 2. Principal Uses | | | | 3. Accessory Uses | | | | |
| The OS District is intended to provide areas within the community for the resource conservation and passive or active recreational facility needs of the community. The OS District may be applied to publicly or privately owned lands where preservation of natural features is desired. | (1) Agriculture. (2) Cemeteries. (3) Nature centers and related administrative and service facilities. (4) Open space, natural areas, conservation areas and wildlife management areas. (5) Outdoor passive and active recreational facilities, including trails. (6) Silviculture. (7) Stormwater management facilities. | | | | (1) A use or structure on the same lot with, and of a nature customarily incidental and subordinate to, the principal use or structure and which comprises no more than 33 percent of the floor area or cubic volume of the principal use or structure, as determined by the County Administrator or designee. (2) Light infrastructure and/or utility services and facilities necessary to serve permitted uses, as determined by the County Administrator or designee. | | | | |
| DEVELOPMENT STANDARDS | | | | | | | | | |
| | 4. Minimum Lot or Site Size | | | 5. Minimum Building Setbacks | | | | 6. Maximum Building Restrictions | |
| Use Category | a. Lot or Site Area | b. Lot Width | c. Lot Depth | a. Front | b. Side-Interior Lot | c. Side-Corner Lot | d. Rear | a. Building Size (excluding gross building floor area used for parking) | b. Building Height (excluding stories used for parking) |
| Any Permitted Principal Use | None | None | None | 25 feet | None, except 15 ft. if adjoining a low density residential zoning district. | 25 feet | 10 feet | 1,000 square feet of gross building area per acre | 3 stories |

GENERAL NOTES:

1. If central sanitary sewer is not available, residential development is limited to a minimum of 0.50 acre lots and non-residential development is limited to a maximum of 2,500 square feet of building area. Community service facilities are limited to a maximum of 5,000 square feet of building area or a 500 gallon septic tank. Also, refer to Sanitary Sewer Policies 3.1.6. and 3.1.7. of the Comprehensive Plan for additional requirements.
2. Refer to the Environmental Management Act (EMA) for information pertaining to the regulation of environmental features (preservation/conservation features), stormwater management requirements, etc.
3. Refer to the Concurrency Management Ordinance for information pertaining to the availability of capacity for certain public facilities (roads, parks, etc.).